

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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## Chapter 148

### AN ACT Relating to the Testing of Vision and Hearing for School Pupils.

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

Sec. 1. R. S., T. 20, § 1135, repealed and replaced. Section 1135 of Title 20 of the Revised Statutes, as amended by section 19 of chapter 425 of the public laws of 1967, is repealed and the following enacted in place thereof:

§ 1135. Examination of sight and hearing; notice of defect or disability to parent or guardian

The school committee or school directors of administrative units shall require that children in the public schools be screened for the purpose of determining if a school child may have defective sight or hearing. The commissioner shall, after consultation with the Department of Health and Welfare, prescribe the directions for the tests of sight and hearing. These directions shall include the frequency and manner of conducting the tests as well as the method by which notice of any defect or possible defect detected shall be sent to the parent or the guardian of the child. The commissioner shall furnish to the administrators of the school administrative units the prescribed directions for the tests of sight and hearing. He shall also furnish test cards, record and report forms and other useful materials for carrying out the purpose of this section.

This section shall not apply to any child whose parent objects thereto in writing on the grounds that such examinations conflict with the child's religious tenets and practice, unless there are reasonable and apparent grounds suspecting that such child has a hearing or vision deficiency.

Sec. 2. R. S., T. 20, §§ 1136, 1137 and 1139, repealed. Section 1136, section 1137 as amended, and section 1139, all of Title 20 of the Revised Statutes, are repealed.

Effective September 23, 1971

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## Chapter 149

### AN ACT Relating to Payment for Sales of Malt Liquor or Wine in Retail Stores.

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

R. S., T. 28, § 751-A, repealed and replaced. Section 751-A of Title 28 of the Revised Statutes, as enacted by chapter 91 of the public laws of 1967 and as last repealed and replaced by section 51 of chapter 590 of the public laws of 1969, is repealed and the following enacted in place thereof:

**§ 751-A. Payment for sales in retail stores**

For the purpose of receiving payment at the check-out counters for the sale of malt liquor or table wine in retail stores, the age of such employee receiving the payment shall not be under 17 years of age, provided that in any event an employee who is 20 years of age or older is present in the retail store in a supervisory capacity.

Effective September 23, 1971

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**Chapter 150****AN ACT Relating to Rebates for Prospective Purchasers and Consumer's Obligation under Home Solicitation Sales Act.**

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

**Sec. 1. R. S., T. 32, § 4665, repealed and replaced.** Section 4665 of Title 32 of the Revised Statutes, as enacted by chapter 395 of the public laws of 1969, is repealed and the following enacted in place thereof:

**§ 4665. Consumer's obligation**

Within 20 days of notification to the seller of the avoidance of a contract or sale as provided under this subchapter, the consumer upon demand shall tender to the seller any goods delivered to the buyer pursuant to the sale or contract but need not tender at any place other than his residence. If the seller fails to take possession of such goods within 20 days after cancellation, the goods shall become the property of the consumer without obligation to pay for them.

**Sec. 2. R. S., T. 32, § 4669, additional.** Title 32 of the Revised Statutes is amended by adding a new section 4669 to read as follows:

**§ 4669. Referral sales, rebate or discount violations**

No seller, in any sale subject to this subchapter, shall offer to pay a commission or give a rebate or discount to the buyer in consideration of the buyer's giving to the seller the names of prospective purchasers or otherwise aiding the seller in making a sale to another person, if the earning of the commission, rebate or discount is contingent upon an event that is to happen subsequent to the time the buyer agrees to buy.

Effective September 23, 1971