

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Sec. 5. 20 MRSA § 914, as enacted by PL 1977, c. 499, § 2, is repealed and the following enacted in its place: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

~~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~~ that the substituted drug is distributed by a business entity doing business in the United States and is subject to suit and the service of legal process in the United States and that the price of the substituted drug does not exceed the price of the drug specified by the prescribing physician, osteopath or dentist.

Effective July 6, 1978

CHAPTER 612

AN ACT to Change the Name of the Industrial Accident Commission to Workers' Compensation Commission.

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

Sec. 1. ~~39 MRSA § 2, sub-§ 3~~, as repealed and replaced by PL 1975, c. 480, § 2 is amended to read:

3. Commission; commissioner. "Commission" shall mean the ~~Industrial Accident Workers' Compensation~~ Commission created by section 91. The authority of the commission may be exercised by a single commissioner. "Commissioner" shall mean any member of the commission appointed under section 91 to hear and determine cases. Rule-making powers, however, shall be exercised only by a quorum of all members of the ~~Industrial Accident Workers' Compensation~~ Commission.

Sec. 2. ~~39 MRSA § 23, sub-§ 2-A, 1st ¶, last sentence~~, as enacted by PL 1973, c. 559, § 2, is amended to read:

Such group desiring to become a self-insurer shall submit to the Chairman of the ~~Industrial Accident Workers' Compensation~~ Commission, with an application for self-insurance, in a form prescribed by the chairman, the following:

Sec. 3. ~~39 MRSA § 23, sub-§ 2-A, 2nd ¶, 1st sentence~~, as enacted by PL 1973, c. 559, § 2, is amended to read:

If, upon examination of the sworn financial statement and other data submitted,