

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1826

S.P. 671

In Senate, January 8, 2004

An Act To Encourage the Proper Disposal of Expired Pharmaceuticals

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.
Cosponsored by Representative LEMOINE of Old Orchard Beach and
Senators: BRENNAN of Cumberland, DAMON of Hancock, MAYO of Sagadahoc, TREAT of
Kennebec, TURNER of Cumberland, Representatives: Speaker COLWELL of Gardiner,
KOFFMAN of Bar Harbor, PERRY of Calais.

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

4
6 **Whereas,** there is no procedure in place for the safe and
effective disposal of unused or expired pharmaceuticals; and

8 **Whereas,** these unused or expired medications often are
toxic; and

10
12 **Whereas,** these medications frequently end up in the illegal
drug market, threatening the health and lives of Maine citizens;
and

14
16 **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
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. 22 MRSA c. 604** is enacted to read:

24 **CHAPTER 604**

26 **DISPOSAL OF PHARMACEUTICALS**

28 **§2700. Unused Pharmaceutical Disposal Program**

30
32 **1. Establishment; purpose.** There is established the Unused
Pharmaceutical Disposal Program, referred to in this chapter as
"the program." The purpose of the program is to ensure the safe,
34 effective and proper disposal of unused or expired prescription
drugs.

36
38 **2. Administration.** The program is administered by the
Maine Drug Enforcement Agency, referred to in this chapter as
"the agency," established in Title 25, section 2955.

40
42 **3. Return of pharmaceuticals.** The agency shall create a
system for the return of unused or expired pharmaceuticals. The
44 system must involve the use of prepaid mailing envelopes into
which the unused or expired pharmaceuticals are placed and
46 returned to a single collection location. The prepaid mailers
must be made available to the public at various locations,
48 including, but not limited to, pharmacies, physicians' offices
and post offices.

