

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

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 Co., Inc.  
Augusta, Maine  
1986

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

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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SUBCHAPTER III

VINOUS LIQUOR

§771. License for florists and florist shops

A license for sale and distribution of table wine by florist shops may be issued by the commission upon application and under such rules as the commission may prescribe. No license or licenses may be issued to any person who is not engaged in a bona fide florist shop business and no person licensed to sell table wine under this section may sell table wine for consumption on the premises where sold.

Licenses in an unincorporated place, where no local option vote is taken under section 103, require the approval of the county commissioners of the county.

No license may be issued to any new retail premise under this section unless it has been in operation as such for a period of at least 3 months immediately prior to the date of the application, or unless the applicant proves to the satisfaction of the commission that all proper standards and requirements of laws and rules of the commission have been met and the applicant has been a resident of the State for at least 6 months prior to filing his application.

All licensees under this section shall have and maintain an adequate stock of flowers, cut flowers and supplies used in the florist business, not including liquor, in no case less than \$1,000 wholesale value.

No licensee under this section may sell table wine except when incorporated into a floral arrangement the retail price of which is at least \$10 without the table wine, not including delivery charges.

Effective September 19, 1985.

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**CHAPTER 139**

S.P. 118 - L.D. 333

AN ACT to Preserve Affordable  
Telecommunications Equipment for  
Customers with Special Needs.

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

Whereas, since April 2, 1984, there has been pending before the Public Utilities Commission a petition for the deregulation of special telecommunications equipment for customers in the State with hearing and speech disabilities; and

Whereas, it is essential that the Public Utilities Commission retain jurisdiction over the marketing and sale of this special telecommunications equipment within the State; and

Whereas, without the creation by law of express authority for the Public Utilities Commission to retain that jurisdiction, the petition for deregulation may be granted; 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. 35 MRSA §15, sub-§20 is amended to read:

20. Telephone line. "Telephone line" includes all conduits, ducts, poles, wires, cables, instruments and appliances, specifically including telecommunications equipment for customers with special needs subject to the provisions of chapter 183-B, and all other real estate, fixtures and personal property owned, controlled, operated or managed in connection with or to facilitate communication by telephone, whether ~~such~~ that communication is had with or without the use of transmission wires.

Sec. 2. 35 MRSA c. 183-B is enacted to read:

CHAPTER 183-B

TELECOMMUNICATIONS EQUIPMENT FOR CUSTOMERS

WITH SPECIAL NEEDS

§2611. Telecommunications equipment

The Public Utilities Commission shall retain jurisdiction over the sale or lease of volume control and low speech power telephone equipment and of bone conductor receivers, pursuant to section 15, until it makes an affirmative finding, based on full consideration of an evidentiary record, that there are adequate retail outlets in the State to ensure affordable and competitive pricing of this equipment and its availability in sufficient quantities to satisfy the current and projected demand for that equipment by customers with hearing or speech impairments. The commission shall have discretion not to regulate any person or corporation whose share of the total market in the State of volume control or low speech power telephone equipment or of bone conductor receivers is considered not to be substantial.

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

Effective May 2, 1985.

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## CHAPTER 140

H.P. 939 - L.D. 1345

### AN ACT to Amend the Fair Credit Reporting Act.

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

Sec. 1. 10 MRSA §1316, sub-§2, as amended by PL 1977, c. 677, §6, is further amended to read:

2. Methods. The disclosures required under section 1315 shall be made to the consumer by one or more of the following methods:

A. In person, if he appears in person and furnishes proper identification, and, in any such case, the consumer shall be permitted a personal visual inspection of his file and, upon his request, shall be furnished copies of any ~~investigative consumer reports~~ report at a charge ~~for photocopying~~ not to exceed the agency's actual costs for that photocopying or otherwise producing the report;