

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

CHAPTER 608

H.P. 1481 - L.D. 2061

An Act to Make Corrections
in the Governmental Ethics Law

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the income disclosure forms that must be submitted by Legislators and executive employees must be prepared prior to the expiration of the 90-day period.

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 1 MRSA §1016-A, sub-§1, as enacted by PL 1989, c. 561, §9, is amended to read:

1. Disclosure of Legislator's income. The Legislator filing the statement shall name and give the address of each specific source of income received as follows.

A. A Legislator who is an employee of another shall name the employer and each other source of income of \$1,000 or more.

B. A Legislator who is ~~solely~~ self-employed shall state that fact and the name and address of the Legislator's business. The Legislator shall name each source of income derived from self-employment that represents more than 10% of the Legislator's gross income or \$1,000, whichever is greater, provided that if ~~such~~ this form of disclosure is prohibited by law, rule or an established code of professional ethics, the Legislator shall only specify the principal type of economic activity from which the income is derived. With respect to all other sources of income, a self-employed Legislator shall name each source of income of \$1,000 or more. The Legislator shall also indicate major areas of economic activity and, if associated with a partnership, firm, professional association or similar business entity, the major areas of economic activity of that entity.

C. In identifying the source of income, it shall be sufficient to identify the name and address and the principal type of economic activity of the corporation, professional association, partnership, financial institution, nonprofit organization or other entity or person directly providing the income to the Legislator.

D. With respect to income from a law practice, it shall be sufficient for attorneys-at-law to indicate their major areas of practice and, if associated with a law firm, the major areas of practice of the firm, in such manner as the commission may require.

Sec. 2. 1 MRSA §1016-A, sub-§4, as enacted by PL 1989, c. 561, §9, is amended to read:

4. Disclosure of income of immediate family. The Legislator shall disclose the type of economic activity representing each source of income of \$1,000 or more that any member of the immediate family of the Legislator received.

Sec. 3. 5 MRSA §19, sub-§2, as repealed and replaced by PL 1989, c. 561, §15, is amended to read:

2. Statement of sources of income. Each executive employee shall annually file with the Secretary of State a sworn and notarized statement of finances for the preceding calendar year. The statement shall indicate:

A. If the executive employee is an employee of another person, firm, corporation, association or organization, the name and address of the employer and each other source of income of \$1,000 or more;

B. If the executive employee is self-employed, the name and address of the executive employee's business and the name of each source of income derived from self-employment that represents more than 10% of the employee's gross income or \$1,000, whichever is greater, provided that, if ~~such~~ this form of disclosure is prohibited by statute, rule, or an established code of professional ethics, the employee shall specify the principal type of economic activity from which the income is derived. With respect to all other sources of income, a self-employed executive employee shall name each source of income of \$1,000 or more. The employee shall also indicate major areas of economic activity and, if associated with a partnership, firm, professional association, or similar business entity, the major areas of economic activity of that entity;

C. The specific source of each gift received;

D. The type of economic activity representing each source of income of \$1,000 or more that any member of the immediate family of the executive employee received;

E. The name of each source of honoraria that the executive employee accepted;

F. Each executive branch agency before which the executive employee or any immediate family member has represented or assisted others for compensation; and

G. Each executive branch agency to which the executive employee or the employee's immediate family has sold goods or services with a value in excess of \$1000 \$1,000.

In identifying the source of income, it shall be sufficient to identify the name and address and principal type of economic activity of the corporation, professional association, partnership, financial institution, nonprofit organization or other entity or person directly providing the income to the individual.

With respect to income from a law practice, it shall be sufficient for attorneys-at-law to indicate their major areas of practice and, if associated with a law firm, the major areas of practice of the firm.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 13, 1990.

CHAPTER 609

H.P. 1148 - L.D. 1591

An Act Relating to the Status of Nursing Professions in Maine

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a critical shortage of nursing professionals exists within the State; and

Whereas, the State Board of Nursing faces an imminent financial shortfall; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §12004-I, sub-§73-A is enacted to read:

<u>73-A. Occu- pations: Nursing</u>	<u>Nursing Education Mobility Advisory Group</u>	<u>Not Autho- rized</u>	<u>32 MRSA §2157</u>
---	--	---------------------------------	--------------------------

Sec. 2. 32 MRSA §2157 is enacted to read:

§2157. Nursing Education Mobility Advisory Group

The board shall establish the Nursing Education Mobility Advisory Group, as authorized by Title 5, section 12004-I, subsection 73-A. The group consists of members appointed by the board. The board shall decide how many members to appoint.

The group shall examine the nursing education system, including, but not limited to, the degree to which educational credit is transferrable among the various nursing degrees, and, based upon its findings, shall facilitate career mobility in nursing.

The group shall report to the board by January 15th annually.

Sec. 3. 32 MRSA §2206, first ¶, as amended by PL 1985, c. 724, §20, is further amended to read:

The license of every registered nurse licensed under this chapter shall be renewed annually, except as otherwise provided. At least 30 days before the anniversary of ~~his~~ that person's birth, the board shall mail an application for renewal of license to each professional nurse who holds a valid license, which application shall be mailed to the most recent address of that person as it appears on the records of the board. That person shall complete the renewal application and return it to the board with a renewal fee of \$10 \$20 before the anniversary of ~~his~~ that person's birth. Upon receipt of the application and fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal of license for the year expiring on the anniversary of the applicant's birth.

Sec. 4. 32 MRSA §2206, 2nd ¶, as repealed and replaced by PL 1983, c. 176, Pt. A, §13, is amended to read:

Any registered nurse; who ~~allows his license to lapse by failing~~ fails to renew the license as provided; may be reinstated by the board on satisfactory explanation for failure to renew ~~his~~ the license and on payment of a reinstatement fee of \$5 \$10, in addition to the current renewal fee.

Sec. 5. 32 MRSA §2207, sub-§§1 to 3, as amended by PL 1975, c. 114, §3, are further amended to read:

1. Examination. ~~By For examination: Fee , a fee of \$40~~ \$60 payable on application; ;

2. Reexamination. ~~By For reexamination: Fee , a fee to be determined by the board based on the number of areas to be covered and not to exceed \$40~~ \$60; and

3. Endorsement. ~~By For endorsement: Fee , a fee of \$40~~ \$60 payable on application.

Sec. 6. 32 MRSA §2255, first ¶, as amended by PL 1985, c. 724, §26, is further amended to read: