

MAINE STATE LEGISLATURE

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(New Draft of S.P. 830, L.D. 2225)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2384

S.P. 880

In Senate, March 28, 1984

Reported by Majority Report from the Joint Select Committee on Alcoholism Services. Printed under Joint Rule 2.

Original bill presented by Senator Bustin of Kennebec. Cosponsored by Senator Gill of Cumberland, Representative Diamond of Bangor and Representative Masterman of Milo.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT Relating to Alcohol-related
Birth Defects.

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

28 MRSA §206 is enacted to read:

§206. Fetal alcohol syndrome; fetal alcohol effects; alcohol-related birth defects

1. Legislative findings; intent. The Legislature finds that there is a need for public information about the harmful effects of maternal alcohol consumption during pregnancy. "Fetal alcohol syndrome" and "fetal alcohol effects" are the terms used to characterize defects that can develop as a result of exposing the fetus to alcohol. It is estimated that as many as 1,400 children are born in Maine each year with these defects, which include

1 hyperactivity, joint and limb malfunctions, develop-
2 mental delays in the central nervous system, kidney
3 problems, cardiac and growth abnormalities and severe
4 mental and physical retardation.

5 Both the American Medical Association and the United
6 States Surgeon General have recommended abstinence
7 from alcohol during pregnancy. Whereas fetal alcohol
8 syndrome and fetal alcohol effects are 100% prevent-
9 able, the Legislature finds that it is in the public
10 interest to provide warnings about alcohol-related
11 birth defects at places where alcoholic beverages are
12 consumed or sold.

13 2. Sign; requirements. All establishments li-
14 censed to sell alcoholic beverages under this chap-
15 ter, shall be required to display a warning sign con-
16 cerning alcohol-related birth defects. The sign
17 shall bear the message "WARNING: DRINKING ALCOHOLIC
18 BEVERAGES DURING PREGNANCY CAN CAUSE BIRTH DEFECTS."
19 The sign shall be supplied by the Alcohol Drug Abuse
20 Planning Committee, Department of Human Services.

21 3. Sign; dimensions. The sign shall be of
22 block, capital letters printed in black on white pa-
23 per, minimum weight 110 pound index. The letters
24 shall consume a space of no less than 6 by 9 inches.
25 The "WARNING" letters shall be 3/4 inches high and
26 all other letters 9/16 inches high. The sign may be
27 larger, but not smaller, than provided in this sub-
28 section.

29 4. Sign; placement. All signs shall be placed
30 in an area that is easily and readily visible to the
31 purchasing public.

32 A. In retail beer and wine stores, the sign
33 shall be displayed over each display area, such
34 as an individual cooler or a section of shelving.

35 B. In retail liquor stores the sign shall be
36 displayed at each cash register.

37 C. In restaurants and bars the sign shall be
38 displayed below the liquor license sign.

1 Nothing in this section may prevent display of more
2 than one sign or in locations in addition to those
3 described in this subsection.

4 5. Enforcement; penalty. The Bureau of Liquor
5 Enforcement shall, as part of their regular enforce-
6 ment duties, check for the display of the sign relat-
7 ing to alcohol-related birth defects. They shall al-
8 so respond to reports of noncompliance. The Adminis-
9 trative Court may impose a fine against any estab-
10 lishment licensed to sell alcoholic beverages under
11 this chapter which is found in violation of this sec-
12 tion. The fine shall not exceed \$250 for each day of
13 violation.

14 STATEMENT OF FACT

15 This new draft clarifies the enforcement provi-
16 sions. The new draft also deletes unnecessary refer-
17 ence to the sign distribution procedures.

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