

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

ation or cooperative shall be required with respect to the location of its facilities to comply with or be subject to any other law, including but not limited to Title 30, chapter 240-A.

Sec. 7. R. S., T. 35, § 2489, amended. The first sentence of section 2489 of Title 35 of the Revised Statutes is amended to read as follows:

Whenever the municipal officers of any city or town having a population of more than 40,000 inhabitants, in which any person, firm or corporation maintains wires attached to poles located in any public street or way, **other than a state, state aid or federal aid highway, except for such state or state aid highways in the compact area, as defined in section 2483,** for conveying electric current or for the transmission of telephone or telegraph messages, determine, after notice and hearing, that public safety and the public welfare require the revocation of any location for poles already erected in any public street or way, they may revoke any such location and order such poles removed, which shall be done within a reasonable time by the person, firm or corporation owning said poles.

Effective October 7, 1967

Chapter 263

AN ACT Amending the Law Regulating the Practice of Nursing.

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

Sec. 1. R. S., T. 32, § 2101, amended. Section 2101 of Title 32 of the Revised Statutes is amended to read as follows:

§ 2101. Purpose

In order to safeguard the life and health of the people in this State, any person who for compensation practices or offers to practice professional nursing or practical nursing ~~as a licensed practical nurse~~ in this State shall hereafter be required to submit evidence that he or she is qualified so to practice, and shall be licensed as provided. It shall be unlawful for any person not licensed under this chapter to practice or to offer to practice professional **or practical** nursing in this State; or to use any sign, card or device **or in any way hold oneself out to the public** to indicate that such person is a professional registered nurse or a licensed practical nurse.

This chapter does not affect or prohibit ~~the practice of practical nursing by any person not representing himself or herself to be a licensed practical nurse, nor does it affect or prohibit~~ the employment of persons functioning under supervision as nursing aides, attendants, orderlies and other auxiliary workers in private homes, offices, hospitals, nursing or rest homes or institutions.

Sec. 2. R. S., T. 32, § 2102, sub-§ 3, repealed and replaced. Subsection 3 of section 2102 of Title 32 of the Revised Statutes is repealed and the following enacted in place thereof:

3. **Practical nursing.** The practice of "practical nursing" means the performance for compensation of those services in observing and caring for the ill, injured or infirm in administering treatments or medication or in applying counsel and procedures to safeguard life and health based on the principals underlying the practice of practical nursing under the supervision of a registered professional nurse, licensed physician or dentist.

Sec. 3. R. S., T. 32, § 2103, sub-§ 4, amended. Subsection 4 of section 2103 of Title 32 of the Revised Statutes is amended to read as follows:

4. **Licensure in another state.** The practice of nursing by a registered nurse or a licensed practical nurse currently licensed in another state for a period of 90 days pending licensure in Maine, providing the nurse, upon employment, has furnished the employer with satisfactory evidence of current licensure in another state, and provided such nurse furnishes evidence to the prospective employer of having submitted proper application and fees to the board for license prior to employment;

Sec. 4. R. S., T. 32, § 2103, sub-§ 5, repealed. Subsection 5 of section 2103 of Title 32 of the Revised Statutes is repealed as follows:

~~5. **Practice of practical nursing.** The practice of "practical nursing", as defined in section 2102, subsection 3, by unlicensed persons.~~

Sec. 5. R. S., T. 32, § 2106, sub-§§ 3 & 5, amended. Subsections 3 and 5 of section 2106 of Title 32 of the Revised Statutes are amended to read as follows:

3. **Practice without license.** Practice professional nursing or practical nursing as defined by this chapter unless duly licensed to do so under this chapter; or

5. **License suspended or revoked.** Practice professional nursing or practical nursing during the time his or her license issued under this chapter shall be suspended or revoked; or

Sec. 6. R. S., T. 32, § 2251, sub-§ 3, repealed and replaced. Subsection 3 of section 2251 of Title 32 of the Revised Statutes, as amended by section 4 of chapter 206 of the public laws of 1965, is repealed and the following enacted in place thereof:

3. **Education.** Has completed an approved 4-year high school course of study or the equivalent thereof; and

Sec. 7. R. S., T. 32, § 2259, additional. Title 32 of the Revised Statutes is amended by adding a new section 2259 to read as follows:

§ 2259. Waiver

All applications for license by waiver must be made prior to September 1, 1968. The board may issue a license to practice as a practical nurse to any person who shall submit to the board written evidence, verified by oath, that said applicant:

1. **Character.** Is of good moral character;
2. **Health.** Is in good physical and mental health;

3. Education. Has completed at least one year of high school or its equivalent; applicants over 30 years of age shall have completed at least the 8th grade or its equivalent;

4. Practice. Has practiced practical nursing in Maine at least 3 years within the 5-year period immediately preceding the effective date of this Act. The board will receive, as proof thereof, the written statements, verified by oath, of 2 physicians licensed in this State; 2 registered nurse supervisors, and 2 persons who have employed the applicant; or

Has successfully completed the training requirements of an organized military medical assistant course and has had at least 2 years' experience under nursing supervision; or

Has been enrolled in a state-approved school of professional nursing for at least 18 months within the past 5 years;

5. Examination. Has passed in writing the licensing examination to be administered by the Board of Nursing.

Sec. 8. Effective date. This Act shall become effective January 1, 1969.

Effective January 1, 1969

Chapter 264

AN ACT Relating to Authority of Department of Mental Health and Corrections to Effect Rehabilitative and Work Release Programs.

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

R. S., T. 34, § 527, additional. Title 34 of the Revised Statutes is amended by adding a new section 527, to read as follows:

§ 527. Rehabilitative and work release programs

The department is authorized to adopt and implement rehabilitative programs, including work release, within the penal and correctional institutions under its control. Under such programs the head of any such institution may permit any inmate or prisoner considered to be worthy of trust to participate in activities which may include training and employment, outside the institution, subject to regulations adopted by the department, which in the judgment of the head of the institution will contribute to the reformation of the inmate or prisoner and will assist in preparing him for eventual release.

Any inmate or prisoner permitted outside an institution under this section shall be furnished a copy of the regulations of the department applicable to the program in which he is permitted to participate, the receipt of which copy shall be attested by the inmate or prisoner.

Any inmate or prisoner certified by the head of the institution, having custody of him, to the county attorney for the county in which the violation or escape