

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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

32 MRSA § 2851, 1st ¶, as repealed and replaced by PL 1975, c. 770, § 185, and as amended by PL 1975, c. 771, § 358, is amended by adding after the first sentence, the following new sentences:

At least one of the 5 pharmacists on the board shall be, at the time of appointment, actively engaged in the practice of hospital pharmacy, one member shall be actively engaged in the practice of chain pharmacy, and one member shall be actively engaged in the practice of pharmacy other than hospital or chain pharmacy. Chain pharmacy shall be defined as retail pharmacy practiced in a group of at least 4 pharmacies of common ownership which are located within the State.

Effective October 24, 1977

CHAPTER 409

AN ACT Concerning Equine Infectious Anemia.

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

Sec. 1. 7 MRSA § 1819, as enacted by PL 1973, c. 74, is repealed.

Sec. 2. 7 MRSA § 1820 is enacted to read:

§ 1820. Equine infectious anemia

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms shall have the following meanings:

A. The "Coggins test" is the agar gel immuno diffusion test of equine infectious anemia.

B. A "horse" is any member of the family equidae.

C. To "quarantine" is to confine to a stable or pasture whose boundaries are no closer than 200 yards from a stable or pasture of horses which have not been tested by the Coggins test or which have been tested by the Coggins test with negative results.

2. Powers of commissioner. When it comes to the attention of the Commissioner of Agriculture that a horse has been tested by the Coggins test with positive results, he shall order that horse quarantined until a veterinarian certifies that the horse is free from clinical symptoms of equine infectious anemia at the time of examination.

The commissioner shall require any horse exhibiting the symptoms of equine infectious anemia to submit to a Coggins test and nothing in this section shall prevent the commissioner from exercising the authority provided under chapter 303 in the case of an outbreak of the clinical form of equine infectious anemia.

3. Freeze branding prohibited in certain cases. Any horse which has been tested by the Coggins test with positive results, but which a veterinarian has certified to be free from the clinical symptoms of equine infectious anemia, shall not be freeze branded or otherwise permanently identified by external disfigurement.

4. Screening test prohibited. The commissioner shall not use the Coggins test as a screening test on any horse or group of horses, except that the commissioner shall require a negative Coggins test, taken within 12 months, from all horses raced, exhibited or stabled on race tracks or fair grounds where other horses are being raced, exhibited or stabled.

The commissioner may exempt from the Coggins test requirements described in this subsection all horses appearing in private shows on grounds where no other horses are present, provided that consent to exempt such horses from the Coggins test requirements is obtained from the officials conducting the show and from the authorities responsible for the grounds where the show is being conducted.

5. Negative Coggins test required for horses entering Maine. The commissioner shall require a negative Coggins test from all horses entering Maine, such test to be taken within 6 months before the date of entry. The commissioner may require any horse entering Maine to submit to a Coggins test and shall require that any horse be quarantined until such test is completed.

Effective October 24, 1977

CHAPTER 410

An ACT Prohibiting the Dissemination of Obscene Matter to Minors.

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

Sec. 1. 17 MRSA c. 93, as amended, is repealed.

Sec. 2. 17 MRSA c. 93-A is enacted to read:

§ 2911. Dissemination of obscene matter to minors

1. Definitions. As used in this section, unless the context indicates otherwise, the following words shall have the following meanings.

A. "Distribute" means to transfer possession, whether with or without consideration.