

# MAINE STATE LEGISLATURE

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R. 918

L.D. 1419

DATE: 3/11/94

(Filing No. S-452 )

UTILITIES

Reported by: Senator Vose of Washington

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 452, L.D. 1419, Bill, "An Act to Amend the Laws Concerning Emergency 911"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 5 MRSA §12004-I, sub-§74-A, as enacted by PL 1989, c. 503, Pt. A, §35, is amended to read:

74-A.	E-9-1-1	Expenses	25 MRSA
Public Safety	Advisory	Only	§2925
	Committee		
	<u>Council</u>		

Sec. 2. 25 MRSA §2921, sub-§§2-A, 6-A and 6-B are enacted to read:

2-A. Bureau. "Bureau" means the Emergency Services Communication Bureau in the Department of Public Safety, which is responsible for the statewide implementation and management of E-9-1-1.

6-A. Private safety agency. "Private safety agency" means a private entity that provides fire, emergency medical or security services.

6-B. Public safety agency. "Public safety agency" means a state, county or municipal government entity that provides or has the authority to provide fire, emergency medical or police services.

**COMMITTEE AMENDMENT**

2       **Sec. 3. 25 MRSA §2921, sub-§7**, as enacted by PL 1987, c. 840,  
§3, is amended to read:

4           **7. Public safety answering point.** "Public safety answering  
6 point" means a facility with enhanced 9-1-1 capability, operated  
on a 24-hour basis, assigned the responsibility of receiving  
8 9-1-1 calls and, as appropriate, directly dispatching emergency  
services or transferring or relaying emergency, through transfer  
10 routing or relay routing, passing 9-1-1 calls to either public or  
private safety agencies.

12       **Sec. 4. 25 MRSA §2921, sub-§§7-A and 9** are enacted to read:

14           **7-A. Relay routing.** "Relay routing" means the method of  
16 responding to a 9-1-1 call whereby a public safety answering  
point notes pertinent information and relays it by telephone to  
18 the appropriate public or private safety agency that dispatches  
the needed service.

20           **9. Transfer routing.** "Transfer routing" means the method  
22 of responding to a 9-1-1 call whereby a public safety answering  
point transfers the call, including the automatic location and  
24 number information, to the appropriate public or private safety  
agency that dispatches the needed service.

26       **Sec. 5. 25 MRSA §2922**, as enacted by PL 1987, c. 840, §3, is  
repealed.

28       **Sec. 6. 25 MRSA §2923**, as amended by PL 1991, c. 232, §1, is  
30 repealed.

32       **Sec. 7. 25 MRSA §2924**, as enacted by PL 1987, c. 840, §3, is  
repealed.

34       **Sec. 8. 25 MRSA §2925**, as amended by PL 1989, c. 503, Pt. B,  
36 §107, is further amended to read:

38       **§2925. E-9-1-1 Council**

40           Beginning--January--1,--1989,--the The E-9-1-1 Advisory  
42 Committee Council, established in Title 5, section 12004-I,  
subsection 74-A, shall advise and assist the department bureau in  
44 the implementation of the E-9-1-1 system.

46           **1. Membership.** ~~The E-9-1-1 Advisory--Committee--shall--be~~  
Council is composed of ~~13~~ 15 members; one appointed by the Public  
48 Utilities Commission; one appointed by the Commissioner of Public  
Safety; and ~~11~~ 13 appointed by the Governor, including one who is  
50 a municipal official nominated by the statewide association of  
municipalities, one who is a chief of a municipal police

2 department nominated by the statewide association of chiefs of  
3 police, one who is the chief of a municipal fire department  
4 nominated by the statewide association of fire chiefs, one who is  
5 a county sheriff nominated by the statewide association of  
6 sheriffs, one who represents small telephone companies, one who  
7 represents the largest provider of local exchange telephone  
8 services, one who represents a direct provider of emergency  
9 medical services, one who is a dispatcher nominated by the  
10 statewide association of dispatchers, one who is a member of a  
11 volunteer fire department, one to represent the deaf and hearing  
12 impaired and 3 to represent the public-at-large. Each member may  
13 name a designee who may attend meetings of the council and act on  
14 that member's behalf in council proceedings.

15  
16 2. **Terms of office.** The members appointed by the Public  
17 Utilities Commission and the department--shall Commissioner of  
18 Public Safety serve at the pleasure of the appointing authority.  
19 The remaining members shall serve terms of 3 years,--~~except that,~~  
20 ~~of the initial ll members appointed by the Governor, -4 shall be~~  
21 ~~appointed for terms of 3 years, -4 for terms of 2 years and 3 for~~  
22 ~~terms of one year.~~ A vacancy shall must be filled by the  
23 appointing authority to complete the term of the appointee who  
24 vacated the office.

