

HOUSE BILL NO. 322

Introduced: 01/08/83

Referred to Committee on Human Services: 1/18/83

Hearing: 2/9/83

Report: 02/10/82, Do Pass, As Amended

2nd Reading: 02/12/83, Do Pass

3rd Reading: 02/15/83, Do Pass

Transmitted to Senate: 2/15/83

Referred to Committee on Public Health, Welfare & Safety:

02/16/83

Hearing: 3/7/83

Report: 3/23/83, Be Not Concurred In, As Amended

Bill Killed: 3/23/83

House BILL NO. 322

INTRODUCED BY Mitchell

BY REQUEST OF THE DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A COUNTY, CITY, OR TOWN TO ESTABLISH AN EMERGENCY MEDICAL SERVICES PROGRAM; GENERALLY REVISING AND CLARIFYING THE PROCEDURE FOR ESTABLISHING AN EMERGENCY MEDICAL SERVICES PROGRAM; AMENDING SECTIONS 7-34-101 THROUGH 7-34-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-34-101, MCA, is amended to read:

"7-34-101. Ambulance Emergency medical services program authorized. (1) For purposes of this part, "emergency medical services" means those services necessary to provide medical care to individuals in immediate need of such care due to accident or sudden onset of acute illness. These services include but are not limited to:

(a) air or surface ambulance services;

(b) provision of training in emergency medical care to emergency medical technicians, law enforcement and fire department personnel, and other interested members of the public;

(c) communications systems to ensure quick response to

medical need, including dispatch systems and communications between hospitals and ambulance services; and

(d) hospital emergency rooms.

(2) A county, city, or town, acting through its governing body, may establish and maintain an ambulance service emergency medical services program for such county, city, or town. Any county, city, or town may contract with any other county, city, or town to establish and maintain a joint ambulance-service emergency medical services program and to share the costs, such costs to be apportioned according to the benefits to accrue, with the proportion to be paid by each to be fixed in advance by joint resolution by the respective governing bodies--if. If the governing body has--received receives a petition seeking to establish an emergency medical services program signed by 15% of the electors registered to vote in the county, city, or town at the last preceding general election or--in--each--of--the counties, cities, or towns wherein a joint ambulance service is--being--established, the governing body must decide within 6 months after receipt of the petition whether to establish the program."

Section 2. Section 7-34-102, MCA, is amended to read:

"7-34-102. Special mill levy permitted. In addition to all other levies authorized by law, each county, city, or town may levy an annual tax up to 1 mill on the dollar of

-2- INTRODUCED BILL

HB 322

1 the taxable value of all taxable property within the county,
2 city, or town to defray the costs incurred in providing
3 ~~ambulance-service emergency medical services."~~

4 Section 3. Section 7-34-103, MCA, is amended to read:

5 "7-34-103. Manner of providing ambulance service. If a
6 county, city, or town establishes or maintains such an
7 ~~emergency medical services program that includes an~~
8 ambulance service, it may, acting through its governing
9 board:

10 (1) operate the service itself or contract for such
11 service;

12 (2) buy, rent, lease, or otherwise contract for
13 vehicles, equipment, facilities, operators, or attendants;
14 and

15 (3) adopt rules and establish fees or charges for the
16 furnishing of such ambulance service."

17 NEW SECTION. Section 4. Saving clause. This act does
18 not affect rights and duties that matured, penalties that
19 were incurred, or proceedings that were begun before the
20 effective date of this act.

21 NEW SECTION. Section 5. Severability. If a part of
22 this act is invalid, all valid parts that are severable from
23 the invalid part remain in effect. If a part of this act is
24 invalid in one or more of its applications, the part remains
25 in effect in all valid applications that are severable from

1 the invalid applications.

-End-

Approved by Comm. on Human Services

HOUSE BILL NO. 322

INTRODUCED BY METCALF

BY REQUEST OF THE DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A COUNTY,
CITY, OR TOWN TO ESTABLISH AN EMERGENCY MEDICAL SERVICES
PROGRAM; GENERALLY REVISING AND CLARIFYING THE PROCEDURE FOR
ESTABLISHING AN EMERGENCY MEDICAL SERVICES PROGRAM; AMENDING
SECTIONS 7-34-101 THROUGH 7-34-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-34-101, MCA, is amended to read:

"7-34-101. Ambulance Emergency medical services
program authorized. (1) For purposes of this part,
"emergency medical services" means those services necessary
to provide medical care to individuals in immediate need of
such care due to accident or sudden onset of acute illness.
These services include but are not limited to:

(a) air or surface ambulance services;

(b) provision of training in emergency medical care to
emergency medical technicians, law enforcement and fire
department personnel, and other interested members of the
public;

(c) communications systems to ensure quick response to

medical needs, including dispatch systems and communications
between hospitals and ambulance services; and

(d) hospital emergency rooms.

(2) A county, city, or town, acting through its
governing body, may establish and maintain an ambulance
service emergency medical services program for such county,
city, or town. Any county, city, or town may contract with
any other county, city, or town to establish and maintain a
joint ambulance-service emergency medical services program
and to share the costs, such costs to be apportioned
according to the benefits to accrue, with the proportion to
be paid by each to be fixed in advance by joint resolution
by the respective governing bodies. If the governing
body has received receives a petition seeking to establish
an emergency medical services program signed by 15% of the
electors registered to vote in the county, city, or town at
the last preceding general election or in each of the
counties, cities, or towns wherein a joint ambulance-service
is being established, the governing body must decide within
6 months after receipt of the petition whether to establish
the program."

