

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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  
1992

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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For those individuals who are licensed or who relicense as ~~basic emergency medical technicians~~ after September 1, 1986, ~~and who are not licensed at the advanced level, the basic emergency medical technician~~ the license is for a 3-year period. Licensure includes, but is not limited to, annual verification, as determined by the board through rules. To maintain a valid license, a basic emergency medical technician must meet the criteria as set out in this subsection. If those criteria are not met, a person does not hold a valid license and must reapply for licensure.

**Sec. 3. 32 MRSA §85, sub-§4** is enacted to read:

**4. Minimum requirements for relicensing.** The board shall set by rule the interval license and relicensing requirements for emergency medical services persons. A person who is duly licensed in Maine as an emergency medical services person must be issued a renewal license if the following requirements are met:

A. The person must have satisfactorily completed relicensure training as defined in the rules; and

B. The person must have satisfactorily demonstrated competence in the skills required for the license level. Skill competence may be satisfied by a combination of run report reviews and continuing education training programs conducted in accordance with the rules or by satisfactorily completing the state written and practical tests.

If the person is not duly licensed at the time of application, the person must demonstrate skill and knowledge by satisfactorily completing the state written and practical tests as defined in the rules.

To maintain a valid license, an emergency medical services person must meet the criteria set out in this section. If those criteria are not met, a person does not hold a valid license and must reapply for licensure.

**Sec. 4. 32 MRSA §88, sub-§1, ¶A**, as amended by PL 1991, c. 588, §16, is further amended to read:

A. The board has one member representing each regional council, and 7 persons in addition. Of the additional persons, one is a physician, one an attorney, one a representative of the public, one a representative of for-profit ambulance services, one a professional nurse, one a representative of first responder services and one a representative of not-for-profit ambulance services. The members that represent for-profit ambulance services, first responder services and not-for-profit ambulance services must be licensed emergency medical services' persons. Appointments are for 3-year terms. Members must be appointed by the Governor. The state medical director is an ex officio nonvoting member of the board.

**Sec. 5. Transition.** Current members of the board may complete their terms. The provisions of section 4 apply to members appointed by the Governor after the effective date of this Act.

See title page for effective date.

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## CHAPTER 743

H.P. 1458 - L.D. 2070

### An Act to Ensure the Retention of Utility Lines Crossing Railroad Property

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

**Sec. 1. 35-A MRSA §2311**, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

**§2311. Lines along railroads; application to Public Utilities Commission when disagreement**

A person maintaining or operating a telephone or electric line may construct a line upon or along any railroad with the written permit of the person operating the railroad. If the person seeking to construct the line cannot agree with the parties operating the railroad, as to constructing lines along the railroad or as to the manner in which lines may be constructed upon, along or across the railroad, either party may apply to the commission, who, after notice to those interested, shall hear and determine the matter and make their award, which ~~shall be~~ is binding upon the parties. The person seeking to construct lines on the railroad shall pay the expenses of the hearing, except that if the commission finds that parties operating the railroad have unreasonably refused their consent, those parties shall pay the expenses. Without limiting the commission's jurisdiction under this section, if a railroad company and a telephone or electric utility enter into an agreement involving a utility crossing of railroad property and that agreement or some other agreement provides that the commission shall resolve disputes arising under the original agreement, the commission may resolve those disputes.

See title page for effective date.

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## CHAPTER 744

H.P. 1419 - L.D. 2031

### An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings

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