

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 869

S. P. 265

In Senate, February 19, 1969

Referred to Committee on Health and Institutional Services. Sent down for concurrence and 1,000 ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Solicitation of Eye Services and Appliances.

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

R. S., T. 32, § 2455, additional. Title 32 of the Revised Statutes is amended by adding a new section 2455, to read as follows:

§ 2455. Solicitation

It shall be unlawful for any person, firm, partnership, company or corporation to solicit eye examinations or visual services, or to advertise the sale of eyeglasses, spectacles, lenses, frames, mountings, prisms or any other optical appliances or devices commonly included in the prescriptions of optometrists or physicians by newspaper, radio, window display, television, telephone directory display advertisement or any other means of advertisement; or to use any method or means of baiting, persuading or enticing the public into buying eyeglasses, spectacles, lenses, frames, mountings, prisms or other optical appliances or devices for visual correction. This section shall not render any advertising media liable for publishing any advertising furnished them by a vendor of said commodity or material; nor shall anything in this section prevent ethical educational publicity or advertising by legally qualified health groups that does not violate presently existing laws of Maine, nor prevent the proper use of ethical professional notices. Nothing in this section shall prohibit the advertisement or sale of sunglasses equipped with plano lenses, industrial glasses or goggles with plano lenses used for industrial eye protection, when sold as merchandise at any established place of business and when the selection of these is at the discretion of the purchaser.

This section is passed in the interest of public health, safety and welfare, and its provisions shall be literally construed to carry out its objects and purposes.

Whoever violates any provision of this section shall be punished for the first offense by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than 3 months, or by both, or for a subsequent offense, by a fine of not less than \$200 nor more than \$500, or by imprisonment for not less than 3 months, nor more than 6 months, or by both.