

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**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**  
**1999**

Sec. 2. 33 MRSA §1954-A is enacted to read:

**§1954-A. Retention of property with historic value**

**1. Historic significance.** The administrator may retain any tangible property delivered to the administrator, if the property has exceptional historic significance. The historic significance must be certified by the administrator with advice from the State Historian, the State Archivist, the State Librarian and the Director of the Maine State Museum. A statement of the appraised value of the property must be filed with the certification. Historic property retained under this subsection must be stored or displayed at the Maine State Museum, the Maine State Library or other suitable locations.

**2. Owner's property rights.** Nothing in this section affects the right of the owner to recover the property or its value.

See title page for effective date.

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**CHAPTER 295**

**H.P. 779 - L.D. 1102**

**An Act to Reduce the Limitations on  
Nonprofit Organizations Holding  
Games of Chance**

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

**Sec. 1. 17 MRSA §332, sub-§4, ¶B,** as repealed and replaced by PL 1987, c. 314, §2, is amended to read:

B. No other licensee may operate a game of chance on premises to which the general public has access. In any room where a licensed game of chance is being conducted, there ~~shall~~ must be at least one member of the licensee present in that room for every 2 nonmembers who are present. That member ~~shall~~ must have been a member of the licensee for at least one year. ~~No~~ A member of the licensee, either directly or through another member or guest, may not stake or risk something of value in the licensee's game of chance unless the member has been a member, as defined in section 330, subsection 3-B, of the licensee for at least 14 days not including the day of admission into membership.

A bona fide nonprofit organization may operate a licensed game of chance, to which the general public has access, once every ~~6~~ 3 months for a period not to exceed ~~3~~ 2 consecutive days. The licensed game of chance may be operated at any

location described in the license and ~~shall~~ may be conducted only by members of the licensee.

See title page for effective date.

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**CHAPTER 296**

**H.P. 931 - L.D. 1308**

**An Act to Clarify Roles and  
Responsibilities in the Child  
Development Services System**

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

**Whereas,** this Act ensures that early intervention services and free appropriate public education services for eligible children with disabilities will continue to be made available; 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. 20-A MRSA §7725, sub-§4, ¶¶C  
and D,** as enacted by PL 1997, c. 534, §6, are repealed and the following enacted in their place:

**C. For children from birth to under age 3:**

(1) Developmental delays, as measured by both diagnostic instruments that are criterion-based or norm-referenced and appropriate procedures, in one or more of the following areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; or adaptive development, with the delay being such that the child needs early intervention services;  
or

(2) A diagnosed physical or mental condition that has a high probability of resulting in developmental delay, with the condition being such that the child needs early intervention services; or

**D. For children age 3 to under age 6, evaluated in accordance with 34 Code of Federal Regulations, 300.530-534, as measured by both standardized, norm-referenced diagnostic instru-**