

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 501

6
7 S.P. 183

In Senate, February 8, 1985

8 Referred to the Committee on State Government. Sent down for
9 concurrence and ordered printed. Ordered sent forthwith.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Bustin of Kennebec.

11 Cosponsored by Senator Brown of Washington, Representative Boutillier
of Lewiston and Senator Gill of Cumberland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Provide Greater Discretion to the
18 Governor in Making Appointments to the
19 Maine State Board of Nursing and to
20 Require that this Board Contain at
21 least 2 Representatives with
22 Administrative and Supervisory
23 Experience.
24

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

27 32 MRSA §2151, as amended by PL 1983, c. 812,
28 §216, is further amended to read:

29 §2151. Appointment; term; removal

30 A State Board of Nursing, as established by Title
31 5, section 12004, subsection 1, shall consist of 7 9
32 members who shall be appointed by the Governor. Five
33 Seven members of the board shall be professional
34 nurses, one of whom shall be active in practical
35 nurse education or in a school of practical nursing

1 at the time of appointment. Of the 7 professional
2 nurse members, future vacancies shall be filled so
3 that at least 2 members have had prior administrative
4 and supervisory experience, one in an intermediate
5 care facility and one in an acute care facility. One
6 member shall be a licensed practical nurse. One member
7 shall be a representative of the public. Except
8 to fill vacancies in unexpired terms, all appoint-
9 ments shall be for a term of 5 years after such ap-
10 pointment or until their successors have been duly
11 appointed and qualified. No person may be eligible
12 for more than one reappointment. Any public member
13 vacancy on the board shall be filled for the unex-
14 pired term by the appointment of another public mem-
15 ber by the Governor.

16 Each appointment of a professional nurse shall be
17 made ~~from a~~ at the sole discretion of the Governor,
18 subject to the provisions of this section. In making
19 those appointments, the Governor may consider any
20 list of 3 candidates, qualified as provided, and se-
21 lected by the presidents or designees of statewide
22 Maine nursing organizations with national affiliation
23 and provider groups, including, but not limited to,
24 the Maine Health Care Association and the Maine Hos-
25 pital Association and submitted to the Governor by
26 the President of the Maine State Nurses' Association
27 not less than 60 days before the time of appointment.
28 Any professional nurse vacancy occurring on the board
29 shall be filled for the unexpired term by appointment
30 to be made by the Governor ~~from like~~ after
31 considering nominations submitted by the President of
32 the Maine State Nurses' Association in the manner de-
33 scribed in this paragraph.

34 Each appointment of a practical nurse shall be
35 made ~~from a~~ at the sole discretion of the Governor,
36 subject to the provisions of this section. In making
37 such appointments, the Governor may consider any list
38 of 3 candidates, qualified as provided, and selected
39 by the presidents or designees of statewide Maine
40 nursing organizations with national affiliation and
41 provider groups, including, but not limited to, the
42 Maine Health Care Association and the Maine Hospital
43 Association and submitted to the Governor by the
44 President of the Maine Licensed Practical Nurses' As-
45 sociation not less than 60 days before the time of

1 appointment. Any practical nurse vacancy occurring
2 on the board shall be filled for the unexpired term
3 by appointment to be made by the Governor ~~from like~~ ,
4 after considering nominations submitted by the Presi-
5 dent of the Maine Licensed Practical Nurses' Associa-
6 tion in the manner set out in this paragraph.

7 The In order to receive consideration by the Gov-
8 ernor, the President of the Maine State Nurses' Asso-
9 ciation shall call a meeting of the presidents or
10 designees submit lists of proposed names not less
11 than 90 days prior to the expiration of the term of
12 each professional nurse and practical nurse member of
13 the board.

14 The Governor may remove any member from the board
15 for cause.

16 STATEMENT OF FACT

17 This bill amends existing law to:

18 1. Provide greater discretion to the Governor in
19 making appointments to the State Board of Nursing.
20 Under current law, the Governor is restricted in mak-
21 ing his professional nurse appointments solely from
22 lists submitted by the President of the Maine State
23 Nurses' Association;

24 2. Increase membership of board from 7 members
25 to 9 members;

26 3. Require that 2 of the 7 professional nurses
27 be selected from individuals with supervisory and ad-
28 ministrative experience, one with a nursing home
29 background and one with a hospital background; and

30 4. Allow provider groups to submit names for the
31 Governor's consideration.

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