25 3. **Quorum.** A majority of the members of the committee  
26 shall--~~constitute~~ council constitutes a quorum.

27 4. **Compensation.** Members of the board--~~shall be compensated~~  
28 ~~for~~ council are entitled to receive expenses only according to  
29 Title 5, chapter 379.

30 5. **Chair.** The committee council shall choose a chairman  
31 chair from among its members.

32 6. **Duties.** The committee council has the following duties.

33 A. The committee council shall advise the department bureau  
34 on activities relating to the establishment of an E-9-1-1  
35 system.

36 B. The committee council shall review and comment on rules  
37 proposed by the department bureau under this chapter.

38 C. The committee council shall assist the department bureau  
39 in providing public information about the implementation and  
40 operation of the E-9-1-1 system.

41 **Sec. 9. 25 MRSA §§2926 to 2928** are enacted to read:

42 **§2926. Emergency Services Communication Bureau**

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1. Bureau established. The Emergency Services Communication Bureau is established within the department to implement and manage E-9-1-1.

2. System design. In consultation with the E-9-1-1 Council, the bureau shall develop all necessary system elements, standards and cost estimates necessary to provide for the installation and operation of a statewide E-9-1-1 system, including, but not limited to, the following:

A. Development of network design specifications;

B. Development of minimum public safety answering point requirements including 24-hour operation; emergency backup power; secured communication areas; separate administrative phone lines for nonemergency calls; call recording and playback equipment; TDD equipment, as defined in Title 35-A, section 8702, subsection 6; maximum call handling times; and staff training;

C. After consultation with the affected public and private safety agency officials, identification of appropriate public safety answering point sites based on consideration of the existing dispatching capabilities of public and private safety agencies, the expressed preferences of municipalities throughout the State and overall system cost;

D. Identification of appropriate technology for system networks, public safety answering point equipment and data base requirements;

E. Procedures for developing and maintaining address and routing data bases;

F. Procedures for cooperation and coordination with telephone utilities and municipalities for implementation;

G. Standards and procedures to establish the confidentiality and prevent the dissemination of reports and records handled by public safety answering points and of the bureau;

H. Estimates of the cost of establishing an operational E-9-1-1 system; and

I. Procedures for collecting and administering the necessary funds for E-9-1-1.

2 3. Rulemaking. The bureau shall adopt by rule its  
standards, specifications and procedures developed under  
4 subsection 2, paragraphs A to F after consultation with the  
E-9-1-1 Council and following at least 3 public hearings  
6 geographically dispersed throughout the State.

8 4. Technical assistance. The bureau may provide support  
for the development of street address information sufficient to  
10 support E-9-1-1 services. The bureau shall provide technical  
assistance to any municipality in the development of street  
12 address information at the request of the interested municipality.

14 §2927. E-9-1-1 funding

16 1. Statewide E-9-1-1 surcharge. The activities authorized  
under this chapter are funded through a special statewide E-9-1-1  
18 surcharge to be levied on each residence and business telephone  
exchange line, including private branch exchange, or PBX, lines  
and Centrex lines, trunks serving cellular communications  
20 providers in the State and semipublic coin and public access  
lines. The statewide E-9-1-1 surcharge may not be imposed on  
22 more than 25 lines per customer billing account. The statewide  
E-9-1-1 surcharge is 2¢ per month per line beginning on August 1,  
24 1994. The statewide E-9-1-1 surcharge must be billed on a  
monthly basis by each local exchange telephone utility and be  
26 shown separately as a statewide E-9-1-1 surcharge on the  
customer's bill.

28 2. Surcharge remittance. Each local exchange telephone  
30 utility shall remit the statewide E-9-1-1 surcharge revenues  
collected from its customers pursuant to this section on a  
32 monthly basis to the Treasurer of State for deposit in a separate  
account known as the E-9-1-1 fund.

34 3. Expenditure of funds. The bureau may use the revenues  
36 in the E-9-1-1 fund to fund staff and to defray costs associated  
with the implementation and management of E-9-1-1.

38 4. Unexpended funds; interest. Any amount of the E-9-1-1  
40 fund not expended at the end of the fiscal year may not lapse but  
must be carried forward to be expended for the purposes specified  
42 in this chapter in succeeding fiscal years. The Treasurer of  
State shall credit all interest on fund balances to the fund.

44 5. Legislative annual report. The bureau shall report  
46 annually, before February 1st, to the joint standing committee of  
the Legislature having jurisdiction over public utilities matters  
48 on:

2 A. The bureau's planned expenditures for the year and use  
of funds for the previous year; and

4 B. The statewide E-9-1-1 surcharge collected under this  
section.

6 6. Violations. A telephone utility, subject to this  
8 section, that willfully fails to remit the statewide E-9-1-1  
10 surcharge revenues collected under this section commits a civil  
12 violation for which a forfeiture of not more than \$500 may be  
adjudged for each day that payment is not made after the due date.

