

# MAINE STATE LEGISLATURE

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LEGAL AFFAIRS

Reported by: Senator Handy of Androscoggin

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 646, L.D. 1805, Bill, "An Act to Make Certain Revisions to the Maine Emergency Medical Services Act of 1982"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 32 MRSA §90-A, sub-§4, ¶D, as enacted by PL 1987, c. 273, §8, is amended to read:

D. Except in the specific circumstances where the Maine Administrative Procedure Act, Title 5, section 10004 may be invoked, if the board or its staff concludes that suspension or revocation of the license is in order, the board or its staff shall hold a hearing or request the Attorney General to file a complaint in the Administrative Court in accordance with Title 4, chapter 25, to commence either full or emergency proceedings.

Sec. 2. 32 MRSA §90-A, sub-§5, ¶G, as amended by PL 1991, c. 588, §19, is further amended to read:

G. Subject to the limitations of Title 5, chapter 341, conviction of a crime that involves dishonesty or false statement that relates directly to the practice for which the licensee is licensed ~~or~~ conviction of any a crime for

which incarceration for one year or more may be imposed or conviction of a crime defined in Title 17-A, chapter 11 or 45;

#### FISCAL NOTE

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department.'

#### STATEMENT OF FACT

This amendment deletes language from the original bill that removed the requirement that the Department of the Attorney General be involved in licensure and disciplinary actions involving emergency medical personnel.

The amendment adds language to provide consistency in the law by specifying that the Maine Emergency Medical Services' Board and its staff may be involved in the processes of the Maine Administrative Procedure Act.

The amendment adds to the list of reasons for emergency medical personnel licensure disqualification a conviction for a crime based on a sexual assault or misuse or illegal use or sale of drugs or narcotics.

This amendment also conforms existing law to current drafting standards and adds a fiscal note to the bill.