

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1498

S.P. 516

In Senate, March 28, 2005

**Resolve, To Establish the Committee To Study the Establishment of
a Memorial for Emergency Medical Services Personnel and To Set
Aside Space for That Memorial**

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COWGER of Kennebec.
Cosponsored by Representative McKENNEY of Cumberland and
Senators: CLUKEY of Aroostook, HASTINGS of Oxford, MITCHELL of Kennebec, NASS of
York, RAYE of Washington, SAVAGE of Knox, SCHNEIDER of Penobscot, SNOWE-
MELLO of Androscoggin, Representatives: AUSTIN of Gray, BARSTOW of Gorham,
BEAUDETTE of Biddeford, BISHOP of Boothbay, CROSBY of Topsham, FLETCHER of
Winslow, MOORE of Standish, RECTOR of Thomaston, THOMPSON of China, WHEELER
of Kittery.

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
6 **Whereas,** this resolve establishes the Committee to Study the
Establishment of a Memorial for Emergency Medical Services
Personnel and to Set Aside Space for That Memorial; and

8
10 **Whereas,** the study must be initiated before the 90-day
period expires in order that the study may be completed and a
report submitted in time for submission to the next legislative
12 session; and

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

20 **Sec. 1. Committee established. Resolved:** That the Committee to
Study the Establishment of a Memorial for Emergency Medical
22 Services Personnel, referred to in this resolve as "the
committee," is established; and be it further

24 **Sec. 2. Committee membership. Resolved:** That the committee
26 consists of 9 members appointed as follows:

28 1. One member of the Senate appointed by the President of
the Senate;

30 2. Two members of the House of Representatives appointed by
32 the Speaker of the House;

34 3. Three Maine emergency medical services licensed personnel
of different license levels appointed by the Director of Maine
36 Emergency Medical Services;

38 4. One representative of the Maine Emergency Medical
Services Memorial Fundraising Project appointed by the project;

40 5. One representative of the State House and Capitol Park
42 Commission appointed by that commission; and

44 6. One representative of the Capitol Planning Commission
appointed by that commission; and be it further

46 **Sec. 3. Chair. Resolved:** That the Senate member of the
48 committee is the chair of the committee; and be it further

2 **Sec. 4. Appointments; convening of committee. Resolved:** That
all appointments must be made no later than 30 days following the
4 effective date of this resolve. The appointing authorities shall
notify the Executive Director of the Legislative Council once all
6 appointments have been completed. Within 15 days after
appointment of all members, the chair shall call and convene the
first meeting of the committee; and be it further

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10 **Sec. 5. Duties. Resolved:** That the committee shall study issues
and make recommendations regarding the establishment of a
12 memorial to honor emergency medical services personnel who have
fallen in the line of duty and others who have made significant
14 contributions to the development of the statewide Maine emergency
medical services system, including, but not limited to:

16 1. Where specifically within the area reserved in section
12 of this resolve the memorial should be located;

18 2. What should be inscribed on the memorial;

20 3. The design of the memorial; and

22 4. The cost of establishing and maintaining the memorial
24 and the process of fund-raising to ensure that no state funds
will be required; and be it further

26
28 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
Legislative Council, the Office of Policy and Legal Analysis
30 shall provide necessary staffing services to the committee; and
be it further

32 **Sec. 7. Compensation. Resolved:** That the legislative members
of the committee are entitled to receive the legislative per
34 diem, as defined in the Maine Revised Statutes, Title 3, section
2, and reimbursement for travel and other necessary expenses
36 related to their attendance at authorized meetings of the
committee. Other members of the committee not otherwise
38 compensated by their employers or other entities that they
represent are entitled to receive reimbursement of necessary
40 expenses and, upon a demonstration of financial hardship, a per
diem equal to the legislative per diem for their attendance at
42 authorized meetings of the committee; and be it further

44 **Sec. 8. Report. Resolved:** That, no later than January 14,
2006, the committee shall submit a report that includes its
46 findings and recommendations, including suggested legislation,
for presentation to the Joint Standing Committee on Criminal
48 Justice and Public Safety and the Legislative Council. The
committee is authorized to introduce legislation related to its

2 report to the Second Regular Session of the 122nd Legislature at
the time of submission of its report; and be it further

4 **Sec. 9. Extension. Resolved:** That, if the committee requires a
6 limited extension of time to complete its study and make its
report, it may apply to the Legislative Council, which may grant
an extension; and be it further

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10 **Sec. 10. Funding. Resolved:** That the committee shall seek
12 outside funds to fully fund all costs of the committee. If
sufficient outside funding has not been received by August 15,
2005 to fully fund all costs of the committee, no meetings are
14 authorized and no expense of any kind may be incurred or
reimbursed. Contributions to support the work of the committee
16 may not be accepted from any party having a pecuniary or other
vested interest in the outcome of the matters being studied. Any
18 person, other than a state agency, desiring to make a financial
or in-kind contribution must certify to the Legislative Council
20 that it has no pecuniary or other vested interest in the outcome
of the study. The certification must be made in the manner
22 prescribed by the Legislative Council. All contributions are
subject to approval by the Legislative Council. All funds
24 accepted must be forwarded to the Executive Director of the
Legislative Council along with an accounting record that includes
26 the amount of funds, the date the funds were received, from whom
the funds were received and the purpose of and any limitation on
the use of those funds. The Executive Director of the
28 Legislative Council administers any funds received by the
committee. The executive director shall notify the chair of the
30 committee when sufficient funding has been received; and be it
further

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34 **Sec. 11. Committee budget. Resolved:** That the chair of the
committee, with assistance from the committee staff, shall
administer the committee's budget. Within 10 days after its
36 first meeting, the committee shall present a work plan and
proposed budget to the Legislative Council for its approval. The
38 committee may not incur expenses that would result in the
committee's exceeding its approved budget. Upon request from the
40 committee, the Executive Director of the Legislative Council
shall promptly provide the committee chair and staff with a
42 status report on the committee budget, expenditures incurred and
paid and available funds; and be it further

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46 **Sec. 12. Maine Emergency Medical Services Memorial: space
reserved. Resolved:** That space must be reserved for the Maine
Emergency Medical Services Memorial in the area of the State
48 House grounds adjacent to the 2 existing memorials for
firefighters and law enforcement personnel.
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