

# 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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The department shall appoint a superintendent of such laboratory, who shall hold that position at the pleasure of the department. He shall keep a record of all specimens sent to him for examination, and examine these specimens without unnecessary delay, and do such other work and make such other investigations relating to the public health as said department may from time to time direct. ~~The services of the laboratory and all investigations made shall be free to the people of the State, except that the department, subject to the approval of the Governor and Council, may fix charges when deemed advisable or necessary.~~

The department shall charge the average costs for certain services rendered by the diagnostic laboratory. Costs shall be recalculated at least annually and imposed with the approval of the Governor and Council. The department is directed to establish a dedicated revenue account for fees derived from microbiological testing to be used for conducting such testing.

Services considered to be essential to the maintenance of the public health, including but not limited to services related to the diagnosis of tuberculosis and venereal disease, shall be provided free to the people of the State.

~~The department may make a charge, not to exceed \$2, for chemical and bacteriological examination of private water supplies. All such fees collected shall be credited to the General Fund.~~

Effective October 1, 1975

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## CHAPTER 619

### AN ACT to Enable the Department of Health and Welfare to Conduct a Program to Provide Free Drugs to Elderly, Disadvantaged Maine Citizens.

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

Sec. 1. 22 MRSA § 254 is enacted to read:

#### § 254. Free drugs to elderly, disadvantaged individuals

The Department of Health and Welfare is authorized to conduct a program to provide free prescription and nonprescription drugs and medication to disadvantaged, elderly individuals. The person responsible for administration of this program must be either a Maine licensed pharmacist, physician, osteopathic physician or dentist, or must be under the administrative supervision of someone meeting these specifications. The extent and the magnitude of this program will be determined by the Commissioner of Health and Welfare and will be determined on the basis of the calculated need of the recipient population and the available funds. The department is not authorized to spend more on the conduct of this program than is available either through appropriations from the General Fund, dedicated revenue, federal or other grants and other established and committed funding sources. The commissioner is authorized to accept for the purposes of carrying out this program federal funds appropriated under any federal law relating to the furnishing of free drugs to the disadvantaged, elderly individuals and to do such acts as are necessary for the purposes of carrying out such federal law; and to accept from any other agency of government, individual, group or corporation such funds as may be available to carry out this chapter.

The commissioner is authorized to adopt rules and regulations relating to the conduct of this program, following public hearings, notice of which shall appear in at least 3 appropriate daily newspapers published in the State and a public review period of 60 days. These rules and regulations shall be related to the following aspects of this program :

1. Prescription and nonprescription drugs. The kinds of prescription and nonprescription drugs and medications which may be made available through the operation of this program ;

2. Individuals eligible for participation. Eligibility requirements for participation in this program which may include, but not be limited to, income requirements, age requirements and such other requirements as may be reasonably necessary to define a specific eligible population group ;

3. Specifications for administration of program. Specifications for the administration and management of the program which may include, but not be limited to, program objectives, accounting and handling practices, supervisory authority and evaluation methodology ;

4. Method of prescribing or ordering drugs. The method of prescribing or ordering such drugs which may include, but not be limited to, the use of generic prescribing and the use of standard prescription refill sizes so as to minimize operational costs ;

5. Other rules and regulations. Such other rules and regulations as may be necessary to efficiently and effectively manage and operate a program within the intent of this section.

6. Establish a planned program. The Commissioner of Human Services shall establish, or shall require the person responsible for administration of this program to establish, a planned program of solicitation of funds and drugs for this program from agencies of government, individuals, groups and corporations. A register of solicitations shall be kept, which shall include at least the name, address and business of the agency, individual, group or corporation from whom funds and drugs are solicited, as well as the date, time and result of such solicitation. This register shall be a public record and shall be sent to the Governor and Council every 6 months for their inspection.

The department is also authorized to form an advisory committee which it may consult for technical information regarding the nature and operation of this particular program. The nature and composition of the advisory committee shall be at the discretion of the Governor, or at his direction, at the discretion of the Commissioner of the Department of Health and Welfare. The members of such advisory committee shall serve without compensation; however, the department is authorized to disburse funds from an account created pursuant to this section to defray the reasonable costs associated with formulation of policy and the carrying out of activities of this committee. The department is further authorized to disburse funds from the account set up to carry out the purposes of this section to reimburse members of the advisory committee for their reasonable expenses incurred in carrying out their duties under this section. In no circumstance, however, shall expenditures of over \$3,000 per year be incurred for the operation of this committee and all such expenditures must be approved by the Governor and Executive Council.

The Commissioner of Finance and Administration is authorized to create a dedicated revenue account to receive moneys pursuant to this section from whatever source is available which money may be disbursed solely for the purposes of implementing this section.

Sec. 2. **Appropriation.** There is appropriated from the General Fund the sum of \$2 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
HEALTH AND WELFARE, DEPARTMENT OF		
All Other	\$1	\$1
Effective October 1, 1975		

## CHAPTER 620

### AN ACT Relating to the Application of the State Valuation to Certain State and Town Cost-Sharing Activities.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the 1975 state valuation is increased from 50% of the just value to 100%; and

Whereas, the cost-sharing for construction and reconstruction of state aid highways and bridges and for the winter maintenance of accepted ways is based on state valuation; and

Whereas, several towns hold their annual town meetings in March to raise and appropriate money for the care of highways and bridges; and

Whereas, legislation is necessary to maintain the current level of state participation in these activities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 23 MRSA § 452, first ¶, as last amended by PL 1973, c. 595, § 1, is further amended to read:

The cost of construction of a bridge built or rebuilt under this subchapter and subchapter 1 shall be divided as follows: When the cost of said construction makes a tax rate of ~~2 1/2~~ 1 1/4 mills or less on the valuation of the town last made by the State ~~Tax Assessor~~ Director of Property Taxation, 45% by the