

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

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**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
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**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

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**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST REGULAR SESSION OF THE  
ONE HUNDRED AND TWENTIETH LEGISLATURE  
2001**

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**CHAPTER 1**

**H.P. 85 - L.D. 92**

**An Act to Establish the Washington  
County Emergency Medical Services  
Authority**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** Washington County is currently without emergency medical services; and

**Whereas,** this situation places the entire population of that county at enormous risk; and

**Whereas,** it is imperative that this situation be rectified immediately; and

**Whereas,** in order to secure emergency medical services for Washington County it is necessary to create a quasi-municipal corporation to provide such services; and

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

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

**Sec. 1. Establishment.** The Washington County Emergency Medical Services Authority, referred to in this Act as "the authority," is established to facilitate the provision of emergency medical services to the citizens of Washington County.

**Sec. 2. Board of directors.** The authority is governed by a board of directors, referred to in this Act as "the board." The board consists of:

1. One member appointed by the Washington County Commissioners to represent the unorganized territories; and

2. One member from:

A. Eastport, selected by its city council;

B. Perry, selected by its selectmen;

C. Pembroke, selected by its selectmen;

D. Dennysville, selected by its selectmen;

E. Whiting, selected by its selectmen;

F. Lubec, selected by its selectmen;

G. Charlotte, selected by its selectmen;

H. Meddybemps, selected by its selectmen;

I. Wesley, selected by its selectmen;

J. Calais, selected by its city council;

K. Cooper, selected by its selectmen;

L. Crawford, selected by its selectmen;

M. Robbinston, selected by its selectmen;

N. Alexander, selected by its selectmen;

O. Danforth, selected by its selectmen; and

P. Baring, selected by its assessors.

The members of the board are appointed for terms of one year and may be reappointed at the pleasure of the appointing authority.

**Sec. 3. Powers.** The authority may:

1. Employ and compensate personnel, consultants, technical and professional assistants and an emergency medical services medical director;

2. Make and enter into contracts and agreements and, pursuant to the bylaws of the authority, purchase or lease all vehicles and equipment necessary to provide emergency medical services to members;

- 3. Hold public hearings and sponsor public forums;
- 4. Sue and be sued in its own name;
- 5. Accept funds, grants and services from federal, state, county and municipal governments or any agency thereof, gifts and stipends from its member towns, private gifts from individuals and entities and stipends and subsidies from Canadian governments for the provision of services to Campobello Island and the Province of New Brunswick; and
- 6. Apply for and accept loans and allocate and disburse funds received to carry out the purposes of the authority.

Debts of the authority authorized under this Act do not constitute or create any debt or liability on behalf of the State. Debts incurred under this Act do not directly, indirectly or contingently obligate the State to levy or to pledge any form of taxation or to make any appropriation for their payment. This subsection may not be construed to prevent the authority from pledging its full faith and credit to the payment of loans or other debts authorized pursuant to this Act.

**Sec. 4. Duties.** The authority shall:

- 1. Prepare an annual budget and require an annual audit that is made available for public inspection;
- 2. Follow uniform standards provided in Maine statutes insofar as they relate to Department of Public Safety rules;
- 3. Make provisions for emergency medical services in the county on a contract basis where new services are to be provided; however, where emergency medical services are already provided by existing services, they are not abolished by this Act without the express consent of the governing body of the area and vote of the existing medical services' board;
- 4. Implement a county-wide subscription membership program unless otherwise prohibited by law; and
- 5. Set and adjust an approved cost-basis schedule that is uniform throughout the county.

**Sec. 5. Organization; conduct of business; meetings.** The board must be organized and its business must be conducted in accordance with the following.

- 1. The board shall elect a chair, vice-chair, secretary and treasurer from among its members.
- 2. The secretary shall keep a record of the board's meetings. These records are public records.

- 3. The treasurer shall keep records of the board's transactions. These records are public records.
- 4. The treasurer must be bonded in an amount to be determined by the board.
- 5. A quorum of the board is established in the bylaws of the authority and must include the chair or vice-chair and the secretary or treasurer of the board.
- 6. The board shall adopt such bylaws and mission statements as are necessary for the legal operation and proper management of the authority.

**Sec. 6. Meetings.** The bylaws shall establish the annual meeting of the board. Additional meetings may be scheduled at the call of the chair or at the written request of any 5 members of the board.

A member who fails to attend board meetings 5 consecutive times may be replaced by the appointing authority. Notification of such absences from the secretary of the board to the appointing authority is sufficient to trigger the appointment of a replacement board member by the appointing authority.

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

Effective January 25, 2001.

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**CHAPTER 2**

**H.P. 24 - L.D. 24**

**An Act to Amend the Charter of the South Berwick Sewer District**

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

**Whereas,** sewer facilities in the Town of South Berwick have already been installed in the ground in the area encompassed by the territorial expansion of the South Berwick Sewer District; and

**Whereas,** in order to provide adequate service to all entities that may have immediate need to receive service in the expanded territory, the district's expansion must be authorized immediately; and

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