

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1662

H.P. 1221

House of Representatives, March 15, 2001

Resolve, to Study the Emergency Medical Services System.

(EMERGENCY)

Reference to the Committee on Criminal Justice suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BULL of Freeport.
Cosponsored by Representative MacDOUGALL of North Berwick,
Senator McALEVEY of York and
Representatives: BUMPS of China, DUGAY of Cherryfield, DUPLESSIE of Westbrook,
RINES of Wiscasset.

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

4 Whereas, the Legislature created the Emergency Medical
6 Services Act of 1982 to promote and provide for a comprehensive
emergency medical services system to ensure optimum patient care
8 with standards for all providers; and

10 Whereas, the stated mission of the Act is to develop
resources to improve the professional capabilities of team
12 members and to make emergency medical services work safe,
healthful and satisfying; and

14 Whereas, the Maine Revised Statutes, Title 32, section 89,
16 subsection 2 sets the regional councils as the primary planning
and operational units of the statewide emergency medical services
18 system; and

20 Whereas, the health, safety and public welfare of citizens
of the State may be in serious jeopardy without additional
22 resources; and

24 Whereas, the establishment of an independent study
commission is necessary to assess the needs, design and structure
26 of an emergency medical services system in the State; and

28 Whereas, the study must be initiated before the 90-day
period expires in order that the study may be completed and a
30 report submitted in time for submission to the next legislative
session; and

32 Whereas, in the judgment of the Legislature, these facts
34 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
36 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

38 **Sec. 1. Commission established. Resolved:** That the Commission
40 to Study the Emergency Medical Services System, referred to in
this resolve as the "commission," is established; and be it
42 further

44 **Sec. 2. Commission membership. Resolved:** That the commission
consists of the following 13 members:

46 1. Three Senators, one of whom is a member of the Joint
48 Standing Committee on Appropriations and Financial Affairs and
one of whom is a member of the Joint Standing Committee on
50 Criminal Justice, appointed by the President of the Senate;

2 2. Four members of the House of Representatives one of whom
4 is a member of the Joint Standing Committee on Appropriations and
6 Financial Affairs and one of whom is a member of the Joint
Standing Committee on Criminal Justice, appointed by the Speaker
of the House;

8 3. One member of the Emergency Medical Services' Board, to
10 be appointed by the Governor;

12 4. Two representatives of the 6 designated regional
14 emergency medical services councils, appointed by the Governor
from among these councils;

16 5. The Commissioner of Public Safety or the commissioner's
designee; and

18 6. Two members of the general public, appointed by the
20 Governor; and be it further

22 **Sec. 3. Chairs. Resolved:** That the first named Senate member
24 is the Senate chair of the commission and the first named House
of Representatives member is the House chair of the commission;
and be it further

26 **Sec. 4. Appointments; meetings. Resolved:** That all
28 appointments must be made no later than 30 days following the
effective date of this resolve. The Executive Director of the
30 Legislative Council must be notified by all appointing
authorities once the selections have been made. When the
32 appointment of all members has been completed, the chairs of the
commission shall call and convene the first meeting of the
34 commission no later than 30 days after the appointments are made;
and be it further

36 **Sec. 5. Duties. Resolved:** That the commission shall study the
38 emergency medical services system. In conducting the study, the
commission shall examine the needs, design and structure of the
40 emergency medical services system in Maine.

42 In examining this topic, the commission may:

44 1. Hold informational sessions for discussions with
knowledgeable persons;

46 2. Conduct, summarize and analyze the results of a
48 literature search;

50 3. Conduct, tabulate and analyze the results of a survey of
the public or affected persons and groups;

4. Procure and analyze relevant data;

5. Conduct legal research and prepare opinions on legal questions within the scope of the study; and

6. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Compensation. Resolved: That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 120th Legislature no later than February 1, 2002. If the commission requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that would result in the commission exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

SUMMARY

2

This resolve establishes the Commission to Study the
Emergency Medical Services System.