

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 264

H.P. 210

House of Representatives, January 27, 2009

### An Act To Amend the Surcharge for the E-9-1-1 System

(EMERGENCY)

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CLEARY of Houlton.  
Cosponsored by Representative SCHATZ of Blue Hill and  
Representatives: EATON of Sullivan, SUTHERLAND of Chapman.

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 State's E-9-1-1 service provides significant public safety benefits by  
4 enabling the public to dial 9-1-1 in the event of an emergency and speeding up the  
5 dispatch of emergency services through automatic caller location information; and

6           **Whereas,** the E-9-1-1 system is funded by a special statewide surcharge on  
7 telephone lines; and

8           **Whereas,** the E-9-1-1 surcharge is established in statute and had been fixed at 50¢  
9 per line per month since 2001; and

10           **Whereas,** the surcharge was reduced from 50¢ to 30¢ in 2008; and

11           **Whereas,** it is necessary to set the E-9-1-1 surcharge as soon as possible to ensure  
12 that the money contributed by telephone ratepayers to fund the E-9-1-1 system is used for  
13 that purpose and the surcharge amount going forward is consistent with expenditure  
14 needs; and

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

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

20           **Sec. 1. 25 MRSA §2927, sub-§1-B,** as amended by PL 2007, c. 637, §1, is  
21 further amended to read:

22           **1-B. Statewide E-9-1-1 surcharge.** The activities authorized under this chapter are  
23 funded through a special statewide E-9-1-1 surcharge levied on each residential and  
24 business telephone exchange line, including private branch exchange lines and Centrex  
25 lines, cellular or wireless telecommunications service customers, including prepaid  
26 wireless telephone service customers, interconnected voice over Internet protocol service  
27 customers and semipublic coin and public access lines. The statewide E-9-1-1 surcharge  
28 may not be imposed on more than 25 lines or numbers per customer billing account,  
29 except that this limitation does not apply to prepaid wireless telephone services. In the  
30 case of cellular or wireless telecommunications service customers, the place of residence  
31 of those customers must be determined according to the sourcing rules for mobile  
32 telecommunications services as set forth in Title 36, section 2556. The statewide E-9-1-1  
33 surcharge is ~~30¢~~ 50¢ per month per line or number or, in the case of prepaid wireless  
34 telephone services, ~~30¢~~ 50¢ per month or 30-day increment of service per customer. The  
35 statewide E-9-1-1 surcharge must be collected from the customer on a monthly basis by  
36 each local exchange telephone utility, cellular or wireless telecommunications service  
37 provider and interconnected voice over Internet protocol service provider and be shown  
38 separately as a statewide E-9-1-1 surcharge on the customer's bill, except that in the case

1 of prepaid wireless telephone service, the collection of the statewide E-9-1-1 surcharge is  
2 governed by subsection 1-C.

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

5 **SUMMARY**

6 This bill increases the statewide E-9-1-1 surcharge from 30¢ to 50¢ per month.