

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
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Sec. 3. R. S., T. 25, §§ 705, 766, 886, 1211 to 1223, 1261 and 1263, repealed. Sections 705, 766, 886, 1211 to 1223, 1261 and 1263 of Title 25 of the Revised Statutes are repealed.

Sec. 4. R. S., T. 25, § 1262, repealed. Section 1262 of Title 25 of the Revised Statutes, as last amended by chapter 515 of the public laws of 1969, is repealed.

Effective September 23, 1971

Chapter 280

AN ACT to Provide Retirement Benefits for Certain State Employees.

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

R. S., T. 5, § 1091, sub-§ 3, amended. Subsection 3 of section 1091 of Title 5 of the Revised Statutes is amended to read as follows:

3. **Federal employment service.** Any person who was an employee on December 31, 1941 and was transferred to the federal employment service and any person employed by said employment service after December 31, 1941, and who subsequently became a state employee when the said employment service was returned to the State of Maine as an operating unit or became a state employee at any time thereafter, shall be considered a member of the retirement system if such person makes payments to the State Retirement Fund in the same amounts and during the same periods as the other state employees have made to said fund and any such person shall be permitted to make up any such amounts due to the said fund. Any person to whom this subsection is applicable shall be entitled to all the rights and benefits which he could have accrued had he been employed by the State.

Effective September 23, 1971

Chapter 281

AN ACT to Provide for Thirty Days' Notice When a Nursing Home is Being Voluntarily Closed.

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

R. S., T. 22, § 1822, additional. Title 22 of the Revised Statutes is amended by adding a new section 1822 to read as follows:

§ 1822. Notice when nursing home voluntarily closed

Any person, including county or local government units, who is conducting, managing or operating any hospital, sanatorium, convalescent home, rest home, nursing home or institution within the meaning of this chapter, and who is properly licensed therefor in accordance with this chapter shall give

at least 30 days' advance notice of the voluntary closing of such facility to the patients therein and to those persons, governmental units or institutions who are primarily responsible for the welfare of those patients who are being cared for by said hospital, sanatorium, convalescent home, rest home, nursing home or institution so that adequate preparation may be made for the orderly transfer of said patients to another qualified facility.

Failure to provide such notice shall subject the offender to the same penalties provided in section 1821.

Effective September 23, 1971

Chapter 282

AN ACT to Revise the Pharmacy Laws.

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

Sec. 1. R. S., T. 22, §§ 2204-A - 2204-C, additional. Title 22 of the Revised Statutes is amended by adding 3 new sections to read as follows:

§ 2204-A. Labeling of prescriptions

Every drug dispensed pursuant to prescription, whether for a legend drug or not, shall carry on the label thereto the following information: The prescription number, the date of original filling, the patient's name, directions for use, the name of the medical practitioner prescribing said drug and the name and address of the pharmacy wherein the prescription was compounded and dispensed.

§ 2204-B. Possession of drug samples

No person shall purchase manufacturers' drug samples from any person for purposes of resale. If such samples are given gratuitously to a registered pharmacist, qualified assistant pharmacist or medical practitioner, he may give any such sample to any person, provided that any such sample is kept in containers suitably labelled to conform to the Federal Food and Drug Act and the state food and drug statutes and provided that such gift shall be subject to the laws relating to the sale of drugs.

§ 2204-C. Possession of harmful drugs

Any person who is not a hospital, a manufacturer, wholesaler duly licensed, medical practitioner, licensed pharmacist or common carrier delivering between the above mentioned, or an agent of the foregoing, who is found in possession of harmful drugs, except if obtained on a bona fide prescription of a medical practitioner, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or by both.

Sec. 2. R. S., T. 22, § 2212-A, amended. The first sentence of section 2212-A of Title 22 of the Revised Statutes, as enacted by section 4 of chapter 390 of the public laws of 1967, is amended to read as follows: