

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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As Passed by the Ninety-ninth Legislature

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ulent proof of age may be held not administratively liable by the Hearing Examiner;

B. Knowingly making a false material statement of fact in the application for the license;

C. Failure to have and maintain throughout the entire license period all of the requirements of definitions, laws, rules and regulations, necessary to qualify for a license. For this particular offense the Hearing Examiner shall be authorized to suspend licenses for an indefinite period of time until he is satisfied that the licensee has conformed to all qualifications required for licensing.

III. Whenever violations by licensees occur in one year's license period and remain undiscovered or carry over into the next license year pending investigation of final disposition either in criminal courts or before the Hearing Examiner, any license issued subsequent to violation for a new license year may be suspended or revoked by the Hearing Examiner.

IV. After hearing, the Hearing Examiner may suspend the operation of a penalty or in lieu of imposing any penalty at all he may place a case on file. Upon the written recommendation of the duly designated enforcement officer of the commission the Hearing Examiner, in lieu of notifying a licensee against whom a complaint is pending to appear for hearing, may send such licensee a warning. Warnings shall be sent by registered or certified mail and contain a copy of the complaint. A licensee to whom a warning is sent may demand a hearing by so notifying the Hearing Examiner by registered or certified mail within 10 days from the date the warning was mailed.

In cases of ownership, direct or indirect, in more than one license, suspensions shall apply only to the premise where the violation occurs. The Hearing Examiner may order that a revocation shall apply to any premises in which the licensee is, directly or indirectly, interested.

In cases of corporations the officers, directors and substantial stockholders shall be treated in the same manner as though they were partners in a partnership.'

Effective September 12, 1959

Chapter 219

AN ACT Pertaining to Freedom of Access to Public Records and Proceedings.

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

R. S., c. 1, §§ 36-41, additional. Chapter 1 of the Revised Statutes is amended by adding 6 new sections, 36 to 41, to read as follows:

'Freedom of Access to Public Records and Proceedings.

Sec. 36. Declaration of public policy; open meetings. The Legislature finds and declares that public proceedings exist to aid in the conduct of the people's

business. It is the intent of the Legislature that their actions be taken openly and that their deliberations be conducted openly.

Sec. 37. Definition of public proceedings. The term "public proceedings" as used in sections 36 to 41 shall mean the transactions of any functions affecting any or all citizens of the State by any administrative or legislative body of the State, or of any of its counties or municipalities, or of any other political subdivision of the State, which body is composed of 3 or more members, with which function it is charged under any statute or under any rule or regulation of such administrative or legislative body or agency.

Sec. 38. Meetings to be open to the public. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of these bodies or agencies, and any minutes of such meetings as are required by law shall be promptly recorded and open to public inspection, except as otherwise specifically provided by statute.

Sec. 39. Executive sessions. Nothing contained in sections 36 to 41 shall be construed to prevent these bodies or agencies from holding executive sessions, subject to the following conditions: that such sessions shall not be used to defeat the purposes of sections 36 to 41; that no ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official action shall be finally approved at such executive sessions; that such executive sessions may be called only by a majority vote of the members of such bodies or agencies. The conditions of this section shall not apply to executive sessions of committees of the Maine Legislature.

Sec. 40. Minutes and records available for public inspection. Every citizen of this State shall, during the regular business or meeting hours of all such bodies or agencies, and on the regular business premises of all such bodies or agencies, have the right to inspect all public records, including any minutes of meetings of such bodies or agencies as are required by law, and to make memoranda abstracts or photographic or photostatic copies of the records or minutes so inspected, except as otherwise specifically provided by statute.

Sec. 41. Violation. A violation of any of the provisions of sections 36 to 41 or the wrongful exclusion of any person or persons from any meetings for which provision is made shall be punishable by a fine of not more than \$500 or by imprisonment for less than one year. Nothing contained in sections 36 to 41 shall be construed as abridging the right of any citizen or citizens to appeal to a court of this State for the enforcement of the rights provided for in said sections.

Effective September 12, 1959

Chapter 220

AN ACT Relating to Capital Shares of Insurance Corporations.

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

Sec. 1. R. S., c. 60, § 3, amended. Section 3 of chapter 60 of the Revised Statutes is amended by adding at the end the following sentences: