

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1419

S.P. 452

In Senate, May 3, 1993

An Act to Amend the Laws Concerning Emergency 911.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator VOSE of Washington.

Cosponsored by Senator: CARPENTER of York, Representatives: ADAMS of Portland,
CLARK of Millinocket, HOLT of Bath, KONTOS of Windham, MORRISON of Bangor,
TAYLOR of Cumberland.

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

2
4 Sec. 1. 25 MRSA §2921, sub-§§2-A, 6-A and 6-B are enacted to read:

6 2-A. Agency. "Agency" means the Emergency Services
8 Communication Agency, which is responsible for the statewide
 implementation and management of E-9-1-1.

10 6-A. Private safety agency. "Private safety agency" means
12 a private entity that provides ambulance, fire, emergency medical
 or security services.

14 6-B. Public safety agency. "Public safety agency" means a
16 state, county or municipal government entity that provides or has
 the authority to provide ambulance, fire, emergency medical or
18 police services.

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

22 7. Public safety answering point. "Public safety answering
24 point" means a facility with enhanced 9-1-1 capability, operated
26 on a 24-hour basis, assigned the responsibility of receiving
28 9-1-1 calls and, as appropriate, directly dispatching emergency
 services or ~~transferring or relaying emergency~~, through transfer
 routing or relay routing, passing 9-1-1 calls to either public or
 private safety agencies.

30 Sec. 3. 25 MRSA §2921, sub-§§7-A and 9 are enacted to read:

32 7-A. Relay routing. "Relay routing" means the method of
34 responding to a 9-1-1 call whereby a public safety answering
36 point notes pertinent information and relays it by telephone to
 the appropriate public or private safety agency that dispatches
 the needed service.

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

44 Sec. 4. 25 MRSA §2922, as enacted by PL 1987, c. 840, §3, is
 repealed.

46 Sec. 5. 25 MRSA §2923, as amended by PL 1991, c. 232, §1, is
48 repealed.

2 Sec. 6. 25 MRSA §2924, as enacted by PL 1987, c. 840, §3, is
repealed.

4 Sec. 7. 25 MRSA §§2926 to 2931 are enacted to read:

6 §2926. Emergency Services Communication Agency

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

12 2. Rulemaking. The agency shall provide for the
14 installation and operation of statewide E-9-1-1. The agency may
adopt necessary rules to meet the requirement, including, but not
16 limited to, the following:

18 A. Development of network design specification;

20 B. Development of minimum public safety answering point
22 requirements including equipment, physical attributes,
staffing levels and staff training;

24 C. Procedures for developing and maintaining address and
routing databases;

26 D. Procedures for cooperation and coordination with
28 telephone utilities and municipalities for implementation;
and

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

34 §2927. E-9-1-1 funding

36 1. Bond issue. E-9-1-1 may be funded in part by the bonds
authorized by Public Law 1987, chapter 840.

38 2. Statewide E-9-1-1 surcharge. In addition to the funding
40 available under subsection 1, the implementation and management
of E-9-1-1 must be funded through a special statewide E-9-1-1
42 surcharge to be levied on each residence and business telephone
exchange line, including PBX and Centrex lines, trunks serving
44 cellular communications providers in the State and semipublic
coin and public access lines. The statewide E-9-1-1 surcharge
46 may not be imposed on more than 25 lines per customer billing
account. The statewide E-9-1-1 surcharge is 18¢ per month per
48 line beginning January 1, 1994 and 38¢ per month per line
beginning January 1, 1996. The statewide E-9-1-1 surcharge must
be billed on a monthly basis by each local exchange telephone

2 utility and be shown separately as a statewide E-9-1-1 surcharge
3 on the customer's bill.

4 3. Surcharge remittance. Each local exchange telephone
5 utility shall remit the statewide E-9-1-1 surcharge revenues
6 collected from its customers as described in this section on a
7 monthly basis to the Treasurer of State for deposit in a separate
8 account known as the E-9-1-1 fund.

10 4. Expenditure of funds. The agency may use the revenues
11 in the E-9-1-1 fund to fund staff and to defray costs associated
12 with the implementation and management of E-9-1-1. To initiate
13 activities, the department is authorized to transfer not more
14 than \$200,000 of E-9-1-1 bond funds to the E-9-1-1 fund for
15 expenditure. Any amounts transferred must be returned no later
16 than June 30, 1994.

18 5. Unexpended funds. Any amount of the E-9-1-1 fund not
19 expended at the end of the fiscal year may not lapse but must be
20 carried forward to be expended for the purposes specified in this
21 chapter in succeeding fiscal years.

22 6. Legislative annual report. The agency shall report
23 annually, before February 1st, to the joint standing committee of
24 the Legislature having jurisdiction over public utilities matters
25 on:

26 A. The agency's planned expenditures for the year and use
27 of funds for the previous year; and

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

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

35 **§2928. Telephone utility coordination**

36 A telephone utility, as defined in Title 35-A, section 102,
37 subsection 19, that furnishes local exchange service in the State
38 shall provide selective routing, automatic location
39 identification and automatic number identification features
40 necessary to implement E-9-1-1 in the State by July 1, 1996.

2 **§2929. Public safety answering point selection**

4 Existing public safety agency dispatch locations that meet
6 the agency's minimum standards must be considered for inclusion
8 as public safety answering points for statewide E-9-1-1
10 services. The agency has final authority to determine public
12 safety answering point locations and other network design issues.

14 **§2930. Confidential information**

16 **1. Unlisted telephone numbers.** Public safety answering
18 point records containing customer information described in Title
20 35-A, section 7501, subsection 1 and omitted from telephone
22 utility directory listings upon request of the customer are
24 confidential. A telephone utility shall provide confirmation of
26 the information to the public safety answering point for the
28 purpose of handling an emergency call.

30 **2. Other information.** A report on record of a public
32 safety answering point is confidential when that report or record
34 would be confidential if received by a law enforcement agency,
36 fire department or emergency medical service entity directly.

38 **§2931. Liability**

40 A person is not liable in a suit for civil damages who, in
42 good faith, develops, collects or processes information for the
44 E-9-1-1 database, relays or transfers E-9-1-1 services or
46 provides emergency telephone and radio communications for
48 ambulances, fire and police departments or emergency medical
50 services.

Sec. 8. PL 1987, c. 840, §13 is amended to read:

Sec. 13. **Bonds authorized but not issued.** Any bonds authorized,
but not issued, or for which bond anticipation notes have not
~~been issued within 5 years of ratification of this Act, shall by~~
~~January 1, 1997 must be deauthorized and may not be issued,~~
~~provided that the Legislature may, within 2 years after the~~
~~expiration of the 5 year period, extend the period for issuing~~
~~any remaining unissued bonds or bond anticipation notes for an~~
~~additional amount of time not to exceed 5 years.~~

Sec. 9. **Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

1993-94

1994-95

**PUBLIC SAFETY,
DEPARTMENT OF**

Emergency Services
Communication Agency

2			
4	Positions	(3.0)	(3.0)
	Personal Services	\$112,358	\$146,814
6	All Other	18,676	14,991
	Capital Expenditures	6,000	3,000
8			
10	Provides funds for one		
	Director position, one		
12	Planning and Research		
	Associate II position and one		
14	Clerk Typist III position in		
	order to carry out the		
16	purposes of this Act.		
18	DEPARTMENT OF PUBLIC SAFETY		
	TOTAL	<u>\$137,034</u>	<u>\$164,805</u>

STATEMENT OF FACT

22 This bill establishes the Emergency Services Communication
24 Agency within the Department of Public Safety to implement and
manage the statewide E-9-1-1 system. The bill also requires
26 telephone utilities to provide necessary features to implement
E-9-1-1 and to levy surcharges on telephone exchange lines for
28 additional funding of the system. The bill addresses the
location of public safety answering points, makes certain
30 information confidential and limits the liability of telephone
utilities in providing technical services and information for the
32 E-9-1-1 system.

34 The bill also repeals provisions of the law relating to
E-9-1-1 capacity, requirements of municipalities and the
36 establishment of the statewide E-9-1-1 system.

38 In addition, the bill makes the appropriation necessary for
the establishment of the Emergency Services Communication Agency
40 and amends Public Law 1987, chapter 840 to allow for the issuance
of bonds until January 1, 1997 for practice funding of the
42 E-9-1-1 system.