

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

Chapter 154

AN ACT Relating to Diverting Water by Canals for Mills.

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

R. S., c. 166, § 1-A, additional. Chapter 166 of the revised statutes is hereby amended by adding thereto a new section to be numbered 1-A, to read as follows:

'Sec. 1-A. Right to divert water by canal by owner of all riparian rights. Any person, authorized to erect and maintain a water-mill and dams on a stream not navigable and to divert the water of such stream from its natural channel by a canal not exceeding 1 mile in length for the purpose of propelling mills or machinery under the provisions of section 1, may so divert such waters without said limitation to 1 mile, provided he is the owner of the land on which the canal is to be located or has the consent of the owners thereof, and provided he is the owner of all riparian rights on said stream between the point of diversion and the point at which the waters are returned to the stream, upon the terms and conditions, and subject to the regulations under the provisions of this chapter. Under the provisions of this section, canal shall include excavations in the ground and closed flumes, penstocks, pipe lines and other appropriate means of conveying water from the point of diversion to the point of return to the stream.'

Effective July 21, 1945

Chapter 155

AN ACT Relating to the Registration of Nurses.

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

Sec. 1. R. S., c. 63, § 1, amended. The 1st sentence of section 1 of chapter 63 of the revised statutes is hereby amended to read as follows:

'The board of registration of nurses, as heretofore established, and hereinafter in this chapter called the "board", shall consist of 5 nurses, all of whom shall be residents of the state ~~and engaged in professional work.~~'

Sec. 2. R. S., c. 63, § 1, amended. The 1st and 2nd sentences in the 2nd paragraph of section 1 of chapter 63 of the revised statutes are hereby repealed and the following enacted in place thereof:

PUBLIC, 1945

CHAP. 155

'First appointments hereunder shall be for terms of 1, 2, 3, 4 and 5 years respectively, all beginning August 1, 1945; and except to fill vacancies in unexpired terms, all appointments thereafter shall be for terms of 5 years. First appointments hereunder shall be made from the members of the board in office when such first appointments are made, in so far as the number of members then in office is sufficient therefor; and upon their taking office hereunder, their terms under prior appointments shall cease. Except for such original appointments hereunder, all appointments shall be made from a list of 6 eligible candidates selected at a meeting of the executive committee of the Maine State Nurses' Association and submitted to the governor not less than 30 days before the time of appointment. No person shall be eligible for appointment to succeed herself.'

Sec. 3. R. S., c. 63, § 2, amended. The 2nd sentence in the 1st paragraph of section 2 of chapter 63 of the revised statutes is hereby repealed and the following enacted in place thereof:

'The board may appoint and employ a qualified person, not a member of the board, to serve as educational secretary to the board and as inspector of schools of nursing and it shall fix her compensation and define her duties. It may employ such other persons as may be necessary to carry on the work of the board, which shall include the promotion of nursing education and standards of nursing care in this state. The educational secretary appointed by the board shall be a citizen of the United States, a graduate of an accredited school of nursing, and shall be registered by the board. She shall have had at least 5 years experience in teaching and administration in an accredited school of nursing and shall be otherwise qualified.'

Sec. 4. R. S., c. 63, § 2, amended. The 3rd paragraph of section 2 of chapter 63 of the revised statutes is hereby repealed and the following enacted in place thereof:

'The members of the board of registration of nurses shall receive \$10 per day, and actual necessary expenses incurred, while in performance of their official duties; and the secretary shall receive a salary to be fixed by the board, not exceeding \$300 a year.'

Sec. 5. R. S., c. 63, § 3, sub-§ I, amended. Subsection I of section 3 of chapter 63 of the revised statutes is hereby amended to read as follows:

'I. Is more than ~~27~~ 20 years of age and of good moral character;'

Sec. 6. R. S., c. 63, § 3, sub-§ III, repealed and replaced. Subsection III of section 3 of chapter 63 of the revised statutes is hereby repealed and the following enacted in place thereof:

'III. Has completed a course of not less than 2 years in an accredited school or schools of nursing, provided, however, that not less than 1 year thereof shall have been spent in the school of nursing from which she received her diploma.

Any student desiring to transfer from one accredited school of nursing to another shall submit her records to the board on the form and in the manner that the board shall prescribe. Time allowance for previous training shall be determined by the board, provided, however, that not less than 1 year shall have been spent in the school from which she received her diploma.

In case of transfer of a student because of closing of the school of nursing, the board shall have determined the length of time required to be spent in the school of nursing which granted her diploma.'

Sec. 7. R. S., c. 63, § 4, repealed and replaced. Section 4 of chapter 63 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 4. Registration of nurses registered by other states without examination; fee. The board may register, without examination upon payment of a fee of \$10, any person who has been registered by examination as a professional nurse in another state, territory, or foreign country, if the board finds that the applicant meets the qualifications required of registered nurses in this state.'

Sec. 8. R. S., c. 63, § 5, repealed and replaced. Section 5 of chapter 63 of the revised statutes is hereby repealed and replaced to read as follows:

'Sec. 5. Cancellation or suspension of registration. Upon receipt of written complaint or information indicating the advisability of hearing and after hearing, said board may cancel or suspend the registration of any person as a nurse who may be found guilty of neglect of duty, or of inefficiency, or of any act derogatory to the standing and morals of professional nursing, but before any certificate of registration shall be revoked, the holder thereof shall be entitled to 30 days' notice of the charges against him or her, and to a full and fair hearing thereon.

Any certificate which has been revoked shall be returned by the holder thereof to the board, and upon failure of prompt return, shall be taken by any officer of the peace upon request of the board and returned to the board.'

PUBLIC, 1945

CHAP. 156

Sec. 9. R. S., c. 63, § 7, amended. The 1st sentence of section 7 of chapter 63 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Nurses who have been registered as hereinbefore provided shall be known as "Registered Nurses".'

Sec. 10. R. S., c. 63, additional. Chapter 63 of the revised statutes is hereby amended by adding at the end thereof a new section to be numbered 8, to read as follows:

'Sec. 8. Approving committee. An approving committee, constituted as hereafter provided, shall investigate, and if necessary in its opinion inspect, and determine that schools of nursing in this state and elsewhere are or are not approved by it for the training of nurses, candidates for registration hereunder. Such approval may for reason, sufficient to the committee, be withdrawn. Notice of approval or withdrawal thereof shall be given the governing body of the training school and the committee shall maintain a list of schools so approved, and such schools and none other shall be "accredited schools" of nursing hereunder. Any school whose governing body is aggrieved by refusal or withdrawal of such approval shall, on petition, be given a hearing before the committee.

Said committee shall consist of the board of registration of nurses and the commissioner of education ex officio and a business or professional person, not a practitioner of the healing arts, who is at the time of appointment a trustee or on the governing board of a hospital conducting a school of nursing in this state. Such member shall be appointed by the governor, with the advice and consent of the council, to hold office for a term of 3 years and shall be paid the reasonable expenditures incurred in the performance of duties hereunder. Vacancies in such office shall be filled by appointment in the same manner for the unexpired term.'

Effective July 21, 1945

Chapter 156

AN ACT Relating to the Maine Development Commission.

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

Sec. 1. R. S., c. 35, § 1, amended. Section 1 of chapter 35 of the revised statutes is hereby amended to read as follows: