

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1338

H. P. 974

House of Representatives, February 8, 1961

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Gill of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Store or Department Registration under Pharmacy Laws.

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

R. S., c. 68, § 9, amended. Section 9 of chapter 68 of the Revised Statutes, as amended by section 10 of chapter 304 of the public laws of 1957, is further amended to read as follows:

Sec. 9. Annual store registration; procedure; revocation. It shall be unlawful for any person, copartnership, association or corporation to operate, maintain, open or establish any apothecary store, or department, within this State without first having obtained a permit to do so from the board.

The application for such a permit shall be made on a form to be prescribed and furnished by said board and shall be accompanied by the required fee of \$15, which amount shall also be paid for each renewal of such permit. If it is desired to operate, maintain, open or establish more than one apothecary store, or department, separate applications shall be made and separate permits issued for each.

Saving and excepting such stores or departments as may be in existence and in operation as of the effective date of this act, no permit shall be granted to any person, copartnership, association or corporation to maintain, open, establish, manage or supervise an apothecary store, or an apothecary or drug department in any store, except: a registered pharmacist or qualified assistant in good standing; a partnership, each active member of which is a registered pharmacist or qualified assistant in good standing and actively engaged in the business; or a corporation, any 2 statutory officers of which are registered pharmacists or qualified assistants in good standing in this State, and who are actively and

regularly employed in and responsible for the management, supervision and operation of each such drug or apothecary store or department.

Subject to the provisions hereof, ~~A~~ a permit shall be issued to such person, copartnership, association or corporation as said board shall deem qualified to conduct such apothecary store, on evidence satisfactory to said board:

I. Store to be conducted according to law. That the apothecary store for which said permit is sought will be conducted with full compliance with the laws and with the rules and regulations of said board;

II. Operated without endangering public health or safety. That the location and appointments of said apothecary store are such that it can be operated and maintained without endangering the public health or safety; and

III. Personal supervision of a registered apothecary. That said apothecary store shall be under the personal supervision of a registered apothecary.

If the application shall be refused, the said board shall notify the applicant in writing of its decision and the reason therefor.

Permits issued under ~~the provisions of~~ this section shall be exposed in a conspicuous place in the apothecary store for which issued. Such permit shall not be transferable, shall expire the last day of June following the date of issue and shall be renewed annually.

The said board shall make such rules and regulations not inconsistent with the law as may be necessary to carry out the purposes and enforce ~~the provisions of~~ this section, and is authorized, after due notice and opportunity for hearing in the county in which the apothecary store is located, to revoke any permit when examination or inspection of the apothecary store shall disclose that such apothecary store is not being conducted according to law or is being conducted so as to endanger the public health or safety.

The maintenance, establishment or continuance of any apothecary or drug store or department in violation of this section shall be a misdemeanor and shall be punishable, upon conviction, by a fine of not less than \$25 nor more than \$100 for each separate offense, and each day's violation of any provision of this section shall be deemed a separate offense. The penalties provided in this section shall be in addition to any other penalties or sanctions provided by law or imposed by the board.'