

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

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

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

Whereas, the regular session of the 107th Legislature enacted chapter 255 of the public laws of 1975, "An Act to Prevent Unfair Discrimination Against Blind Persons Seeking Insurance Coverage;" and

Whereas, this Act permitted insurers to exclude payment of benefits arising from losses directly resulting from blindness; and

Whereas, it is imperative for the financial protection of blind persons that insurers not be able to deduct these types of losses; and

Whereas, the welfare of Maine's blind citizens requires immediate legislative action to provide this financial protection; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

24-A MRSA § 2159-A, last sentence, as enacted by PL 1975, c. 255, is amended to read:

Any such insurer may exclude from policies covering persons who are blind the payment of benefits arising from losses that ~~result directly from~~ would not have occurred except for the fact that such person is blind.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 23, 1976

CHAPTER 676

AN ACT to Amend the Uninsured Motorist Law.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the statute on uninsured vehicle coverage was amended to require insured persons to notify their insurer if they did not want a higher level of coverage against uninsured vehicles; and

Whereas, this requirement is a cause of confusion and is unworkable; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

24-A MRSA § 2902, sub-§ 2, as repealed and replaced by PL 1975, c. 437, § 2, is amended to read:

2. The amount of coverage to be so provided shall be not less than the amount of coverage for liability for bodily injury or death in the policy offered or sold to a purchaser unless the purchaser rejects such amount, but in any event shall not be less than the minimum limits for bodily injury liability insurance provided for under the motorist's financial responsibility laws of this State Title 29, section 787, subsection 1.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 23, 1976

CHAPTER 677

AN ACT to Prohibit Embalming when an Autopsy has been Authorized.

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

32 MRSA § 1404-A is enacted to read:

§ 1404-A. No embalming when autopsy authorized

The next of kin or legal representative of a person who has died may authorize an autopsy. If an autopsy is authorized, no person shall inject into or remove from any artery, vein, or cavity of the body of the person who has died any fluid, gas or other substance except by or with the permission of a pathologist, medical examiner or licensed physician in attendance.

On completion of the autopsy, the body shall be released for normal handling.

The provisions of this section do not apply to deaths within the jurisdiction of medical examiners or autopsies as authorized in Title 22, chapter 711.

A violation of this section is a Class E crime.

Effective July 29, 1976

CHAPTER 678

AN ACT to Amend the Mandatory Reporting Law on Child Abuse and Neglect.