

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

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Augusta, Maine
2015

CHAPTER 81
S.P. 127 - L.D. 344

**An Act To Amend the Laws
Governing the Confidentiality
of Library Records**

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

Sec. 1. 27 MRSA §121, as amended by PL 2013, c. 82, §12, is repealed and the following enacted in its place:

§121. Confidentiality of library records

1. Confidentiality. A record maintained by any public library, as defined in section 110, subsection 10, the Maine State Library, the Law and Legislative Reference Library or a library of the University of Maine System, the Maine Community College System or the Maine Maritime Academy is confidential if the record contains:

A. A library patron's personally identifying information, including but not limited to the library patron's name, address, phone number and e-mail address; or

B. Information that identifies a library patron as having requested, obtained or used books or other materials in any medium at the library or provided by the library.

2. Permitted release. A record designated confidential by subsection 1 may be released only with the express written permission of the library patron involved; to officers, employees, volunteers and agents of the library to the extent necessary for library administrative purposes; or as the result of a court order.

3. Public record. A library may publish and release as a public record aggregated and statistical information pertaining to library patronage, circulation activities and use of any service or consultation the library provides as long as the release of the information does not jeopardize the confidentiality of a library patron's personally identifying information.

See title page for effective date.

CHAPTER 82
S.P. 292 - L.D. 818

**An Act To Amend the Maine
Emergency Medical Services
Act of 1982**

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

Sec. 1. 32 MRSA §83, sub-§6, as amended by PL 2011, c. 271, §3, is further amended to read:

6. Basic emergency medical services person. "Basic emergency medical services person" means a person licensed to perform basic emergency medical treatment. Licensed ~~first~~ emergency medical responders and basic emergency medical technicians are basic emergency medical services persons.

Sec. 2. 32 MRSA §83, sub-§13-A, as enacted by PL 1999, c. 182, §6, is amended to read:

13-A. Emergency medical responder. "~~First~~ Emergency medical responder" means an emergency medical services person who has successfully completed the Maine Emergency Medical Services course for ~~first~~ emergency medical responders and has met the other requirements for licensure at this level.

Sec. 3. 32 MRSA §83, sub-§16-B, as amended by PL 2011, c. 271, §5, is further amended to read:

16-B. Medical Direction and Practices Board. "Medical Direction and Practices Board" means the board consisting of each regional medical director, ~~a representative of an emergency physician representing the Maine Chapter of the American College of Emergency Medicine Physicians, an at-large member, a toxicologist or licensed pharmacist, the statewide assistant emergency medical services medical director~~ and the statewide emergency medical services medical director. The Medical Direction and Practices Board is responsible for creation, adoption and maintenance of Maine Emergency Medical Services protocols.

Sec. 4. 32 MRSA §84, sub-§1, ¶F is enacted to read:

F. The board shall appoint or, as specified in section 89, subsection 2, paragraph B, approve the members of the Medical Direction and Practices Board.

Sec. 5. 32 MRSA §86, sub-§1, as amended by PL 1995, c. 161, §7, is further amended to read:

1. Ambulance services and nontransporting medical services to be licensed. Every ambulance service and nontransporting emergency medical service must be licensed, operate in accordance with the rules adopted and protocols developed for services under this chapter and carry the equipment called for in those rules.

Sec. 6. 32 MRSA §87, as amended by PL 1991, c. 588, §15, is further amended to read:

§87. Ambulances

Each ambulance must be licensed pursuant to this chapter. It must also meet the design criteria and ~~shall~~ must be equipped as specified in rules adopted under this chapter.

Sec. 7. 32 MRSA §90-C is enacted to read:

§90-C. Duty of all licensees and applicants for licensure to report certain information

1. Report in writing. A licensee or an applicant for licensure under this chapter shall notify the board in writing within 10 days of a:

A. Change of name or address;

B. Criminal conviction;

C. Revocation, suspension or other disciplinary action taken in this or any other jurisdiction against any occupational or professional license held by the applicant or licensee; or

D. Material change in the conditions or qualifications set forth in the original application for licensure submitted to the board.

Sec. 8. 32 MRSA §91-B, sub-§2, ¶E, as enacted by PL 2011, c. 271, §19, is amended to read:

E. Data collected by Maine Emergency Medical Services that allows identification of persons receiving emergency medical treatment may be released for purposes of research, public health surveillance and linkage with patient electronic medical records if the release is approved by the board, the Medical Direction and Practices Board and the director. Information that specifically identifies individuals must be removed from the information disclosed pursuant to this paragraph, unless the board, the Medical Direction and Practices Board and the director determine that the release of such information is necessary for the purposes of the research, public health surveillance or linkage with patient electronic medical records.

Sec. 9. 32 MRSA §92-B, first ¶, as enacted by PL 2007, c. 274, §28, is amended to read:

Notwithstanding any other provision of law, information that relates to an applicant for licensure or to a person licensed or certified by the board who is alleged to have engaged in any unlawful activity or professional misconduct or in conduct in violation of laws or rules relating to the board must be disclosed to the board and may be used by the board only in accordance with this chapter.

Sec. 10. 32 MRSA §92-B, sub-§1, as enacted by PL 2007, c. 274, §28, is amended to read:

1. Purpose for which disclosure is made. Any confidential information provided to the board may be used only for investigative and other actions within the scope of the authority of the board and for determining whether the applicant for licensure or the person licensed or certified by the board has engaged in unlawful activity, professional misconduct or an activity in violation of the laws or rules relating to the board.

Sec. 11. 32 MRSA §93-B, as enacted by PL 2003, c. 451, Pt. TT, §1, is repealed.

See title page for effective date.

CHAPTER 83

S.P. 371 - L.D. 1045

**An Act To Modify the Laws
Regarding the Collection and
Recycling of Mercury-added
Thermostats**

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

Sec. 1. 38 MRSA §1665-B, sub-§1, ¶E is enacted to read:

E. "Contractor" means a person engaged in the business of installing, servicing or removing thermostats and other heating, ventilation and air conditioning components.

Sec. 2. 38 MRSA §1665-B, sub-§2, ¶E, as amended by PL 2011, c. 420, Pt. E, §2 and affected by §5, is further amended to read:

~~E. Within 3 months after the department develops phase one of the plan required by subsection 4, provide~~ Provide a financial incentive with a minimum value of \$5 for the return of each mercury-added thermostat ~~by a contractor or service technician~~ to an established recycling collection point;

Sec. 3. 38 MRSA §1665-B, sub-§2, ¶F, as amended by PL 2011, c. 420, Pt. E, §3 and affected by §5, is repealed.

Sec. 4. 38 MRSA §1665-B, sub-§2, ¶G, as amended by PL 2009, c. 277, §8, is further amended to read:

~~G. Beginning in 2008, submit~~ Submit an annual report to the department by ~~January 30th~~ April 1st of each year. The report must be submitted on a form provided by the department and must include ~~at a minimum:~~

- (1) The number of mercury-added thermostats collected and recycled by that manufacturer pursuant to this section during the previous calendar year;
- (2) The estimated total amount of mercury contained in the thermostat components collected by that manufacturer pursuant to this section;
- (3) An evaluation of the effectiveness of the manufacturer's collection and recycling pro-