

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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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:

9-B MRSA §352, sub-§1, ¶¶D and E, as enacted by PL 1975, c. 500, §1, are amended to read:

D. Provisions governing the manner and basis of converting the shares of the participating institutions into shares or other securities of the resulting institution and, if any shares of any of the participating institutions are not to be converted solely into shares or other securities of the resulting institution, the amount of cash, property, rights or securities of any other institution or corporation which is to be paid or delivered to the holders of the shares in exchange for or upon surrender of the shares, which cash, property, rights or securities of any other institution or corporation may be in addition to or in lieu of the shares or securities of the resulting institution;

F. Provisions, if applicable, governing the manner of disposing of shares of the resulting institution, if any, not taken by dissenting stockholders of the participating institutions; and

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

Effective February 14, 1986.

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## CHAPTER 530

H.P. 1258 - L.D. 1768

### AN ACT Concerning Emergency Medical Services Personnel.

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

Sec. 1. 22 MRSA §4011, sub-§1, as amended by PL 1985, c. 495, §19, is further amended to read:

1. Reasonable cause to suspect. When, while acting in his professional capacity, a medical or osteopathic physician, resident, intern, emergency medical ~~technician~~ services' person, medical examiner, physician's assistant, dentist, dental hygienist, dental assistant, chiropractor, podiatrist, registered or licensed practical nurse, Christian Science practitioner, teacher, guidance counselor, school official, social worker, homemaker, home health aide, medical or social service worker, psychologist, child care personnel, mental health professional or law enforcement official knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected, he shall immediately report or cause a report to be made to the department.

A. Whenever a person is required to report in his capacity as a member of the staff of a medical or public or private institution, agency or facility, he shall immediately notify the person in charge of the institution, agency or facility, or his designated agent, who shall then cause a report to be made. The staff may also make a report directly to the department.

B. Any person may make a report if that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

D. When, while acting in his professional capacity, any person required to report under this section knows or has reasonable cause to suspect that a child has been abused or neglected by a person not responsible for the child, he shall immediately report or cause a report to be made to the appropriate district attorney's office, except as provided in subsection 1-A.

Sec. 2. 29 MRSA §1312-E, sub-§1, as enacted by PL 1985, c. 296, §1, is amended to read:

1. Persons who may report. If, while acting in his professional capacity, a medical or osteopathic physician, resident, intern, emergency medical ~~technician~~ services' person, medical examiner, physician's assistant, dentist, dental hygienist, dental assistant or registered or licensed practical nurse knows or has reasonable cause to suspect that a person has been operating a motor vehicle while under

the influence of intoxicating liquor or drugs or a combination of liquor and drugs within the meaning of this subchapter, and that motor vehicle has been involved in an accident, he may immediately report or cause a report to be made to a law enforcement official.

Sec. 3. 32 MRSA §86, sub-§2-A is enacted to read:

2-A. Treatment to be in accord with regional medical orders. When an ambulance service or first responder service is present at an accident or other situation in which a person or persons require emergency medical treatment, the medical treatment of the patients shall be carried out in accordance with any rules promulgated under this chapter, any protocols issued by the Regional Medical Director and any verbal orders given under the system of delegation established by the Regional Medical Director; except that:

A. When a patient is already under the personal supervision of his own physician or of a physician's assistant supervised by that physician and the physician or physician's assistant assumes the care of the patient, then for as long as the physician or physician's assistant remains with the patient, the patient shall be cared for as the physician or physician's assistant directs. The emergency medical services' persons shall assist to the extent that their licenses and protocol allow; and

B. No patient is required to accept treatment to which he does not consent.

Effective July 16, 1986.

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## CHAPTER 531

S.P. 660 - L.D. 1698

AN ACT Regarding the Appointment of Harbor Masters.

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

Sec. 1. 12 MRSA §7056, sub-§1, as enacted by PL 1979, c. 420, §1, is amended to read: