

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

‘Minimum Distance for Clearance.

Sec. 80. Minimum distance for clearance. The Public Utilities Commission shall have the right to prescribe a minimum distance for clearance of any structure, pole or other object over or beside any railroad track; provided, however, that the provisions of this section shall not apply to any structure, pole or other object in existence over or beside any railroad track on or before September 1, 1955.’

Effective August 20, 1955

Chapter 260

AN ACT Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies.

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

R. S., c. 50, § 7, repealed. Section 7 of chapter 50 of the revised statutes is hereby repealed, as follows:

‘Sec. 7. Contents of certificates. The certificate provided by section 10 of chapter 53, to be prepared and filed in the office of the secretary of state by such telegraph or telephone company, shall set forth, in addition to the statements required by said section, the general route of telegraph or telephone lines proposed to be constructed by such corporation and the points to be connected thereby; and the certificate to be prepared and filed by such gas or electric company shall specify, in addition to the statements required by said section, the city or town or the adjoining cities or towns within which said corporation proposes to make, generate, sell, distribute or supply gas or electricity, or both, for the purposes named in section 3 of this chapter, and no corporation so organized shall be authorized to make, generate, sell, distribute or supply gas or electricity in any city or town not specified in said certificate.’

Effective August 20, 1955

Chapter 261

AN ACT Amending the Laws on Registration of Podiatrists.

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

Sec. 1. R. S., c. 74, § 4, amended. Section 4 of chapter 74 of the revised statutes is hereby amended to read as follows:

‘Sec. 4. Examination; requirements. Except as otherwise provided in this chapter, any person before engaging in the practice of podiatry shall be examined as to his qualifications. Each applicant shall, at least 10 days before the date of his examination, present to the secretary of the Board of Registration in Medicine an application for a license to practice podiatry on a form prescribed by the examiners and containing satisfactory proof that said applicant is at least 21

years of age, of good moral character and is a graduate of a school of podiatry which requires for graduation a course of study of at least 2 years of not less than 8 months each and which is approved by said examiners that he has received a certificate of graduation from a legally incorporated, regular established school of podiatry, recognized by the Council of Education of the National Association of Chiropodists, having a minimum requirement of not less than 4 consecutive years of 8 months each of scholastic attendance, nor shall such applicant be entitled to registration and certificate unless such applicant shall have had, prior to the beginning of his course in podiatry, as a minimum requirement, a 4-year course in a recognized high school or its equivalent and 1 year in a legally recognized school or college of the Liberal Arts or of the Sciences.

The applicant shall then be required to pass an examination in the subjects of anatomy, chemistry, dermatology, diagnosis, materia medica, pathology, physiology, surgery and clinical and orthopedic podiatry, limited in scope so as to cover only the requirements for the practice of podiatry as defined in this chapter. Examinations of applicants for a license to practice podiatry shall be held at the same times and places as examinations of applicants for registration as physicians and surgeons are held.

Sec. 2. R. S., c. 74, § 7, amended. Section 7 of chapter 74 of the revised statutes is hereby amended to read as follows:

'Sec. 7. Certificates displayed. Every applicant who shall satisfactorily meet the requirements for license to practice podiatry, as provided in this chapter, shall be granted a certificate under the seal of the Board of Registration in Medicine signed by the chairman and secretary, which certificate shall entitle the person to whom it is granted to practice podiatry anywhere in this State. Every such certificate shall be conspicuously displayed at the place of practice of such person; and every renewal certificate for the current year shall be displayed in connection with the original certificate. ~~Persons licensed to practice podiatry, as herein provided, shall not use the title "Doctor" or the letters "Dr." as a prefix.~~ A podiatrist licensed in accordance with the provisions of this chapter may use the word "Doctor" or the letters "Dr." when followed by the word "Podiatrist" or "Chiropodist," only if he is a graduate of a school approved by the Board of Examiners, or if graduated prior to the establishment of a board of examiners, then from a school approved for examination and registration in the state in which the school was located.'

Sec. 3. R. S., c. 74, § 8, amended. Section 8 of chapter 74 of the revised statutes is hereby amended to read as follows:

'Sec. 8. Suspension or revocation of license. Any license to practice podiatry may be suspended or revoked by the examiners when the licensee has been convicted of an act involving moral turpitude; and may be suspended or revoked when, after a hearing by the said examiners, of which the licensee shall have had notice at least 10 days before the date of such hearing, it shall be found by the vote of at least 5 members of said examiners that the licensee used fraud in procuring his license or has used untruthful or improbable statements to patients or in advertisements; or, by unanimous vote, that the licensee is incompetent to practice podiatry; ~~but the~~ or that the licensee is flagrantly advertising himself or his work, whether through newspapers or other periodicals, or by circular, postcard or over the radio, television or otherwise.

