

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1067

H.P. 734

House of Representatives, March 17, 2009

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**Resolve, To Establish a Blue Ribbon Commission To Study Methods  
of Protecting Emergency Medical Services Personnel during the  
Transportation of Persons with Mental Illness**

(EMERGENCY)

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative TUTTLE of Sanford.

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

3           **Whereas,** the Blue Ribbon Commission To Study Methods of Protecting  
4 Emergency Medical Services Personnel during the Transportation of Persons with Mental  
5 Illness is created in this resolve and must issue its findings and report by December 2,  
6 2009; and

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

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

14          **Sec. 1. Commission established. Resolved:** That the Blue Ribbon  
15 Commission To Study Methods of Protecting Emergency Medical Services Personnel  
16 during the Transportation of Persons with Mental Illness, referred to in this resolve as  
17 "the commission," is established; and be it further

18          **Sec. 2. Commission membership. Resolved:** That the commission consists of  
19 13 members appointed as follows:

20           1. Five members appointed by the President of the Senate as follows:

21           A. Two Senators; and

22           B. One member who works as an emergency medical services person, one person  
23 representing the interests of the court system and one member representing the  
24 interests of law enforcement personnel;

25           2. Seven members appointed by the Speaker of the House as follows:

26           A. Five members of the House; and

27           B. One member representing the interests of ambulance services and one member  
28 representing mental health workers; and

29           3. The Commissioner of Health and Human Services or the commissioner's  
30 designee; and be it further

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

34          **Sec. 4. Appointments; convening of commission. Resolved:** That all  
35 appointments must be made no later than 30 days following the effective date of this  
36 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
37 Council once all appointments have been completed. Within 15 days after appointment

1 of all members, the chairs shall call and convene the first meeting of the commission,  
2 which may be no later than August 1, 2009; and be it further

3 **Sec. 5. Duties. Resolved:** That the commission shall conduct a study and make  
4 recommendations on the issue of emergency medical services personnel and the  
5 transportation of people with mental illnesses and specifically address the best way to  
6 protect emergency medical services workers with established protocols for the occasions  
7 when attacks and threats occur to the personnel and when to use law enforcement  
8 intervention and arrest as opposed to using commitment to mental health facilities; and be  
9 it further

10 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
11 necessary staffing services to the commission; and be it further

12 **Sec. 7. Report. Resolved:** That, no later than December 2, 2009, the commission  
13 shall submit a report that includes its findings and recommendations, including suggested  
14 legislation, for presentation to the Second Regular Session of the 124th Legislature. The  
15 Joint Standing Committee on Criminal Justice and Public Safety is authorized to  
16 introduce a bill related to the subject matter of the report to the Second Regular Session  
17 of the 124th Legislature upon receipt of the report.

18 **Emergency clause.** In view of the emergency cited in the preamble, this  
19 legislation takes effect when approved.

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#### SUMMARY

21 This resolve establishes a blue ribbon commission to conduct a study and make  
22 recommendations on the issue of emergency medical services personnel and the  
23 transportation of people with mental illnesses and specifically address the best way to  
24 protect emergency medical services workers with established protocols for the occasions  
25 when attacks and threats occur to the personnel and when to use law enforcement  
26 intervention and arrest as opposed to using commitment to mental health facilities. The  
27 blue ribbon commission shall make a report and recommendations to the Joint Standing  
28 Committee on Criminal Justice and Public Safety, which is authorized to introduce a bill  
29 on this matter.