

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

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. 22 MRSA § 2207-A, sub-§ 1, as enacted by PL 1975, c. 499, § 30, is amended to read:

1. Physicians, dentists, veterinarians, drug jobbers, drug wholesalers, drug manufacturers ~~and~~, pharmacists and pharmacies registered under Title 32, section 2901 and approved animal shelters as provided in Title 7, section 3406, are authorized to deal professionally with dangerous substances.

Sec. 2. 22 MRSA § 2207-A, sub-§ 2, ¶ E is enacted to read:

E. In the case of approved animal shelters, in good faith to purchase, possess and administer barbiturates to euthanize injured, sick, homeless or unwanted pets and animals, provided that the purchase, possession and administration is in accordance with rules and regulations promulgated by the Commissioner of Agriculture and meets federal drug enforcement standards. These rules shall require that the barbiturates shall be stored in a safe, which shall be securely attached to the building in which it is located.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 17, 1978

CHAPTER 610

AN ACT Amending the Law Relating to Habitual Truants and School Dropouts.

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

Whereas, the Legislature has enacted Public Law 1977, chapter 499, "AN ACT Relating to Habitual Truants and School Dropouts;" and

Whereas, that Act requires educational personnel to follow fairly extensive and detailed procedures when it is discovered that a child is habitually truant; and

Whereas, it has become apparent that these procedures need clarification and that school administrative units need more preparation time to be able to adequately carry out the intent to the habitual truant statute; and

Whereas, in order to permit the Legislature, in cooperation with local and state school officials, more time to amplify, clarify and simplify these procedures, and in order to avoid confusion on state and local administrative levels concerning the implementation of this statute, it is important that this statute be suspended until July 1, 1979; 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. 20 MRSA § 911, sub-§ 2, ¶ E, as enacted by PL 1977, c. 499, § 1, is amended to read:

E. Planned absences for personal or educational purposes which have been approved ~~in advance~~.

Sec. 2. 20 MRSA § 911, sub-§ 5, as enacted by PL 1977, c. 499, § 1, is amended by adding at the end the following new sentence:

The commissioner shall provide guidance in establishing the rules and regulations.

Sec. 3. 20 MRSA § 911, sub-§ 6, as enacted by PL 1977, c. 499, § 1, is repealed.

Sec. 4. 20 MRSA § 911, sub-§ 6-A is enacted to read:

6-A. Habitual truant; report; notice to parents; guidelines of meeting. If a child is habitually truant, as defined in section 914, the procedures adopted in subsection 5 shall be adhered to.

A. If the superintendent determines that he is unable to resolve the problem, he shall refer the matter to the local school committee or board of directors.

B. Information presented to the local school committee or the board of directors shall include, but not be limited to, the report presented by the principal to the superintendent of schools.

C. The local school committee or board of directors shall call a meeting to hear the matter and, at least 7 days in advance of the meeting, the parents or

the guardian of the child shall be notified in writing of the date and the time of the meeting.

D. The written notice of the meeting shall advise the child's guardian or his parents of the following:

- (1) The purpose of the meeting;
- (2) Their right to inspect the child's records and the principal's report; and
- (3) The necessity for them and the child to be present.

Sec. 5. 20 MRSA § 914, as enacted by PL 1977, c. 499, § 2, is repealed and the following enacted in its place:

§ 914. Habitual truant; definition

A child is determined to be an habitual truant if he is absent from school the equivalent of 10 full days or for ½ of a day on 7 consecutive school days within any 6-month period for other than an excusable absence, as referred to in section 911.

Sec. 6. 20 MRSA § 966, last sentence, as enacted by PL 1977, c. 499, § 3, is amended to read:

For subsidy distribution purposes, the previous ~~sentence~~ 2 sentences shall not be in effect until the ~~1978-79~~ 1979-80 school year.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 17, 1978

CHAPTER 611

AN ACT Concerning Substitution of Generic Drugs by Pharmacists.

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

32 MRSA § 2806, 2nd and 3rd ¶¶, as enacted by PL 1975, c. 476, § 1, are amended to read:

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~~