A podiatry license may be revoked for violation of any of the following rules of practice:

I. A podiatrist shall not practice podiatry in conjunction with any business, such as a shoe store or beauty parlor.

II. A podiatrist shall refrain from all forms of specific guarantee.

III. A podiatrist shall in his professional role represent himself to the public as a podiatrist and as such shall practice within the legal bounds and privileges thereof.

IV. The following titles shall be considered ethical and correct:

A. Dr. John Doe, Podiatrist (or Chiropodist);

B. John Doe, D.S.C.;

C. John Doe, D.S.C., Podiatrist (or Chiropodist).

V. A podiatrist shall practice only in his individual personal capacity, alone or in association with a licensed practitioner of this or another of the healing arts, but under his own name and not as a corporation.

VI. Letterheads and other office listing shall display no more than name, title, address, phone number and office hours.

VII. Telephone listings shall not be in bold type or in display form of any kind.

VIII. A podiatrist shall not advertise, as such, through any medium; but professional cards shall not be considered as advertising if same contain only the podiatrist's name, title, address, phone number and office hours.

IX. Lettering on doors, windows and any signs shall be in keeping with the size and style deemed ethical by colleagues in similar professional practices. Neon signs shall be considered as advertising, in bad taste, and are prohibited.

X. Announcement cards of opening a new office, closing of an office or change of location may be inserted in newspapers or sent direct by mail, provided same be in keeping with size, style, frequency and duration of those ethical by colleagues in similar professional practices.

XI. Advertising prices, free services or free examinations are specifically prohibited.

XII. A podiatrist shall refrain from any conduct generally considered unprofessional or unethical by the learned professions.

The said examiners may, after a lapse of 6 months, at their discretion, reissue a license which has been suspended or revoked.'

Sec. 4. R. S., c. 74, § 10, amended. Section 10 of chapter 74 of the revised statutes is hereby amended to read as follows:

'Sec. 10. Definitions. The practice of podiatry is defined as the diagnosis or the external treatment of the structure of the human foot by medical, mechanical or surgical means without the use of anaesthetics other than ~~such~~ local anaesthetics as are recognized to have no immediate, cumulative, poisonous, harm-

~~ful or systemic action~~; except that the use of local anaesthesia shall be restricted to use only by those podiatrists who have been granted a Doctorate degree from a school approved by the examiners. The words "podiatrist" and "chiropracist" and "podiatry" and "chiropody" as used in this chapter shall be construed to be synonymous.

A podiatrist is defined as one who administers any such aforesaid treatment to the human foot.'

Sec. 5. R. S., c. 66, § 7, amended. The 2nd sentence of section 7 of chapter 66 of the revised statutes is hereby amended to read as follows:

'Unless duly registered by said Board, no person shall prefix the title "Doctor" or the letters "Dr." or append the letters "M.D." to his name or use the title of doctor or physician in any way, excepting that any member of the Maine Osteopathic Association may prefix the title "Doctor" or the letters "Dr." to his name when accompanied by the word "Osteopath," or any member of the Maine State Chiropractors' Association or any chiropractor duly licensed by this State may prefix the title "Doctor" or the letters "Dr." to his name when accompanied by the word "Chiropractor," or any dentist duly licensed by this State may prefix the title "Doctor" or the letters "Dr." to his name, or any optometrist duly licensed under the laws of this State may prefix the title "Doctor" or the letters "Dr." to his name when accompanied by the word "Optometrist," or any podiatrist duly licensed under the laws of this State may prefix the title "Doctor" or the letters "Dr." to his name when accompanied by the word "Podiatrist" or "Chiropracist," when permitted such right by the laws governing the practice of podiatry.'

Effective August 20, 1955

Chapter 262

AN ACT to Permit Counties to Use Surplus Funds.

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

R. S., c. 89, § 30-A, additional. Chapter 89 of the revised statutes is hereby amended by adding thereto a new section to be numbered 30-A, to read as follows:

'Sec. 30-A. Surplus funds. Any county having unencumbered surplus funds remaining on hand from a previous year or years may authorize its transfer, in whole or in part, for use in non-capital purposes as well as in capital purposes.'

Effective August 20, 1955

Chapter 263

AN ACT Relating to Sale and Use of Electric Fences.

Emergency preamble. Whereas, a large number of electric fences now in use in the State are dangerous by reason of faulty construction or installation; and

Whereas, by reason of the faulty construction or installation of said electric fences, human life has been lost; and