

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §1825-B, sub-§2, ¶A,** as enacted by PL 1989, c. 785, §2, is amended to read:

A. The procurement of goods or services by the State, for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$1,000 or less, and the interests of the State would best be served;

See title page for effective date.

**CHAPTER 641**

**H.P. 1469 - L.D. 1995**

**An Act to Establish Fairness in the Placement of On-line Lottery Machines**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, currently there is no appeal process in place for applicants who are denied licenses to sell lottery tickets by the Director of the Bureau of Alcoholic Beverages and Lottery Operations; and

**Whereas**, a fair and specific appeals process needs to be established in law; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 8 MRSA §375,** as enacted by PL 1987, c. 505, §2, is amended to read:

**§375. Lottery sales agent; licensing; appeals**

**1. Factors.** A license as an agent to sell lottery tickets or shares may be issued by the director to any qualified person. Before issuing the license, the director shall consider ~~such~~ at least the following factors as:

A. The financial responsibility and security of the person and ~~his~~ the person's business or activity;

B. The accessibility of ~~his~~ the person's place of business or activity to the public;

C. The sufficiency of existing licensees to serve the public convenience; and

D. The volume of expected sales.

**2. Appeals.** An applicant who is denied a license may appeal the director's decision to the commission by filing a written appeal with the commission within 15 days of the mailing of the director's decision. An applicant aggrieved by a decision of the commission may appeal the commission's decision by filing a complaint with the Administrative Court and serving a copy of the complaint upon the commission. The complaint must be filed and served within 30 days of the mailing of the commission's decision.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 7, 1994.

**CHAPTER 642**

**S.P. 461 - L.D. 1453**

**An Act to Make Changes in the Manufactured Housing Laws**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, the Manufactured Housing Board lacks the authority to enforce warranties that protect consumers, and many consumers are not receiving relief from improper manufacturing or installation of manufactured homes; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 10 MRSA c. 213, first 2 lines** are repealed and the following enacted in their place:

**CHAPTER 213**

**MANUFACTURED HOUSING WARRANTIES**

**Sec. 2. 10 MRSA §1401,** as repealed and replaced by PL 1989, c. 805, §1, is amended to read: