

MAINE STATE LEGISLATURE

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(Filing No. H-784)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 415, L.D. 518, Bill, "AN ACT to Permit the Advertising of Prescription Eyeglasses and Other Optical Devices."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 32 MRSA §2417, sub-§5, last ¶, as enacted by PL 1973, c. 788, §156, is repealed and the following enacted in its place:
The board may make such other reasonable rules and regulations as shall be otherwise necessary for the proper performance of its duties under this section, including rules and regulations relating to false, deceptive and misleading advertising. Any rules or regulations promulgated relating to such advertising shall not be inconsistent with any rules or regulations promulgated pursuant to Title 5, section 207, subsection 2.

Sec. 2. 32 MRSA §2433, sub-§3, as enacted by PL 1973, c. 788, §156, is repealed.

Sec. 3. 32 MRSA §2433, sub-§4, as enacted by PL 1973, c. 788, §156, is repealed and the following enacted in its place:

4. Advertising. Advertising in a false, misleading or deceptive manner;

Sec. 4. 32 MRSA §2445, as enacted by PL 1973, c. 788, §156, is repealed.'

Statement of Fact

The purposes of this amendment are to:

1. Authorize the Board of Optometry to establish rules and regulations relating to false, deceptive and misleading advertising;
2. Require that any rules and regulations shall not be inconsistent with rules and regulations established by the Attorney General; and
3. Delete the prohibitions on the advertising of visual services.

Reported by the Committee on Health and Institutional Services.

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