

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

Chapter 361

AN ACT Providing for Prescription of Generic Drugs Rather Than Brand Names.

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

R. S., T. 32, §§ 2607 and 3155, additional. Title 32 of the Revised Statutes is amended by adding 2 new sections 2607 and 3155 to read as follows:

§ 2607. Prescriptions for generic drugs

Each osteopathic physician may, when so requested, prescribe the generic drug instead of the brand name drug when in his judgment it will achieve the same results.

§ 3155. Prescriptions for generic drugs

Each physician registered under this chapter may, when so requested, prescribe the generic drug instead of the brand name drug when in his judgment it will achieve the same results.

Effective September 23, 1971

Chapter 362

AN ACT Amending the Law Relating to Home Rule.

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

Whereas, the amendment of local municipal charters has been ceded exclusively to the several municipalities of the State of Maine by the Legislature; and

Whereas, the municipal home rule legislation which enables these changes to be made requires that they be voted on at a regular or special municipal election; and

Whereas, many such changes may be of such a nature as to require action prior to any regular or special municipal election which may be forthcoming; and

Whereas, federal matching funds, bond issues and similar financial transactions may require changes in municipal charters to be made prior to any forthcoming regular or special municipal election in order to receive the funds or issue the bonds; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of the Constitution of Maine and require the fol-

lowing 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:

Sec. 1. R. S., T. 30, § 1914, sub-§ 1, amended. Subsection 1 of section 1914 of Title 30 of the Revised Statutes, as enacted by chapter 563 of the public laws of 1969, is further amended to read as follows:

1. Municipal officers. The municipal officers may determine that amendments to the municipal charter are necessary and, by order, provide that such proposed amendments be placed on a ballot at the next regular municipal election held not less than ~~60~~ 30 days after such order is passed; or they may order a special election to be held not less than 30 days from the date of the order for the purpose of voting on the proposed amendments.

A. Each amendment shall be limited to a single subject, ~~matter~~ but more than one section of the charter may be amended as long as it is germane to that subject.

B. Alternative statements of a single amendment are prohibited.

Sec. 2. R. S., T. 30, § 1914, sub-§ 2, ¶ A, amended. Paragraph A of subsection 2 of section 1914 of Title 30 of the Revised Statutes, as enacted by chapter 563 of the public laws of 1969, is amended to read as follows:

A. Each amendment shall be limited to a single subject ~~matter~~, but more than one section of the charter may be amended as long as it is germane to that subject.

Sec. 3. R. S., T. 30, § 1914, sub-§ 3, amended. The 3rd sentence of subsection 3 of section 1914 of Title 30 of the Revised Statutes, as enacted by chapter 563 of the public laws of 1969, is repealed and the following enacted in place thereof:

No more than one subject may be included in a petition.

Sec. 4. R. S., T. 30, § 1914, sub-§ 4, ¶¶ A, B and C, repealed and replaced. Paragraphs A, B and C of subsection 4 of section 1914 of Title 30 of the Revised Statutes, as enacted by chapter 563 of the public laws of 1969, are repealed and the following enacted in place thereof:

A. Within 10 days of receipt of a report that a petition is sufficient, the municipal officers shall by order provide for a public hearing on the proposed amendment. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them.

B. Within 7 days after the public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the final draft of the proposed amendment and a written opinion by an attorney admitted to the bar of this State that the proposed amendment is not in conflict with the general laws or the Constitution. In the case of a committee report, a copy shall be filed with the municipal officers.

C. Upon the filing of the final report, the municipal officers shall order the proposed amendment to be submitted to the voters at the next regular or special municipal election held not more than 60 days after the filing of the final report. If there is no such election to be held within that time, the municipal officers shall order a special election to be held within that time for the purpose of voting on the proposed amendment. Unrelated charter amendments shall be submitted to the voters as separate questions.

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

Effective May 28, 1971

Chapter 363

AN ACT Defining a Trainee Plumber.

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

Sec. 1. R. S., T. 32, § 3301, sub-§ 1, amended. Subsection 1 of section 3301 of Title 32 of the Revised Statutes is amended to read as follows:

1. **Trainee plumber.** “~~Apprentice~~” “**Trainee plumber**” shall mean any person other than a journeyman plumber or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.

Sec. 2. R. S., T. 32, § 3304, amended. The 2nd paragraph of section 3304 of Title 32 of the Revised Statutes is amended to read as follows:

Any person who installs any plumbing or drainage without having first obtained a license either as a master plumber or as a journeyman plumber or employing a person to do plumbing who has not such a license, unless he be an apprentice or trainee plumber within the meaning of this subchapter and subchapters III and V or an apprentice within the meaning of Title 26, section 1001 or procures any license wrongfully or by fraud, or violates any of the provisions of this subchapter and subchapters III and V shall be deemed guilty of a misdemeanor and if convicted thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months, or by both.

Sec. 3. R. S., T. 32, § 3505, amended. The first sentence of section 3505 of Title 32 of the Revised Statutes, as amended by section 6 of chapter 234 of the public laws of 1965, and the 2nd sentence of section 3505 of Title 32 of the Revised Statutes, as enacted by section 6 of chapter 234 of the public laws of 1965, are further amended to read as follows:

Any person who has been registered with the board for at least one year as an apprentice or trainee plumber, or who has attended a school of plumbing for at least 6 months, or who has served as a registered or licensed apprentice or trainee plumber in another state for at least one year shall, upon payment of a fee of \$3, be entitled to examination and, if found qualified by a majority of the members of the board, shall be licensed as a journeyman plumber and