

OFFICE OF THE ATTORNEY GENERAL



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JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

OCT 19 1993

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

Honorable Jay M. Ross
Attorney, Town of Mount Vernon
Reid, Friedman, Perloff & Ross
257 St. Anthony Street
Mobile, AL 36603

Municipalities - Emergency
Medical Services - Funds

Municipality may appropriate
public funds to aid in main-
tenance and operation of ambu-
lance service.

Dear Mr. Ross:

This opinion is issued in response to your request for
an opinion from the Attorney General.

QUESTION

May the Town of Mt. Vernon donate to the
Mt. Vernon Emergency Medical Services the
sum of \$4.00 per Emergency Medical Techni-
cian per emergency run, notwithstanding
the fact that many such runs are beyond or
outside of the police jurisdiction of the
town?

FACTS, LAW AND ANALYSIS

You have informed us that the Mt. Vernon Emergency
Medical Services is an incorporated, nonprofit organization
which was recently incorporated pursuant to the laws of the
State of Alabama in the Probate Court of Mobile County,
Alabama. The organization was established as a result of the

establishment of the Mobile County Emergency Medical Services. The county, through the Mobile County Emergency Medical Services, provides virtually all equipment, medical supplies, training and support to this organization. It is my understanding that the individual members are not paid and must supply their own time and uniforms. Representatives from Mt. Vernon Emergency Medical Services have recently approached the Mt. Vernon Town Council and have requested that the Town Council donate the sum of \$4.00 per Emergency Medical Technician per emergency run. The Mt. Vernon Emergency Medical Services organization responds to emergency medical needs in the northern part of Mobile County, Alabama, and is not limited to emergency responses solely within the Mt. Vernon police jurisdiction. The request that the Town of Mt. Vernon donate sums is for all emergency runs whether or not the response is within the Mt. Vernon police jurisdiction.

We began with the proposition that § 11-87-2 provides:

"The governing body of any county or the governing body of any municipality may appropriate public funds to aid in or pay for the establishment, maintenance and operation of . . . ambulance service."

The ellipses in the above refers to ambulance services established pursuant to § 11-87-1. It is our understanding that the Mt. Vernon Emergency Medical Services is such an ambulance service.

Given that the governing body of the municipality may appropriate funds to aid in the operation of the ambulance service, it only remains for the amount of such funds to be determined. That is a question fully within the province of the municipal governing body and may be measured by any reasonable factors, which could include the number of technicians, the number of runs, whether within or without the municipal limits, or other factors which the municipal governing body may determine to be appropriate. Stated another way, the governing body of the municipality may pay whatever sum it deems appropriate for the maintenance and operation of an ambulance service.

CONCLUSION

The municipal governing body may appropriate public funds to aid in or pay for the maintenance and operation of

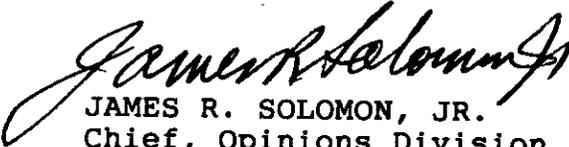
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an emergency medical service. The amount of such funds so appropriated is within the discretion of the municipal governing body.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division

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