

# **MAINE STATE LEGISLATURE**

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LAWS  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PORLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
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ONE HUNDRED AND EIGHTH LEGISLATURE  
1977

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F. Administration of medications and treatment as prescribed by a legally authorized person.

Sec. 2. 32 MRSA § 2102, sub-§ 3, as repealed and replaced by PL 1967, c. 263, § 2, is repealed and the following enacted in its place:

3. Practical nursing. The practice of "practical nursing" is defined as the performance of tasks and responsibilities for compensation, under the direction of a licensed or registered professional nurse, physician or dentist, including at least:

A. Observing and caring for the ill, injured or infirm;

B. Performing selected aspects of designated nursing services, requiring specialized knowledge, skill and judgment, but not requiring the qualifications essential for the practice of professional nursing;

C. Counseling and health teaching of persons who are experiencing normal developmental changes, or who require assistance in the maintenance of health, the management of health or the management of illness, injury or infirmity; and

D. Administering medications and treatment as prescribed by a legally authorized person.

Effective October 24, 1977

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## CHAPTER 396

### AN ACT to Expedite the Construction of Natural Gas Pipelines in the State.

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

Whereas, there is presently a shortage of natural gas used for commercial, industrial, residential and governmental purposes at the national, state and local level; and

Whereas, proposals have been made and are pending to construct natural gas pipelines into and through the State to make available additional supplies of natural gas for consumption at the national, state and local levels for the users; and

Whereas, certain time delays are inherent in applying for certain state permits, licenses and governmental orders and it is necessary to shorten the administrative delays by expediting the ability of any natural gas pipeline company to file and process all necessary governmental approvals; 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 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:

35 MRSA § 2545 is enacted to read :

**§ 2545. Status of company**

When a natural gas pipeline company, which intends to operate within this State has filed for either a certificate of public convenience and necessity to be issued under the Federal Natural Gas Act or in the case of an intrastate gas pipeline company, has filed for the necessary authorization from the Public Utilities Commission, that company shall be deemed to have such right, title, interest or standing to proceed to file and process any application for any license, permit, order of any nature or description necessary to obtain all governmental approvals with regard to the location, construction, completion and operation of that pipeline within this State. The effective date of any such license, permit, order or governmental approval which may be granted or issued may be conditioned upon or suspended until the issuance of such certificate or authorization.

In the event, that a natural gas pipeline company makes application with the Department of Environmental Protection for any required licenses or approvals before it is issued a certificate of public convenience and necessity pursuant to the Federal Natural Gas Act or the Maine Public Utilities Commission, it shall file a bond with the Department of Environmental Protection payable to the Department of Environmental Protection in a form satisfactory to the Commissioner of Environmental Protection and in an amount determined by him not to exceed \$50,000, which bond shall be conditioned so as to require the applicant to reimburse the department for its costs incurred in processing any application in the event that the applicant does not receive a certificate of public convenience and necessity as described in this section.

Any natural gas pipeline company which makes application for site location of development approval pursuant to Title 38, section 481, et seq., shall, prior to filing a notification pursuant to Title 38, section 483, provide notice to each owner of real property upon whose land the applicant proposes to locate a natural gas pipeline by registered mail, postage prepaid at the land owner's last known address as contained in the applicable tax assessor's records and shall file with the town clerk of each municipality through which the pipeline is proposed to be located, a map demonstrating the intended approximate location of the pipeline within the municipality. The applicant shall not be required to provide notice of its intent to construct a natural gas pipeline other than as set forth in this paragraph.

Nothing in this section shall excuse any natural gas pipeline company or other entity from the requirement of obtaining appropriate proprietary rights in state-owned land prior to the construction or operation of any pipeline within this State.

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