

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

Chapter 302

AN ACT Relating to Beneficial Devises, Bequests and Legacies to Subscribing Witnesses.

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

R. S., c. 169, § 1, amended. Section one of chapter 169 of the Revised Statutes is hereby amended to read as follows:

'Sec. 1. Will, by whom and how made. A person of sound mind and of the age of 21 years and a married person, widow or widower of any age may dispose of his real and personal estate by will, in writing, signed by him, or by some person for him at his request and in his presence, and subscribed in his presence by 3 credible attesting witnesses ~~not beneficially interested under said will~~. All beneficial devises, bequests and legacies to a subscribing witness are void except that if such interested witness would be entitled to any share of the estate in case the person making the will had died intestate, he shall take only that part of the devise or bequest made to him in the will that equals but does not exceed in value the share of the estate of the person making the will which he would have taken if such person had died intestate.'

Effective August 28, 1957

Chapter 303

AN ACT Relating to Fluoridation of Public Water Supplies.

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

R. S., c. 25, § 145, amended. Section 145 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'Sec. 145. Fluoride in public waters; authorization. No such public utility or agency shall add any fluoride to any such water supply without first having been authorized to do so by the municipality or municipalities served by it. Any public utility or agency duly authorized to add fluoride to any water supply shall do so within 9 months after being notified in accordance with the provisions of this section. The town or city clerk shall, within 10 days after the vote, notify the public utility or agency of the vote favoring the addition of fluoride to the public water supply. In the case of a city, such authorization shall be by a majority vote of the legal voters voting at a regular or special city election. In the case of a town or plantation, such authorization shall be by a majority vote of the inhabitants present at an annual town or plantation meeting. In the case of a public utility or agency serving more than one municipality, such authorization shall be by a majority vote of the voters voting at such city election and a majority vote of the inhabitants present at an annual town or plantation meeting of each town or plantation served by such public utility or agency; ~~provided, however, that authorization~~ Authorization by municipalities representing 80% of the customers served by such public utility or agency shall be sufficient. Whenever a municipality shall have approved fluoridation it may not again vote on the matter for a minimum period of 2 years from the date of installation of fluoride. The Public Utilities Commission, upon application, shall determine and allocate the cost of such fluoridation among the customers of such public utility

or agency and shall from time to time review such determination and allocation as required. In the event that a municipality which shall have approved fluoridation shall vote to discontinue such fluoridation and the public utility or agency serving such municipality has constructed or installed fluoridation facilities, such public utility or agency shall be entitled to amortize the remaining cost of its investment in such facilities, and to allocate the cost of such amortization among its customers, over such period of time as shall be approved by the Public Utilities Commission.'

Effective August 28, 1957

Chapter 304

AN ACT Revising Law Relating to Pharmacists.

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

Sec. 1. R. S., c. 68, § 1, amended. Section 1 of chapter 68 of the Revised Statutes is hereby amended to read as follows:

'Sec. 1. Commissioners of the Profession of Pharmacy, nomination and appointment; tenure; vacancies; compensation; expenses. A Board of Commissioners of the Profession of Pharmacy, as heretofore established and hereinafter in this chapter called the "Board," shall consist of 5 pharmacists all of whom shall be residents of the State and actually engaged in the practice of their profession, who shall be appointed and may be removed for cause by the Governor with the advice and consent of the Council. The terms of office of said Commissioners shall be so arranged that one member of said Board shall be appointed annually as the term of the present members expire, to hold office for 5 years from the 1st day of December in each year or until his successor is appointed and qualified. Vacancies shall be filled by appointment for the unexpired term. The Board shall have power:

I. To make such rules and regulations, not inconsistent with the laws of the State, as may be necessary for the regulation of the business appertaining to the and practice of the profession of pharmacy and the lawful performance of its duties;

II. To regulate the sale of poisons and to adopt schedules of those poisons of which a written record shall be kept by the retailer;

III. To inspect during business hours all apothecaries, dispensaries, stores or places in which drugs or medicines are manufactured, compounded, dispensed or retailed, and to regulate and control the sale, character and standard of all drugs, poison and medicines compounded or dispensed in this State; to secure samples and cause them to be analyzed; and to prevent the sale of such drugs, poisons or medicines as do not conform to the provisions of this chapter;

IV. To investigate all violations of this chapter; to enforce the provisions thereof; and to prosecute or institute prosecution in all instances of violations thereof.

The Maine Pharmaceutical Association may, at its annual meeting each year, nominate 6 members of said Association, whose names shall be forthwith certi-