

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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

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

§ 2316. Certificates or contracts; approval by commissioner

No nonprofit hospital and medical service organization shall issue or deliver in this State any certificate or other evidence of any contract unless and until the form thereof, together with the form of application and all riders or endorsements for use in connection therewith, shall have been filed with the commissioner and approved by him as conforming to reasonable rules and regulations from time to time made by him and as not inconsistent with any other provisions of law applicable thereto. The commissioner shall, within a reasonable time after the filing of any such form, notify the organization filing the same either of his approval or of his disapproval of such form. The commissioner may approve any such form which in his opinion contains provisions on any one or more of the several requirements made by him which are more favorable to the subscribers than the one or ones so required. The commissioner shall have power, from time to time, to make, alter and supersede reasonable regulations prescribing the required, optional and prohibited provisions in such contracts, and such regulations shall conform, as far as practicable, to Title 24-A, chapters 33 and 35. Where the commissioner deems inapplicable, either in part or in their entirety, the foregoing chapters, he may prescribe the portions or summary thereof of the contract to be printed on the certificate issued to the subscriber. Any filing made hereunder shall be deemed approved unless disapproved within 60 days from the date of such filing.

§ 2317. Other provisions applicable

The following chapters and provisions of Title 24-A, where and to the extent not inconsistent with this chapter and the reasonable implications thereof, shall apply to such corporations only to the extent provided for by rules and regulations issued by the commissioner to such corporations:

1. Chapter 1. General definitions and provisions.
2. Chapter 3. The Insurance Commissioner.
3. Chapter 23. Trade practices and frauds.
4. Chapter 49. Continuity of management.
5. Chapter 57. Delinquent insurers; rehabilitation and liquidation.

Effective September 23, 1971

Chapter 445

AN ACT Relating to Destruction of Vending Machines.

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

R. S., T. 17, § 2507, additional. Title 17 of the Revised Statutes is amended by adding a new section 2507 to read as follows:

§ 2507. Destruction of vending machines

Whoever willfully breaks, tampers with or removes any part or parts of any vending machine or any other coin or currency operated machine for the purpose of defacing or destroying such machine shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.

Effective September 23, 1971

Chapter 446

AN ACT Revising Certain Safety Laws in the Department of Labor and Industry.

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

Sec. 1. R. S., T. 26, § 45, repealed and replaced. Section 45 of Title 26 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 45. Notice of improper conditions

The workshops, equipment, tools, working conditions and conditions of a construction activity provided by an employer shall be reasonably safe and not in such condition as to be hazardous to the employee engaged therein. If, upon inspection, the commissioner or any authorized agent of the department shall find that an existing condition not covered by the rules and regulations of the occupational Safety Rules and Regulations Board, or the Construction Safety Rules and Regulations Board is such as to be injurious to the health of the persons employed or residing therein by reason of inadequate heating, lighting, ventilation or sanitary arrangement or for any other reason, or that reasonable safeguards for preventing accidents or injuries to those employed are not provided, he shall order, in writing, the employer, proprietor or agent operating such work place to make, within 30 days, the alterations or additions by him deemed necessary for the reasonable safety and protection of the employees. In case of extraordinary hazard, the commissioner or his agent may order that the hazard be removed immediately.

Any person aggrieved by any such order may appeal from such order as provided in section 7.

Sec. 2. R. S., T. 26, § 373-A, additional. Title 26 of the Revised Statutes is amended by adding a new section 373-A, to read as follows:

§ 373-A. Enforcement generally

If, upon inspection or investigation, the commissioner or his agents determine that any employer or employee or any person engaged in construction has violated any rule or regulation promulgated under section 373 or 565, he shall issue such orders as are deemed to be necessary to enforce such rule or regulation. Any employer or employee who has been found in violation of any rule or regulation or who refuses to obey the order of the commissioner