

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

CHAPTER 194
H.P. 504 - L.D. 815

An Act to Provide Energy
Efficiency Program Outreach
and Assistance to
Manufactured Housing
Residents

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

Sec. 1. 35-A MRSA §10104, sub-§14 is en-
acted to read:

14. Energy efficiency education and outreach program; manufactured housing. In coordination with the Maine State Housing Authority, the trust shall provide an education and outreach program to low-income and moderate-income residents of manufactured housing to increase awareness of energy efficiency programs administered by the trust and the Maine State Housing Authority for which residents may be eligible. Education and outreach program materials must include a description of each energy efficiency program for which a low-income or moderate-income manufactured housing resident may qualify, the application process for each energy efficiency program and where to find additional information. To the extent that the energy efficiency programs promote weatherization or heat pumps for space heating to low-income or moderate-income households, the trust and the Maine State Housing Authority shall ensure that eligible residents of manufactured housing are offered access to grants and loans for weatherization or heat pumps for space heating. For the purposes of this subsection, "manufactured housing" has the same meaning as in Title 10, section 9002, subsection 7.

Sec. 2. Reports. The Efficiency Maine Trust shall submit to the joint standing committee of the Legislature having jurisdiction over energy matters reports on the activities and results during the previous fiscal year of the education and outreach program to low-income and moderate-income residents of manufactured housing as described in the Maine Revised Statutes, Title 35-A, section 10104, subsection 14 at the following times:

1. For fiscal year 2023-24, no later than December 1, 2024;
2. For fiscal year 2024-25, no later than December 1, 2025; and
3. For fiscal year 2025-26, no later than December 1, 2026.

See title page for effective date.

CHAPTER 195
H.P. 549 - L.D. 883

An Act to Exempt Emergency
Medical Services Community
Paramedicine Programs from
Home Health Care Provider
Licensing Requirements Under
Certain Circumstances

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

Sec. 1. 22 MRSA §2147, sub-§12, as amended
by PL 1989, c. 119, §3, is further amended to read:

12. Municipal entities. Municipal departments or agencies or other municipal entities in their provision of nontherapeutic preventive and promotional health educational services when persons providing those services are employed by the municipality; ~~and~~

Sec. 2. 22 MRSA §2147, sub-§14, as enacted
by PL 2013, c. 336, §3, is amended to read:

14. Registered nurse educators. Registered nurse educators; ~~and~~

Sec. 3. 22 MRSA §2147, sub-§15 is enacted to
read:

15. Emergency medical services community paramedicine services. Ambulance services and non-transporting emergency medical services as defined and licensed under Title 32, chapter 2-B, that are authorized by the Emergency Medical Services' Board to provide community paramedicine services pursuant to Title 32, section 84, subsection 4. This exemption applies for the express and exclusive purpose of delivering community paramedicine services, as long as:

A. The care is episodic. For the purposes of this paragraph, "episodic" means an encounter with a patient focused on presenting concerns and an identified medical condition in which neither the community paramedic nor the patient has the expectation of an ongoing general home care relationship; and

B. The Emergency Medical Services' Board adopts rules requiring authorized community paramedicine services to:

(1) Comply with the Maine Background Check Center Act requirements as described in chapter 1691;

(2) Conduct initial and ongoing training of all staff regarding their obligations as mandatory reporters;

(3) Meet licensing standards consistent with those required by Title 22, section 2145, subsections 3 and 4; and

(4) Coordinate with home health agencies.

Sec. 4. 32 MRSA §84, sub-§4, as repealed and replaced by PL 2017, c. 276, §1, is repealed and the following enacted in its place:

4. Establishment of community paramedicine services. The board may establish community paramedicine services. As used in this subsection, "community paramedicine" means the practice by an emergency medical services provider primarily in an out-of-hospital setting of providing episodic patient evaluation, advice and treatment directed at preventing or improving a particular medical condition, within the scope of practice of the emergency medical services provider as specifically requested or directed by a physician.

The board shall establish by rule the requirements and application and approval process of community paramedicine services established pursuant to this subsection. At a minimum, an emergency medical services provider, including, but not limited to, an ambulance service or nontransporting emergency medical service, that conducts community paramedicine services shall work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board. The board shall also adopt rules requiring authorized community paramedicine services to:

- A. Comply with the Maine Background Check Center Act requirements as described in Title 22, chapter 1691;
- B. Conduct initial and ongoing training of all staff regarding their obligations as mandatory reporters;
- C. Meet licensing standards consistent with those required by Title 22, section 2145, subsections 3 and 4; and
- D. Coordinate with home health agencies.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 196

H.P. 650 - L.D. 1014

An Act Regarding Payments to Recipients of Restitution

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

Sec. 1. 15 MRSA §5826, sub-§6, as amended by PL 2019, c. 97, §6, is further amended to read:

6. Final order of disposition of property; public education campaign. Following the entry of a verdict

of forfeiture of property pursuant to this section or the entry of a guilty plea in open court on the record and following the court's disposition of all petitions for hearing timely filed by 3rd parties, the State has clear title to property that is the subject of the indictment, information or complaint. The final order must provide for the deposit of the property or, the proceeds from the disposition of the property and any cash seized or forfeited, less any outstanding restitution, which must be sent to the office of the attorney for the State who prosecuted the case, then the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising and notice, in the General Fund, except that, to the extent that the court finds it reasonable, the court may order forfeiture of as much of the property as is appropriate, less the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising and notice, to a municipality, county or state agency that has made a substantial contribution to the investigation or prosecution of a related criminal case or, upon request of the investigating agency or the prosecuting agency, to a law enforcement agency in this State that provides case management and other social services to persons affected by crimes that are subject to forfeiture of property under this chapter.

Sec. 2. 17-A MRSA §1707, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

§1707. Multiple fines imposed on convicted person; restitution

When multiple fines are imposed on a convicted person at the same time or when a fine is imposed on a convicted person already subject to an unpaid or partly unpaid fine, the fines must be cumulative, unless the court specifies that only the highest single fine must be paid in the case of offenses based on the same conduct or arising out of the same criminal episode or for other good cause stated on the record or in the sentences. If the convicted person has also been ordered to pay restitution, the restitution must be paid in full prior to paying a fine under this section.

Sec. 3. 17-A MRSA §1708, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Timing of fine payment; restitution. If a convicted person is sentenced to pay a fine, the court may grant permission for the payment to be made within a specified period of time or in specified installments. If such permission is not included in the sentence, the fine must be paid immediately to the clerk of the court. If the convicted person has also been ordered to pay restitution, the restitution must be paid in full prior to paying a fine under this section.

Sec. 4. 17-A MRSA §1854, sub-§2, ¶C, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read: