

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth 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.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

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

1973

CHAPTER 495

AN ACT Relating to the Practice of Nursing.

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

Sec. 1. R. S., T. 32, § 2102, sub-§ 2, ¶ D, amended. The last sentence of paragraph D of subsection 2 of section 2102 of Title 32 of the Revised Statutes is repealed.

Sec. 2. R. S., T. 32, § 2102, sub-§ 2, ¶ E, additional. Subsection 2 of section 2102 of Title 32 of the Revised Statutes is amended by adding a new paragraph E to read as follows:

E. Diagnosis of illness or prescription of therapeutic or corrective measures when such services are delegated by a physician to a registered nurse who has completed the necessary additional educational program required for the proper performance of such services. Such programs shall be approved by the board and the Board of Registration in Medicine and the Board of Osteopathic Examination and Registration. When the delegated activities are part of the practice of optometry as defined in chapter 35, then the person to whom such activities are delegated shall possess a valid license to practice optometry in Maine, or otherwise shall perform only as a technician within the established office of a physician, and otherwise acting solely on the order of and under the responsibility of a physician skilled in the treatment of eyes as designated by the proper professional board, and without assuming evaluation or interpretation of examination findings by prescribing corrective procedures to preserve, restore or improve vision.

Sec. 3. Effective date. This Act shall become effective October 1, 1974.

Effective October 1, 1974

CHAPTER 496

AN ACT Relating to Veterans Preference in State Employment.

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

Sec. 1. R. S., T. 5, § 674, sub-§ 5, amended. The first sentence of subsection 5 of section 674 of Title 5 of the Revised Statutes, as enacted by chapter 561 of the public laws of 1971, is amended to read as follows:

In any reduction in personnel in the state service, veteran preference employees whose service ratings are "good" or better shall be retained in preference to all other competing employees and veteran preference employees whose service ratings are less than "good" shall be retained in preference to competing nonpreference employees who have equal or lower service ratings shall be retained in preference to all other competing employees in the same classification with equal seniority, status and service ratings.

Sec. 2. R. S., T. 5, § 674, amended. The first sentence of the next to the last paragraph of section 674 of Title 5 of the Revised Statutes, as repealed

and replaced by chapter 561 of the public laws of 1971, is amended to read as follows:

In determining qualifications for examination and appointment ~~promotion, retention, transfer or reinstatement~~ with respect to veteran preference eligibles under this section, the board or other examining agency may waive requirements as to age, height and weight, provided any such requirement is not essential to the performance of the duties of the position for which examination is given.

Effective October 3, 1973

CHAPTER 497

AN ACT to Provide Additional Requirements for Investigation of Railroad Company Accidents by the Public Utilities Commission.

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

R. S., T. 35, § 142, additional. Title 35 of the Revised Statutes is amended by adding a new section 142 to read as follows:

§ 142. Railroad company accidents

The commission shall investigate all accidents resulting in the loss of human life, or personal injury requiring 3 full days hospitalization, occurring upon the premises of any railroad company or directly or indirectly arising from or connected with its maintenance or operation and in connection with such investigations, the commission may hold a hearing. Commission orders and recommendations, accident reports and all other materials in the commission's file pertaining to such railroad company accidents shall be made available, upon request, to the railroad company, the injured party or their representatives. Neither commission orders or recommendations nor accident reports or any other materials in the commission file pertaining to such accidents shall be admitted as evidence in any suit or action for damages growing out of any matter mentioned in any investigation pursuant to this section. To the extent the provisions of section 141 are not inconsistent herewith, they shall apply to railroad company accidents.

Effective October 3, 1973

CHAPTER 498

An ACT Creating York County Commissioner Districts.

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

Sec. 1. R. S., T. 30, § 105-O, additional. Title 30 of the Revised Statutes is amended by adding a new section 105-O, to read as follows:

§ 105-O. Creation of York County Commissioner Districts