

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1198

6
7 S.P. 431

In Senate, April 2, 1985

8 On motion of Senator Clark of Cumberland Senate reconsidered
9 reference to the Joint Select Committee on Alcoholism Services and on
10 further motion of same Senator referred to the Committee on Human
Resources. Sent down for concurrence and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Bustin of Kennebec.

11 Cosponsored by Senator Gill of Cumberland, Representative Diamond of
Bangor and Representative Masterman of Milo.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Relating to Alcohol-related Birth
18 Defects.
19

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

22 28 MRSA §157 is enacted to read:

23 §157. Fetal alcohol syndrome; fetal alcohol effects;
24 alcohol-related birth defects

25 1. Legislative findings; intent. The Legisla-
26 ture finds that there is a need for public informa-
27 tion about the harmful effects of alcohol consumption
28 during pregnancy. "Fetal alcohol syndrome" and "fe-
29 tal alcohol effects" are the terms used to character-
30 ize defects that can develop as a result of exposing
31 the fetus to alcohol. It is estimated that as many
32 as 1,400 children are born in this State each year
33 with these defects, which include hyperactivity,
34 joint and limb malfunctions, developmental delays in
35 the central nervous system, kidney problems, cardiac

1 and growth abnormalities and severe mental and physical
2 retardation.

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

11 2. Sign; requirements. All state retail stores
12 and special agency stores shall be required to display
13 a warning sign concerning alcohol-related birth
14 defects. The sign shall bear the message "WARN-
15 ING: DRINKING ALCOHOLIC BEVERAGES DURING PREGNANCY
16 CAN CAUSE BIRTH DEFECTS," and, in smaller print, a
17 telephone number where more information may be ob-
18 tained. The sign shall be supplied by the Alcohol
19 Drug Abuse Planning Committee, Department of Human
20 Services. The Bureau of Liquor Enforcement shall be
21 responsible for distribution of the signs to the
22 state retail stores and special agency stores.

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

31 4. Sign; placement. A sign shall be placed at
32 each cash register in an area that is readily visible
33 to the purchasing public. Nothing in this section
34 may prevent display of more than one sign or in loca-
35 tions in addition to those described in this subsec-
36 tion.

37 5. Enforcement; penalty. The Bureau of Liquor
38 Enforcement shall, as part of their regular enforce-
39 ment duties, check for the display of the sign relat-
40 ing to alcohol-related birth defects. They shall also
41 respond to reports of noncompliance. The Adminis-
42 trative Court may impose a fine, not to exceed \$100

1 for each day of violation, against any special agency
2 store licensed to sell alcoholic beverages under this
3 chapter which is found in violation of this section.
4 Repeated violations may be grounds for revocation or
5 suspension of license of special agency stores.

6 STATEMENT OF FACT

7 This bill addresses the serious public health
8 problem of fetal alcohol-related birth defects, alco-
9 hol syndrome and fetal alcohol effects and the need
10 for public awareness of this preventable health prob-
11 lem. It requires state retail stores and special
12 agency stores to display a sign warning the public of
13 the dangers of alcohol consumption during pregnancy.
14 In addition, the sign will show the state hot-line
15 number where people may call for further information.

16 If enacted, any costs associated with the pro-
17 posed legislation can be absorbed within existing re-
18 sources of the Department of Human Services.

19 By congressional resolution, Congress is already
20 on record as supporting public awareness and absti-
21 nence from alcohol during pregnancy as the method of
22 addressing this preventable health issue.

23 This bill is only one small part of a public edu-
24 cation process. It is no substitute for the obliga-
25 tion of all parents to learn what steps they must
26 take before and during pregnancy to avoid preventable
27 birth defects. Doctors, public health clinics, coun-
28 seling services and others all have a role to play in
29 increasing public awareness. This bill represents
30 our effort in meeting this need. It may be a small
31 step in the overall effort to address this serious
32 consequence of alcohol abuse, but it is a necessary
33 first step.

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