Section 2. Section 7-34-102, MCA, is amended to read:

"7-34-102. Special mill levy permitted. In addition to
all other levies authorized by law, each county, city, or
town may levy an annual tax up to 1 mill on the dollar of

the taxable value of all taxable property within the county, city, or town to defray the costs incurred in providing ambulance-service emergency medical services. HOWEVER:

(A) IF A TAX HAS BEEN LEVIED COUNTY-WIDE BY A COUNTY GOVERNING BODY FOR EMERGENCY MEDICAL SERVICES, NO CITY OR TOWN WITHIN THE COUNTY MAY LEVY SUCH A TAX; AND

(B) IF A TAX HAS BEEN LEVIED BY THE GOVERNING BODY OF A CITY OR TOWN FOR EMERGENCY MEDICAL SERVICES, THE COUNTY GOVERNING BODY MAY LEVY A TAX FOR SUCH PURPOSES ONLY IN THE COUNTY AREA LYING OUTSIDE OF THE CITY OR TOWN LEVYING SUCH A TAX."

Section 3. Section 7-34-103, MCA, is amended to read:

"7-34-103. Manner of providing ambulance service. If a county, city, or town establishes or maintains such an emergency medical services program that includes an ambulance service, it may, acting through its governing board:

(1) operate the service itself or contract for such service;

(2) buy, rent, lease, or otherwise contract for vehicles, equipment, facilities, operators, or attendants; and

(3) adopt rules and establish fees or charges for the furnishing of such ambulance service."

NEW SECTION. Section 4. Saving clause. This act does

not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW SECTION. Section 5. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

-End-

HOUSE BILL NO. 322

INTRODUCED BY METCALF

BY REQUEST OF THE DEPARTMENT OF

HEALTH AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A COUNTY, CITY, OR TOWN TO ESTABLISH AN EMERGENCY MEDICAL SERVICES PROGRAM; GENERALLY REVISING AND CLARIFYING THE PROCEDURE FOR ESTABLISHING AN EMERGENCY MEDICAL SERVICES PROGRAM; AMENDING SECTIONS 7-34-101 THROUGH 7-34-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-34-101, MCA, is amended to read:

"7-34-101. Ambulance Emergency medical services program authorized. (1) For purposes of this part, "emergency medical services" means those services necessary to provide medical care to individuals in immediate need of such care due to accident or sudden onset of acute illness. These services include but are not limited to:

(a) air or surface ambulance services;

(b) provision of training in emergency medical care to emergency medical technicians, law enforcement and fire department personnel, and other interested members of the public;

(c) communications systems to ensure quick response to

medical needs, including dispatch systems and communications between hospitals and ambulance services; and

(d) hospital emergency rooms.

(2) A county, city, or town, acting through its governing body, may establish and maintain an ambulance service emergency medical services program for such county, city, or town. Any county, city, or town may contract with any other county, city, or town to establish and maintain a joint ambulance-service emergency medical services program and to share the costs, such costs to be apportioned according to the benefits to accrue, with the proportion to be paid by each to be fixed in advance by joint resolution by the respective governing bodies. If the governing body has received receives a petition seeking to establish an emergency medical services program signed by 15% of the electors registered to vote in the county, city, or town at the last preceding general election or in each of the counties, cities, or towns wherein a joint ambulance service is being established, the governing body must decide within 6 months after receipt of the petition whether to establish the program."

Section 2. Section 7-34-102, MCA, is amended to read:

"7-34-102. Special mill levy permitted. In addition to all other levies authorized by law, each county, city, or town may levy an annual tax up to 1 mill on the dollar of

the taxable value of all taxable property within the county, city, or town to defray the costs incurred in providing ambulance-service emergency medical services. HOWEVER:

~~(A) IF A TAX HAS BEEN LEVIED COUNTY-WIDE BY A COUNTY GOVERNING BODY FOR EMERGENCY MEDICAL SERVICES, NO CITY OR TOWN WITHIN THE COUNTY MAY LEVY SUCH A TAX; AND~~

~~(B) IF A TAX HAS BEEN LEVIED BY THE GOVERNING BODY OF A CITY OR TOWN FOR EMERGENCY MEDICAL SERVICES, THE COUNTY GOVERNING BODY MAY LEVY A TAX FOR SUCH PURPOSES ONLY IN THE COUNTY AREA LYING OUTSIDE OF THE CITY OR TOWN LEVYING SUCH A TAX."~~

Section 3. Section 7-34-103, MCA, is amended to read:

"7-34-103. Manner of providing ambulance service. If a county, city, or town establishes or maintains such an emergency medical services program that includes an ambulance service, it may, acting through its governing board:

(1) operate the service itself or contract for such service;

(2) buy, rent, lease, or otherwise contract for vehicles, equipment, facilities, operators, or attendants; and

(3) adopt rules and establish fees or charges for the furnishing of such ambulance service."

NEW SECTION. Section 4. Saving clause. This act does

not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW SECTION. Section 5. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

-End-