

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
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ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

D. Any act in violation of this chapter.

Sec. 7. 32 MRSA § 281, sub-§ 4 is enacted to read:

4. **Foreclosure sales.** This chapter shall not apply to any individual conducting a foreclosure sale pursuant to a court order.

Sec. 8. 32 MRSA § 283, sub-§ 2, as enacted by PL 1979, c. 478, § 2, is amended to read:

2. **Highest bidder acknowledged.** ~~Whether or not~~ That the highest bidder will be acknowledged by the auctioneer;

Effective July 3, 1980

CHAPTER 706

H. P. 1869 — L. D. 1959

AN ACT to Amend the Laws Relating to Ambulance Service.

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

Whereas, enactment of this bill is necessary to clarify the provisions for licensure and relicensure of licensed ambulance personnel, thereby affecting the provision of emergency medical services in all areas of the State; 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. 32 MRSA § 72, sub-§ 9 is enacted to read:

9. **Regional council.** "Regional council" means that group recognized by the department in each of the 5 regions of the State established for the delivery of emergency medical services.

Sec. 2. 32 MRSA § 73, sub-§ 1, as last amended by PL 1977, c. 241, §§ 5 and 6, is further amended by adding at the end a new sentence to read:

There shall also be up to 5 ex officio members, one designated from each existing regional council to serve on the board as a voting member with all rights and privileges.

Sec. 3. 32 MRSA § 73, sub-§ 3, as amended by PL 1975, c. 293, § 4, is further amended to read:

3. Meetings. The board shall meet at least ~~once~~ **4 times** each year and at such other times as may be provided by resolution of the board, or at the call of its chairman or the Commissioner of Human Services.

Sec. 4. 32 MRSA § 73, sub-§ 6, **first sentence**, as amended by PL 1979, c. 143, § 1, is further amended to read:

The Department of Human Services shall adopt such forms, rules, regulations, procedures and records as may be necessary to fulfill the purposes of this chapter in conformity with the requirements of the Maine Administrative Procedure Act, Title 5, chapter 375, except that in addition to the requirements established by this Act with regard to the holding of public hearings, the board shall hold ~~one public hearing in each county in the State, at a site in each county~~ **at least 2 public hearings in each region of the State, at sites in each region** as centrally located as possible, and in the evening, in order to provide the greatest opportunity for public participation.

Sec. 5. 32 MRSA § 73, sub-§ 7, as repealed and replaced by PL 1979, c. 288, § 2, is repealed and the following enacted in its place:

7. Minimum level of training. The minimum level of training for licensure as licensed ambulance personnel shall be satisfactory completion of:

A. One of the following courses:

(1) The American Red Cross Advanced First Aid and Emergency Care Course, supplemented by training in extrication techniques, oxygen administration and suction techniques, patient evaluation and taking of vital signs, with appropriate examinations and tests, which shall be recognized as valid for 3 years of completion; or

(2) The Department of Transportation Crash Injury Management Course or First Responder Course, with appropriate examinations and tests, which shall be recognized as valid for 3 years from the date of completion;

B. One of the cardiopulmonary resuscitator courses, with appropriate examinations and tests, which shall be recognized as valid for 12 months from the date of completion; and

C. State-furnished written and practical examinations.

All licensed ambulance personnel are authorized to administer emergency treatment procedures.

Sec. 6. 32 MRSA § 73, sub-§§ 8 and 9 are enacted to read:

8. Requirements for relicensure. Persons currently licensed by the department as ambulance attendants shall meet the following minimum requirements for relicensure:

A. Satisfactory completion, within the 12 months immediately preceding the expiration date of the license held by the applicant at the time of application for relicensure, of one of the cardiopulmonary resuscitator courses with accompanying examinations and tests; and

B. Satisfactory completion, within the 3 years immediately preceding the expiration date of the license held by the applicant at the time of application for relicensure, of:

(1) Either an emergency medical services refresher program approved by the department or the courses and tests specified in subsection 7, paragraphs A and B; and

(2) State-furnished written and practical examinations.

9. State testing.

A. The State shall furnish written and practical examinations for licensed ambulance attendants to all local training officers. If the local training officer so requests, the State shall also administer the written and practical examinations.

B. The State shall furnish written and practical examinations for initial licensure and relicensure for basic and advanced emergency medical technicians and shall administer them through regionally-coordinated examination teams. Examinations shall be advertised and scheduled regularly in each region and shall be administered at appropriate sites and times justified by the need. Each member of an examination team shall hold a current license for at least the level at which he is examining others and shall not administer a practical examination to any member of a unit to which he belongs.

Sec. 7. 32 MRSA § 75, as repealed and replaced by PL 1977, c. 694, § 539, is amended to read:

§ 75. Appeals

Any person who is aggrieved by a decision of the ~~board~~ commissioner in amending, modifying or refusing to issue or to renew a license may request a hearing as provided by the Maine Administrative Procedure Act.

Whenever the ~~board~~ commissioner decides to revoke or suspend a license, ~~it~~ he shall do so by filing a complaint with the Administrative Court as provided by the Maine Administrative Procedure Act.

Sec. 8. PL 1979, c. 143, § 3, is repealed.

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

Effective April 1, 1980

CHAPTER 707

H. P. 1917 — L. D. 1982

AN ACT to Authorize Deductions from the Term of Imprisonment of Certain Persons Serving a Split Sentence.

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

Whereas, persons sentenced for crimes committed on or after July 6, 1978 and on or before September 13, 1979 to an initial unsuspended term of imprisonment in excess of 120 days do not receive full good time credits; and

Whereas, persons sentenced for crimes committed after September 13, 1979 who receive an initial unsuspended term of imprisonment in excess of 120 days are eligible for full good time credits; and

Whereas, at the present time there are some 50 persons who committed crimes during the period between July 6, 1978 and September 13, 1979 who are not receiving good time credits on their unsuspended term in excess of 120 days; and

Whereas, this fact has created inequities in the time served by these inmates; 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. 17-A MRSA § 1203, sub-§ 4 is enacted to read:

4. Each person sentenced to an initial unsuspended term of imprisonment in excess of 120 days under this section for a crime committed on or after July 6, 1978, and on or before September 13, 1979, shall earn deductions authorized by section 1253, subsections 3, 3-A, 3-B and 4.

Sec. 2. 17-A MRSA § 1203-A, as enacted by PL 1979, c. 512, § 41, is repealed.