14 7. Repeal. Subsections 1 and 2 are repealed 90 days after  
the adjournment of the Second Regular Session of the 117th  
Legislature.

16 **§2928. Confidential information**

18 1. Unlisted telephone numbers. Any portion of public  
20 safety answering point records containing customer information  
22 described in Title 35-A, section 7501, subsection 1 and omitted  
from telephone utility directory listings upon request of the  
24 customer is confidential and may not be disseminated.

26 **Sec. 10. Rulemaking by the Emergency Services Communication**  
**Bureau.** Rules adopted before July 1, 1996 by the Emergency  
28 Services Communication Bureau in the Department of Public Safety  
pursuant to the Maine Revised Statutes, Title 25, section 2926,  
30 subsection 3 become effective 90 days after the adjournment of  
Second Regular Session of the 117th Legislature. The bureau  
32 shall submit the adopted rules, together with any comments from  
the E-9-1-1 Council, the bureau's recommendations regarding  
34 confidentiality, the bureau's cost estimates and a proposed  
funding mechanism, to the joint standing committee of the  
36 Legislature having jurisdiction over utility matters on or before  
January 1, 1996. That joint standing committee is authorized to  
38 introduce and report out legislation to the Legislature regarding  
the E-9-1-1 laws during the Second Regular Session of the 117th  
Legislature.

40 **Sec. 11. Transition; terms of additional council members.** A person  
42 who is a member of the E-9-1-1 Advisory Committee on the day  
preceding the effective date of this Act is considered a member  
44 of the E-9-1-1 Council and shall fulfill the remainder of that  
member's established term. The additional 2 members appointed to  
46 the E-9-1-1 Council pursuant to section 8 of this Act are each  
appointed to serve terms of 3 years.

48 **Sec. 12. Allocation.** The following funds are allocated from  
50 Other Special Revenue funds to carry out the purposes of this Act.

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2 1994-95

4 PUBLIC SAFETY, DEPARTMENT OF

6 Emergency Services  
Communication Bureau

8		
10	Positions	(3.0)
	Personal Services	\$103,314
	All Other	8,745
12	Capital Expenditures	3,000

14 Provides funds for one Director position,  
16 one Planning and Research Associate II  
18 position, one Clerk Typist III position and  
general operating expenses to establish a  
statewide Emergency 9-1-1 system.

20 DEPARTMENT OF PUBLIC SAFETY  
22 TOTAL \$115,059

24 FISCAL NOTE

26 1994-95

28 APPROPRIATIONS/ALLOCATIONS

30 Other Funds \$115,059

32 REVENUES

34 Other Funds \$121,500

36 The E-9-1-1 surcharge on telephone exchange lines will  
38 increase dedicated revenue to the Department of Public Safety by  
\$121,500 in fiscal year 1994-95 based upon 675,000 lines paying a  
\$.02 per month fee for approximately 9 months.

40 The Department of Public Safety will require an allocation  
42 of \$115,059 of the additional dedicated revenue to establish the  
44 Emergency Services Communication Bureau, which is responsible for  
the implementation, installation and operation of a statewide  
46 Emergency 9-1-1 system. The allocation includes funds for one  
Director position, one Planning and Research Associate II  
48 position and one Clerk Typist III position.

50 The additional workload and administrative costs associated  
with the minimal number of new cases filed in the court system



2 can be absorbed within the budgeted resources of the Judicial  
Department. The collection of additional fines may increase  
4 General Fund revenue by minor amounts.'

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7  
8 **STATEMENT OF FACT**

8 This amendment establishes the Emergency Services  
Communication Bureau within the Department of Public Safety.  
10 Working with the E-9-1-1 Council, the bureau is directed to  
estimate costs and develop the system design and performance  
12 standards necessary for implementation and management of the  
statewide E-9-1-1 system. The amendment also directs the bureau  
14 and council to make recommendations for the specific location of  
public safety answering points and makes certain information  
16 confidential. The bureau is further directed to report back to  
the Legislature with recommendations on these subjects.

18  
19 With this information, the Legislature will be better  
20 prepared to make its final decisions regarding the final  
implementation of a statewide E-9-1-1 system and the appropriate  
22 means of financing the operation of the system.

24 The amendment requires telephone utilities to levy a  
surcharge of 2¢ per month on telephone exchange lines to fund the  
26 initial phase of system design.

28 The amendment also repeals outdated provisions of the law  
relating to E-9-1-1 capability requirements of municipalities and  
30 the establishment of the statewide E-9-1-1 system.

32 In addition, the amendment makes the allocation necessary  
for the establishment of the Emergency Services Communication  
34 Bureau. This allocation will complement expenditures of bond  
revenues on technical aspects of system design, data base  
36 development and municipal technical assistance in data collection.