

# 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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porting as to such compliance, enforceable by such revocation, suspension or refusal to issue, renew or reissue of any such license or licenses or otherwise pursuant to the laws of this State; or

(5) Any or all of the foregoing.

15. Additional powers. The powers, remedies, procedures and penalties provided in this section shall be in addition to, and not in limitation of, any other powers, remedies, procedures and penalties otherwise provided by law.

16. Separability of provisions. If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and for this purpose the provisions of this section are separable.

17. Jurisdiction of courts. Any person obtaining or attempting to obtain control of a domestic insurer shall by such act subject such person to the jurisdiction of the courts of this State.

18. Rules and regulations. The superintendent may, upon notice and opportunity for all interested parties to be heard, issue such reasonable rules, regulations and orders as shall be necessary to carry out and effectuate provisions of this section.

19. Supplemental to existing provisions. This section, as to holding company systems, supplements in particular those provisions contained in sections 407, subsection 2; 410, subsection 1, paragraph B; 413; 425; 1115; 1136; 3414; 3474; 3475; 3476; 3483; 3875 and 4407; and the provisions of this section shall be deemed to supersede or modify any such provisions or any other provisions of the Maine Insurance Code, as it may be amended, only to the extent inconsistent therewith.

Sec. 2. 24-A MRSA § 228, sub-§ 1, first sentence, as enacted by PL 1969, c. 132, § 1, is amended to read:

The expense of examination of an insurer or of any person ~~referred to in subsection 1 (holding companies and persons holding voting stock or policyholder proxies); or 3 (management or control of the insurer under contract), or 4 (promoters, etc.)~~ of regulated under section 222, shall be borne by the person examined.

Effective October 1, 1975

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## CHAPTER 357

### AN ACT Relating to the Period for Commencing Civil Actions under the Human Rights Act.

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

Sec. 1. 5 MRSA § 4611, as enacted by PL 1971, c. 501, § 1, is amended to read:

#### § 4611. Complaint

Any person who has been subject to unlawful discrimination, or any employee of the commission, may file a complaint under oath with the com-

mission stating the facts concerning the alleged discrimination, provided, however, that such complaints must be filed with the commission not more than 6 months after the act of unlawful discrimination complained of.

Sec. 2. 5 MRSA § 4613, sub-§ 2, ¶ C, as enacted by PL 1971, c. 501, § 1, is amended to read:

C. The action shall be commenced not more than ~~one year~~ 2 years after the act of unlawful discrimination complained of.

Effective October 1, 1975

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## CHAPTER 358

**AN ACT to Amend the Human Rights Act to Prevent Discrimination Against the Mentally Handicapped and to Clarify the Provisions in the Human Rights Act Regarding Physical Handicap.**

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

Sec. 1. 5 MRSA § 4552, as last amended by PL 1973, c. 705, § 1, is further amended to read:

### § 4552. Policy

To protect the public health, safety and welfare, it is declared to be the policy of this State to keep continually in review all practices infringing on the basic human right to a life with dignity, and the causes of such practices, so that corrective measures may, where possible, be promptly recommended and implemented, and prevent discrimination in employment, housing or access to public accommodations on account of race, color, sex, physical or mental handicap, religion, ancestry or national origin and in employment, discrimination on account of age.

Sec. 2. 5 MRSA § 4553, sub-§ 7-A is enacted to read:

7-A. Physical or mental handicap. "Physical or mental handicap" means any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or, in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.

Sec. 3. 5 MRSA § 4566, sub-§ 6, 2nd sentence, as last amended by PL 1973, c. 705, § 2, is further amended to read:

The commission may itself or it may empower these agencies and councils to study the problems of discrimination in all or specific fields of human re-