

# MAINE STATE LEGISLATURE

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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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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revenue related directly and essentially as an integral part of the operation of a priority social service; and public revenues such as municipal taxes, a municipal or county amount of federal revenue sharing funds, other appropriate federal resources and state revenue sharing funds and such other public resources as may be received by, generated by or available to a municipal or county government or other political subdivision or quasi-governmental bodies.

Any portion of state funds appropriated for priority social services may be used to earn federal funds to offer social services to residents who do not qualify for social services payable under Titles IV-A and XVI of the Social Security Act.

Sec. 3. **Effective date.** This Act shall take effect 91 days after adjournment of the Legislature.

Effective October 2, 1975

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## CHAPTER 524

### AN ACT to Require Public Hearings on the Appointments of Departmental Commissioners.

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

5 MRSA § 47 is enacted to read:

§ 47. Public hearings on appointment of departmental commissioners

Whenever the Governor nominates a person to be the commissioner of a department under these statutes, other than the Commissioner of Indian Affairs and the Adjutant General, the Executive Council shall hold a public hearing on the nominee prior to giving its advice and consent to the Governor, as required by the Constitution. The hearing shall be held at least 7 days prior to the appointment at a time and place convenient to the public. Notice of the hearing shall be made in the state paper at least 7 days before the hearing. The notice shall contain the time and place of the hearing, the name of the intended appointee, the office he will hold and the duties of that office.

At the hearing, the Executive Council shall take written or oral testimony from the public, which shall be limited to relevant comments and questions regarding the qualifications of the nominee to hold the office concerned.

Effective October 1, 1975

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## CHAPTER 525

### AN ACT Concerning the Registration and Operation of Snowmobiles.

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

Sec. 1. 12 MRSA § 1975, as last amended by PL 1973, c. 613, § 5, is repealed and the following enacted in place thereof:

**§ 1975. Vehicles exempt from registration**

No registration shall be required for a snowmobile operated over the snow on land on which the owner lives or on lands on which he is domiciled, provided the snowmobile is not operated elsewhere within the jurisdiction of the State.

No registration shall be required for a snowmobile operated by a commercial ski area for the purpose of packing snow or for rescue operation thereon, unless the snowmobile is required to cross a public way during such operation.

Snowmobiles owned and operated in this State by the Federal Government, the State or political subdivision of the State, shall be exempt from registration fees, but shall be registered and required to display numbers.

Sec. 2. 12 MRSA § 1977, as last amended by PL 1973, c. 625, § 69, is repealed and the following enacted in place thereof:

**§ 1977. Authority under registration**

1. Limitations on operation of snowmobiles. No person shall operate a snowmobile upon controlled access highways or within the right-of-way limits thereof.

No person shall operate a snowmobile upon any plowed private road after having been forbidden to do so by the owner thereof or the owner's agent, either personally or by appropriate notices posted conspicuously on said way.

No person shall operate a snowmobile upon the main traveled portion, the sidewalks or the plowed snowbanks of any other public way.

2. Exceptions. The following are exceptions to the provisions of subsection 1:

A. Controlled access highways. Properly registered snowmobiles may cross controlled access highways by use of bridges over or roads under such highways, or by use of roads crossing controlled access highways at grade. The Commissioner of Transportation may issue special permits for designated crossings of controlled access highways.

B. Other ways. Properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 300 yards, on the extreme right of the traveled way for the purpose of crossing as directly as possible a public way, sidewalk or culvert and properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing as directly as possible a bridge, overpass or underpass, provided that such operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on such way. It shall be the responsibility of the operator of the snowmobile to yield the right of way to all vehicular traffic upon any way before crossing same.

Snowmobiles may operate on any portion of public ways when the main traveled portion is unplowed and unused by conventional motor vehicles. If the main traveled portion of a public way is plowed and utilized by conventional motor vehicles, snowmobiles may operate only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way shall be prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles.

C. Operation on public ways.

- (1) Snowmobiles shall be brought to a complete stop before entering the said way.
- (2) Snowmobile operators shall yield the right of way to all vehicular traffic on said way.
- (3) Snowmobiles, other than for the sole purpose of crossing a public way, shall be operated on the extreme right of the traveled way.
- (4) The Commissioner of Transportation may, following a public hearing, prohibit crossing of an individual bridge, culvert, overpass or underpass, if the commissioner determines such crossing or use of the public way is hazardous. Any bridge, culvert, overpass or underpass closed by the commissioner must be posted by appropriate notices

Sec. 3. 12 MRSA § 1978, sub-§ 5, last sentence, as enacted by PL 1973, c. 613, § 10, is repealed and the following enacted in place thereof:

It shall be unlawful for anyone to permit a child under 10 years of age to operate any snowmobile unless he is accompanied by an adult, except on land which is owned by the parent or guardian or on land where permission for use has been granted to the parent or guardian.

Sec. 4. 12 MRSA § 1980, as last amended by PL 1973, c. 739, § 4, is repealed and the following enacted in place thereof:

§ 1980. Reciprocity

Reciprocity shall be allowed to nonresidents from all states, provinces, countries or districts which allow similar privileges to residents of this State, providing they are covered by a valid registration from said state, province, country or district. If the snowmobile is owned by a nonresident, but is primarily operated by a Maine resident, it must be registered under section 1972. Nothing in this section shall be construed to authorize the operation of any snowmobile described in any manner contrary to this chapter.

Sec. 5. 12 MRSA § 1981, as enacted by PL 1969, c. 414, § 1, is repealed and the following enacted in place thereof:

## § 1981. Application

This chapter shall apply to the operation of snowmobiles in all areas which come within the jurisdiction of the State.

Sec. 6. 12 MRSA § 1984, as last repealed and replaced by PL 1973, c. 613, § 20, is repealed and the following enacted in place thereof:

## § 1984. Penalty

Any person who violates this chapter or any rules or regulations promulgated by the Commissioner of Inland Fisheries and Game shall be subject to the penalties provided in section 3060 for each offense, except that the minimum fine shall be \$50 for violation of any provision of section 1978, subsection 12.

Effective October 1, 1975

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## CHAPTER 526

AN ACT to Provide the Citizens of the State of Maine with Uniform Quality Pharmaceutical Health Care.

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

32 MRSA c. 41, sub-c. IV is enacted to read:

### SUBCHAPTER IV

#### UNIFORM PHARMACEUTICAL PRACTICE

## § 2911. Patient information regulation

1. Explanation by pharmacist. With each new prescription dispensed, the pharmacist, in addition to labeling the prescription in accordance with the requirements of the State of Maine, must orally explain to the patient or the patient's agent the directions for use and any additional information, in writing if necessary, to assure the proper utilization of the medication or device prescribed. For those prescriptions delivered outside the confines of the pharmacy, the explanation shall be by telephone or in writing. This section shall not apply to those prescriptions for patients in hospitals or institutions where the medication is to be administered by a nurse or other individual licensed to administer medications or to those prescriptions for patients who are to be discharged from a hospital or institution.

2. Maintenance of current reference material. To ensure proper information is available to each pharmacist, each pharmacy or pharmacist, or both, shall maintain current reference material on drug interactions.

## § 2912. Patient profile record system regulation

A patient profile record system shall be maintained in all pharmacies for persons for whom prescriptions are dispensed. The patient profile record system shall be devised so as to enable the immediate retrieval of information