

# MAINE STATE LEGISLATURE

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**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.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**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**

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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>
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**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:

The license of every practical 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 practical nurse who holds a valid license, which application shall be mailed to the most recent address of the 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. 7. 32 MRSA §2255, 2nd ¶**, as repealed and replaced by PL 1983, c. 176, Pt. A, §14, is amended to read:

Any practical 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 renewal fee.

**Sec. 8. 32 MRSA §2256, sub-§§1 and 2**, as amended by PL 1975, c. 114, §6, are further amended to read:

**1. Examination.** ~~By For examination: Fee~~ a fee of \$30 \$50 payable on application;

**2. Reexamination.** ~~By For reexamination: Fee~~ a fee to be determined by the board and shall not exceed \$30 \$50; and

**Sec. 9. 32 MRSA §2256, sub-§3**, as amended by PL 1975, c. 114, §7, is further amended to read:

**3. Endorsement.** ~~By For endorsement: Fee~~ a fee of \$30 \$50 payable on application.

**Sec. 10. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1989-90	1990-91
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
State Board of Nursing		
All Other	\$40,000	\$150,000

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

Effective February 14, 1990.

**CHAPTER 610**

**H.P. 1154 - L.D. 1608**

**An Act to Clarify the Traffic Movement Standards under the Site Location of Development Laws**

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

**Whereas**, the change to the traffic standard of the site location of development laws is needed in advance of the 1990 construction season; 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:**

**38 MRSA §484, sub-§2**, as repealed and replaced by PL 1989, c. 502, Pt. B, §50, is amended to read:

**2. Traffic movement.** The developer has made adequate provision for traffic movement of all types into, out of or within the development area. The board shall consider traffic movement both on-site and off-site. Before issuing a permit, the board shall determine that any traffic increase attributable to the proposed development will not result in unreasonable congestion or unsafe conditions on a road in the vicinity of the proposed development. The Department of Transportation shall provide the board with an analysis of traffic movement of all types into, out of or within the development area. In making its determination under this subsection, the board shall consider the analysis provided by the Department of Transportation;

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

Effective February 14, 1990.

**CHAPTER 611**

**S.P. 648 - L.D. 1743**

**An Act to Modernize the Merger Provisions Relating to Domestic Stock Insurers**

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

**Whereas**, the Maine Insurance Code presently permits a domestic stock insurer to merge or consolidate with another corporation formed for the purpose of trans-