

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 5, 2000 to May 12, 2000**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 11, 2000**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2000**

alized by charter, ordinance or bylaw, to provide emergency services.

**Sec. 2. 30-A MRSA §3151, sub-§1-A** is enacted to read:

**1-A. Provide emergency services.** "Provide emergency services" means to respond to and manage other public safety emergencies, including, but not limited to, medical emergencies, hazardous materials incidents or natural or man-made disasters.

**Sec. 3. 30-A MRSA §3156**, as amended by PL 1989, c. 104, Pt. A, §30 and Pt. C, §§8 and 10, is further amended to read:

#### **§3156. Fire aid to other municipalities**

Unless otherwise provided by charter or ordinance, the municipal officers may authorize the municipal fire department to aid in extinguishing fires with any public safety emergencies in other municipalities by providing all the municipal fire department's available resources as needed. Municipal and volunteer firefighters when assisting other municipalities have the same privileges and immunities as when acting in their own municipality. Any municipality may compensate an aiding municipality or volunteer fire association for damage to the aiding department's or association's property and to any firefighter or to the firefighter's surviving spouse or dependents because of injury or death sustained in the course of rendering aid to that municipality.

**Sec. 4. 30-A MRSA §5725, sub-§9**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**9. Ambulance.** Provide for ~~a~~ public ambulance ambulances and ~~garage~~ garages for ~~them~~, or support an ambulance service serving its residents;

See title page for effective date.

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### CHAPTER 571

H.P. 1633 - L.D. 2285

#### An Act to Amend Maine's Probate Code

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

**Sec. 1. 18-A MRSA §7-205**, as enacted by PL 1979, c. 540, §1, is amended to read:

#### **§7-205. Proceedings for review of employment of agents and review of compensation of trustee and employees of trust**

On petition of an interested person, after notice to all interested persons, the court may review the propriety of employment of any person by a trustee including any attorney, auditor, investment advisor or other specialized agent or assistant, and the reasonableness of the compensation of any person so employed, and the reasonableness of the compensation determined by the trustee for ~~his own~~ the trustee's services. Any person who has received excessive compensation from a trust may be ordered to make appropriate refunds. ~~The factors set forth in section 3-721, subsection (b) should be considered as guides in determining the reasonableness of fees under this section.~~

A percentage fee is allowable under this section only if the fee is reasonable. Among the factors the court may consider as guides in determining the reasonableness of fees under this section are the following:

(a) The time and labor required, the novelty and difficulty of the questions involved and the skill requisite to perform the service properly;

(b) The likelihood, if apparent to the trustee, that the acceptance of the particular employment will preclude the person employed from other employment;

(c) The fee customarily charged in the locality for similar services;

(d) The amount involved and the results obtained;

(e) The time limitations imposed by the trustee or by the circumstances; and

(f) The experience, reputation and ability of the person performing the services.

The order of the factors in the list under subsections (a) to (f) does not imply their relative importance.

See title page for effective date.

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### CHAPTER 572

H.P. 916 - L.D. 1294

#### An Act to Provide for a Limited Waiver of Immunity

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