

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1262

S.P. 411

In Senate, April 14, 1987

Reference to the Committee on Human Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative ROLDE of York, Senator GILL of Cumberland, Representative PINES of Limestone.

STATE OF MAINE

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

AN ACT Relating to Alcohol-related Birth
Defects.

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

28 MRSA §157 is enacted to read:

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

1. Legislative findings. The Legislature finds that there is a need for public information about the harmful effects of alcohol consumption during pregnancy. "Fetal alcohol syndrome" and "fetal alcohol effects" mean defects or conditions that can develop as a result of exposing the fetus to alcohol. Each year, infants born in this State exhibit these de-

fects or conditions, which include hyperactivity, joint and limb malfunctions, developmental delays in the central nervous system, kidney problems, cardiac and growth abnormalities and severe mental and physical retardation.

Both the American Medical Association and the United States Surgeon General have recommended abstinence from alcohol during pregnancy. Whereas fetal alcohol syndrome and fetal alcohol effects are 100% preventable, the Legislature finds that it is in the public interest to notify and educate the public about alcohol-related birth defects at places where alcoholic beverages are sold.

2. Sign; requirements. All establishments licensed to sell alcoholic beverages under this chapter shall be required to display a warning sign concerning alcohol-related birth defects. The sign shall bear the message "WARNING: DRINKING ALCOHOLIC BEVERAGES DURING PREGNANCY CAN CAUSE BIRTH DEFECTS," and, in smaller print, a telephone number where more information may be obtained. The sign shall be supplied by the Department of Human Services, Alcohol Drug Abuse Planning Committee. The Bureau of Alcoholic Beverages shall be responsible for distribution of the signs at the same time as license renewal.

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

4. Sign; placement. All signs shall be placed in an area that is easily and readily visible to the purchasing public as provided in this subsection. Nothing in this section may prevent display of more than one sign or in locations in addition to those described in this subsection.

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

1 B. In retail liquor stores, the sign shall be
2 displayed at each cash register.

3 C. In restaurants and bars the sign shall be
4 displayed below the liquor license sign.

5 5. Enforcement; penalty. The Bureau of Liquor
6 Enforcement shall, as part of their regular enforce-
7 ment duties, check for display of the sign relating
8 to alcohol-related birth defects. They shall also
9 respond to reports of noncompliance. The Administra-
10 tive Court may impose a fine, not to exceed \$100 for
11 each day of violation, against any establishment li-
12 censed to sell alcoholic beverages under this chapter
13 which is found in violation of this section. Re-
14 peated violations may be grounds for revocation or
15 suspension of license.

16 STATEMENT OF FACT

17 This bill addresses the serious public health
18 problem of fetal alcohol-related birth defects, alco-
19 hol syndrome and fetal alcohol effects and the need
20 for public awareness of this preventable health prob-
21 lem. It requires establishments which sell alcoholic
22 beverages for consumption on or off the premises, re-
23 tail liquor stores, bars, restaurants and other
24 stores licensed to sell alcoholic beverages to dis-
25 play a sign warning the public of the dangers of al-
26 cohoh consumption during pregnancy. In addition, the
27 sign will show the state hot-line number where people
28 may call for further information.

29 By congressional resolution, the United States
30 Congress is already on record as supporting public
31 awareness and abstinence from alcohol during pregnan-
32 cy as the method of addressing this preventable
33 health issue.

34 This bill is only one small part of a public edu-
35 cation process. It is no substitute for the obliga-
36 tion of all parents to learn what steps they must
37 take before and during pregnancy to avoid preventable
38 birth defects. Doctors, public health clinics, coun-
39 seling services and others all have a role to play in

1 increasing public awareness. This bill represents
2 our effort in meeting this need. It may be a small
3 step in the overall effort to address this serious
4 consequence of alcohol abuse, but it is a necessary
5 first step.

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