

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

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H.P. 768

House of Representatives, March 13, 1991

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A handwritten signature in cursive script that reads "Ed Pert".

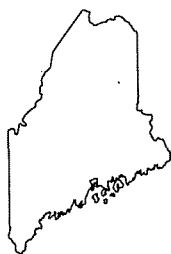
EDWIN H. PERT, Clerk

Presented by Representative COLES of Harpswell.
Cosponsored by Representative KETOVER of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Authorize Municipalities to Create Regional Public Safety
Districts.**



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

4 Sec. 1. 25 MRSA §2923, sub-§1, as enacted by PL 1987, c. 840,
§3, is amended to read:

6 1. Public safety answering point. By July 1, ~~1991~~ 1994,
8 each municipality shall designate one public safety answering
10 point to serve as the receiving point for all requests for
12 emergency services within that municipality. The Department of
14 Public Safety communication centers shall serve as public safety
answering points for the unorganized territory. If a
municipality fails to designate a public safety answering point
by July 1, ~~1991~~ 1994, the department shall designate one for the
municipality.

16 Sec. 2. 30-A MRSA §453-A, as enacted by PL 1989, c. 104, Pt.
18 A, §10 and Pt. C, §10 is amended to read:

20 **§453-A. Public safety answering point**

22 Each county, ~~in cooperation or one or more counties acting~~
24 in cooperation with each other and with the Department of Public
26 Safety, shall ~~may~~ establish an E-9-1-1 public safety answering
28 point in each county, which may be located in a county
communications center or the county sheriff's communications
30 facility. The department shall ~~may~~ pay for the necessary E-9-1-1
equipment and for its installation and maintenance if the
department determines that the proposed public safety answering
point is the best alternative available and is cost effective in
terms of the number of citizens it serves.

32 Sec. 3. 30-A MRSA §706, as amended by PL 1989, c. 104, Pt. C,
34 §§8 and 10, is further amended by adding at the end a new
paragraph to read:

36 In calculating and apportioning the county tax among the
38 municipalities, the county may not charge the costs of any public
40 safety service to any municipality that is a member of a regional
public safety district created and operated pursuant to chapter
120-A that provides a service similar to that provided by the
county.

42 Sec. 4. 30-A, MRSA c. 120-A is enacted to read:

44 **CHAPTER 120-A**

46 **REGIONAL PUBLIC SAFETY DISTRICTS**

48 **§2401. Establishment**

50 Two or more municipalities may join together to create a
52 regional public safety district to provide police, fire,

2 ambulance, emergency dispatch and other emergency services in the
3 municipalities.

4 **§2402. Formation**

6 The regional public safety district must be formed in the
7 same manner provided in Title 38, chapter 11, for the formation
8 of sanitary districts except that a state agency action is not
9 necessary to create the regional public safety district. The
10 formation process may be initiated by a notice sent to the
11 Department of Public Safety containing the information required
12 in Title 38, section 1101 and all subsequent information required
13 by Title 38, chapter 11 must be sent to that department.

14 **§2403. Trustees**

16 The trustees of the regional public safety district must be
17 selected as provided by Title 38, chapter 11, unless the
18 agreement approved by the voters states otherwise.

20 **§2404. Powers**

22 The regional public safety district has all powers necessary
23 to achieve its purpose, including, but not limited to, the power
24 to:

26 1. Contract. Enter binding contracts with municipalities,
27 the State and all types of public safety organizations;

30 2. Purchase and lease. Purchase or lease necessary
31 equipment;

34 3. Hire personnel. Hire necessary personnel; and

36 4. Borrow. Borrow funds.

38 **§2405. District E-9-1-1 answering point**

40 Each regional public safety district, or one or more
41 regional public safety districts acting in cooperation with each
42 other and the Department of Public Safety, may establish an
43 E-9-1-1 public safety answering point in each regional public
44 safety district, which may be located in a regional public safety
45 district communications center or in another communications
46 center designated by the trustees. The department may pay for
47 the necessary E-9-1-1 equipment and for its installation and
48 maintenance if the department determines that the proposed public
49 safety answering point is the best alternative available and is
50 cost effective in terms of the number of citizens it serves.

§2406. Eminent domain

2 The regional public safety district has the right of eminent
4 domain as described in Title 38, chapter 11 and shall exercise
6 that right in accordance with that chapter except that the right
 may be exercised only within the jurisdiction of the regional
 public safety district's members.

8 §2407. Bonds, assessments, fees and liens

10 The regional public safety district has the power and shall
12 follow the process described in Title 38, chapter 11 for the
14 issuance of bonds, the setting of fees and the assessment and
16 collection of fees except that any liens filed by the regional
18 public safety district may be filed only against property owned
 by a municipality or a member of the regional public safety
 district and not against private persons or corporations within
 the regional public safety district.

20 **STATEMENT OF FACT**

22 This bill allows municipalities to create regional public
24 safety districts for the purpose of providing a range of public
26 safety services to their members. By creating such a district,
28 municipalities will be able to provide the services more
30 efficiently and at lower cost. When a regional public safety
32 district provides a service that duplicates a service provided by
34 the counties, the counties may not charge a municipality that has
36 joined the district for that service. It makes the establishment
 of E-9-1-1 centers discretionary rather than mandatory for the
 counties and requires the Department of Public Safety to do a
 cost and benefit analysis before paying for E-9-1-1 equipment in
 a county center or a district center. It also extends the date
 for municipal compliance with the E-9-1-1 program from July 1,
 1991 to July 1, 1994.