

# MAINE STATE LEGISLATURE

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STATE OF MAINE

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REPORT

OF THE

ATTORNEY GENERAL

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for the calendar years

1941--1942

It is the opinion of this department on the facts stated that the fact that the deceased had been a member of the Coast Guard does not constitute a fact which changes the State requirements.

I am returning herewith Mr. Riley's letter.

FRANK A. FARRINGTON  
Deputy Attorney General

June 23, 1943

Victor H. Hinkley, Chairman,  
Maine Board of Commissioners of Pharmacy,  
Brewer, Maine.

Dear Mr. Hinkley,

A question has arisen relative to the sale of so-called exempt narcotics by persons not qualified as pharmacists or physicians.

Section 19, Chapter 23, R. S. 1930, as amended by Section 9, Chapter 160 of the Public Laws of 1939, reads in part as follows:

"No person except a registered apothecary or a physician of regular standing in his profession, shall furnish, sell, or keep for sale any opium, morphine, laudanum, or preparations containing opium, morphine or derivative of opium."

Under these terms no one other than those specified therein is permitted to make such sales.

Question has been raised as to whether the Uniform Narcotics Act, Chapter 251, P. L. 1941, has modified said Section 19. After extended study of its provisions, it is the opinion of this department that it does not affect said Section 19 and that under the Maine statutes no one other than a registered pharmacist or a physician of regular standing can sell the so-called exempt narcotics.

This opinion replaces any opinion on the subject which may have been rendered heretofore to any person on the same subject.

Very truly yours,

FRANK A. FARRINGTON  
Deputy Attorney General

June 24, 1943

To:

Earl Hutchinson, Director Secondary Ed.

Education

From:

Frank A. Farrington, Deputy

Attorney General

*Eligibility of Academic Teachers for Membership in Contributory and Non-Contributory Systems*

Reference is to your memorandum of February 15th on the above subject, reply to which has been delayed pending conference, which conference has been held this morning.