

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

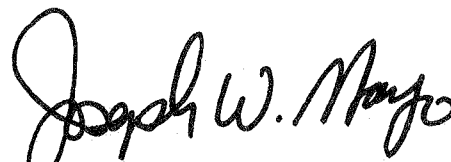
No. 1649

H.P. 1172

House of Representatives, March 25, 1997

An Act to Provide a Funding Mechanism for the E-9-1-1 System.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Utilities and Energy suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative KONTOS of Windham.
Cosponsored by Senator: BENOIT of Franklin.

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

2 **Sec. 1. 25 MRSA §2927**, as amended by PL 1995, c. 672, §§1-4,
4 is further amended to read:

6 **§2927. E-9-1-1 funding**

8 **1-A. Statewide E-9-1-1 surcharge.** The activities
10 authorized under this chapter are funded through a special
12 statewide E-9-1-1 surcharge to be levied on each residence and
14 business telephone exchange line, including private branch
16 exchange, or PBX, lines and Centrex lines, ~~trunks--serving~~
18 ~~cellular--communications--providers--in--the--State~~ cellular or
20 ~~wireless telecommunications service subscribers~~ and semipublic
22 coin and public access lines. The statewide E-9-1-1 surcharge
24 may not be imposed on more than 25 lines or numbers per customer
billing account. Through July 31, 1996 1997, the statewide
E-9-1-1 surcharge is 2¢ 20¢ per month per line or number.
Beginning August 1, 1996 1998, the statewide E-9-1-1 surcharge is
20¢ 32¢ per month per line or number. The statewide E-9-1-1
surcharge must be billed on a monthly basis by each local
exchange telephone utility or cellular or wireless
telecommunications service provider and be shown separately as a
statewide E-9-1-1 surcharge on the customer's bill.

26 **2-A. Surcharge remittance.** Each local exchange telephone
28 utility and cellular or wireless telecommunications service
30 provider shall remit the statewide E-9-1-1 surcharge revenues
32 collected from its customers pursuant to this section on a
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, operation 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 and
energy matters on:

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

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

4 C. The bureau's recommended statewide E-9-1-1 surcharge for the coming year; and

6 D. The bureau's recommendations for amending existing and enacting new law to improve the E-9-1-1 system.

10 5-A. **Committee recommendations; budget.** The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding all expenditures from the E-9-1-1 fund established in subsection 2-A.

16 6. **Violations.** A telephone utility or a cellular or wireless telecommunications service provider, subject to this section, that willfully fails to remit the statewide E-9-1-1 surcharge revenues collected under this section commits a civil 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.

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

28 ~~7-A. -- Repeal. -- Subsections 1-A and 2-A are repealed August 1, 1998.~~

32 **SUMMARY**

34 The bill adds cellular and wireless communications subscribers to the potential users who must pay the monthly surcharge that funds the E-9-1-1 system. The bill also raises the monthly surcharge from 20¢ to 32¢ beginning August 1, 1998. The Emergency Services Communication Bureau will report recommended surcharge adjustments and necessary legislative changes annually to the Joint Standing Committee on Utilities and Energy.