

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

§ 201. Designation; powers and duties; records

The county commissioners in each county may appoint some suitable person to serve as clerk to the county commissioners, such service to be at the pleasure of the county commissioners. The clerk of the county commissioners shall be known as the county clerk. When a clerk is absent, the clerk may appoint a clerk pro tempore to the commissioners for whose doings he is responsible. Such clerks shall be sworn and shall make a record of the doings of the county commissioners, and said commissioners shall examine such records and, when correct, shall certify them, and they shall be adopted into the records of the county commissioners by the stated clerk.

Effective October 1, 1975

CHAPTER 255

AN ACT to Prevent Unfair Discrimination Against Blind Persons Seeking Insurance Coverage.

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

24-A MRSA § 2159-A is enacted to read:

§ 2159-A. Insurance discrimination solely on account of blindness prohibited

No insurance company authorized to transact business in this State shall cancel, reduce liability limits of, increase the premiums of or refuse to issue or to renew an insurance policy of any kind that such company sells for the sole reason that the insured or the applicant for insurance is blind as defined in Title 22, section 3505, subsection 1. Nothing in this section shall be deemed to prohibit any such insurer from charging an additional premium or refusing to issue such insurance if the general health of such person, including, where applicable, the cause of blindness or other material factor in the issuance of insurance warrants such additional premium or refusal to issue. Any such insurer may exclude from policies covering persons who are blind the payment of benefits arising from losses that result directly from the fact that such person is blind.

Effective October 1, 1975

CHAPTER 256

AN ACT Relating to Special Agency Stores.

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

28 MRSA § 153 is repealed and the following enacted in place thereof:

§ 153. Special stores

The bureau, with the approval of the State Liquor Commission, shall have authority to license and regulate, in cities, towns and unorganized territories

which have voted in favor of the operation of state stores under local option provisions and where there is no state store, retailers as special agency stores on an annual, seasonal or temporary basis for the purposes of selling liquor in sealed bottles, containers or original packages for consumption off the premises. The liquor shall be sold by the bureau, with the approval of the commission, to the special agency stores pursuant to section 204.

1. The State Liquor Commission shall establish rules and regulations for the selection and operation of the special agency retail stores. These rules and regulations shall include, but are not limited to, the following: Location of the special agency retail store, storage facilities for alcoholic beverages, the handling and sale of alcoholic beverages, the hours of operation, the segregation of intoxicating liquors from other goods in the special agency stores, the size and nature of the facilities of special agency stores for different quantities of intoxicating beverages to be sold, and any other rules and regulations that the State Liquor Commission deems necessary to carry out the purposes of this section.

The Bureau of Alcoholic Beverages shall, in accordance with Title 5, section 2351, give public notice that a state agency retail store may be established in a particular city, town or unorganized territory. The Bureau of Alcoholic Beverages shall request all interested parties in said city, town or unorganized territory to notify the Bureau of Alcoholic Beverages in regard to the establishment of a state agency retail store. The Bureau of Alcoholic Beverages shall provide all applicants with the necessary information for the establishment of a special agency retail store. The Bureau of Alcoholic Beverages shall conduct an investigation to determine the most feasible location and type of facility for the agency store, and any applicant denied a permit shall be given reasons for the permit refusal.

Any applicant aggrieved by a decision made by the Bureau of Alcoholic Beverages may appeal to the Administrative Court Judge in accordance with Title 5, chapters 301-307. If any person, firm, corporation or association is aggrieved by the decision of the Administrative Court Judge, he or she may appeal such decision to the Superior Court in accordance with the provisions of Title 5, chapter 307.

Effective October 1, 1975

CHAPTER 257

AN ACT to Permit Pharmacists to Advertise Drug Prices and to Provide Retail Price Posting Information to Pharmacies.

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

22 MRSA §§ 2204-D-2204-F are enacted to read:

§ 2204-D. Advertising

It shall be lawful for any pharmacy, pharmacist or other licensee of the Board of Commissioners of the Profession of Pharmacy to advertise to the public the current retail price he or she charges for any drugs, medicines or appliances as defined in 21 U.S.C. 3211 (g) (1) which bears the legend