

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

of which had been legally recorded in the proper registry of deeds prior to September 23, 1971. ~~The division of a tract or parcel by sale, gift, inheritance, lease or order of court into 3 or more lots and upon which lots permanent dwelling structures legally existed prior to September 23, 1971 is not a subdivision.~~ The division of a tract or parcel as defined by this section into 3 or more lots and upon all of which lots permanent dwelling structures legally existed prior to September 23, 1971 is not a subdivision.

Sec. 4. 30 MRSA § 4956, sub-§ 5, second paragraph, as enacted by PL 1973, c. 700, § 2, is repealed and the following enacted in place thereof:

The dividing of a tract or parcel of land and the lot or lots so made, which dividing or lots when made are not subject to this section, shall not become subject to this section by the subsequent dividing of said tract or parcel of land or any portion thereof, however, the municipal reviewing authority shall consider the existence of such previously created lot or lots in reviewing a proposed subdivision created by such subsequent dividing.

Effective October 1, 1975

CHAPTER 476

AN ACT Relating to the Prescribing and Dispensing of Drugs.

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

Sec. 1. 32 MRSA § 2806 is enacted to read:

§ 2806. Prescribing and dispensing of drugs

Every written prescription issued by a physician, osteopath or dentist in this State shall contain in the lower right-hand corner of such prescription form a box at least $\frac{1}{2}$ inch by $\frac{1}{2}$ inch.

The following words shall appear to the left of this box: "Any drug which is the generic or chemical equivalent of the drug specified above in this prescription may be dispensed provided that the drug dispensed is listed in the current edition of either the National Formulary or the United States Pharmacopoeia and provided that no check mark (✓) has been handwritten in the box in the right-hand lower corner.

Any pharmacist receiving a prescription in which no check mark (✓) is found in the box provided is authorized to substitute a generic or chemically equivalent drug for the drug specified on the prescription, provided that the substituted drug is listed in the current edition of either the National Formulary or the United States Pharmacopoeia and that the price of the substituted drug does not exceed the price of the drug specified by the prescribing physician, osteopath or dentist.

Any pharmacist who substitutes a generic or chemically equivalent drug under the provisions of this section shall inform the person to whom the drug is dispensed of the substitution. Whenever any substitution is made under

the provisions of this section, the pharmacist shall cause the name of the drug manufacturer or distributor to appear on the container label of the drug dispensed.

This section shall not apply to prescriptions ordered by physicians or osteopaths for patients in hospitals when such prescriptions are filled by a hospital pharmacy.

Sec. 2. **Effective date.** The effective date of this Act shall be January 1, 1976.

Effective January 1, 1976

CHAPTER 477

AN ACT Relating to Maine Veterinary Practice.

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

Sec. 1. 7 MRSA § 1, first sentence, as last repealed and replaced by PL 1973, c. 788, § 29, is amended to read:

The Department of Agriculture, as heretofore established and hereinafter in this Title called the "department," shall be maintained for the improvement of agriculture and the advancement of the interests of husbandry, and shall consist of the Commissioner of Agriculture, hereinafter in this Title called the "commissioner," appointed by the Governor with the advice and consent of the Council, to serve a term coterminous with the Governor subject to removal from the office for cause by the Governor and Council, and the following as heretofore created and established: The Maine Dairy Council Committee, the Maine Milk Commission, the Maine Potato Commission, the Seed Potato Board, Milk Tax Committee, the Soil and Water Conservation Commission, the Harness Racing Commission and the Board of Veterinary ~~Examiners~~ **Medicine.**

Sec. 2. 7 MRSA § 2, last ¶, as last amended by PL 1973, c. 95, § 2, is further amended to read:

The commissioner does not have authority to exercise or interfere with the exercise of any discretionary statutory authority granted to the following, which authority shall be exclusively within the specific board, bureau, agency, commission, committee or other governmental unit: The Maine Dairy Council Committee, the Maine Milk Commission, the Seed Potato Board, the Harness Racing Commission, Milk Tax Committee, the Maine Potato Commission, the Soil and Water Conservation Commission and the Board of Veterinary ~~Examiners~~ **Medicine.**

Sec. 3. 32 MRSA c. 71, as amended, is repealed.

Sec. 4. 32 MRSA c. 71-A is enacted to read: