

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1623

H.P. 1201

House of Representatives, March 13, 2001

**An Act Concerning the Formation of the Central Maine Regional Public
Safety Communication Center.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule
205.

Reference to the Committee on Criminal Justice suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative O'BRIEN of Augusta.
Cosponsored by Representative COLWELL of Gardiner, Senators: DAGGETT of Kennebec,
GAGNON of Kennebec.

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

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4 Sec. 1. P&SL 1999, c. 85, §2 is amended to read:

6 Sec. 2. **Governmental function and status.** The purposes of this
Act are public and the center is regarded as an instrumentality
8 of the State performing a governmental function in carrying out
this Act. The center is a ~~political subdivision~~ governmental
10 entity for purposes of the Maine Revised Statutes, Title 14,
chapter 741, and a public employer for purposes of Title 26,
chapter 9-A ~~and a local district for purposes of Title 5, Part 20.~~

12 Sec. 2. P&SL 1999, c. 85, §3, sub-§ 2, ¶¶C to E are amended to read:

14 C. The board of directors shall ensure that the center is
16 operated in accordance with the policies established by the
governing council. The board of directors shall:

18 (1) ~~Appoint the executive director of the center and~~
20 ~~provide~~ Provide regular oversight to ensure that the
22 executive director is operating the center consistently
with the board's directives;

24 (1-A) Nominate one candidate to serve as executive
26 director, at the inception of the center and thereafter
as is necessary, for submission to the Commissioner of
28 Public Safety who may appoint that person to serve as
executive director. If the Commissioner of Public
30 Safety does not approve a candidate submitted, the
board of directors shall submit an additional
32 nomination;

34 (2) Submit its recommended annual budget and capital
budget to the governing council; and

36 (3) Establish bylaws and general operating procedures
for the center.

38 D. The executive director is appointed by the Commissioner
40 of Public Safety and serves at the pleasure of the board of
directors. The executive director reports to the board of
42 directors, notwithstanding the appointment power granted to
the Commissioner of Public Safety. The executive director
44 is the chief administrator of the center and is responsible
for the operational management of the center. The executive
46 director is responsible for the preparation of the annual
budget, policy development and implementation of both budget
48 and general policies adopted by the board.

2 E. The initial staff of the center must be selected from
4 within the pool of current dispatch employees employed by
6 any municipality or agency that joins the center. Permanent
8 employees of the center are eligible to elect to participate
10 in the Maine State Retirement System, a state-deferred
12 compensation plan or any other plan or program adopted by
14 the board of directors. The rights or obligations of any
municipality or agency that joins the center that arise out
of an existing collective bargaining agreement to which it
is a party may not be abrogated by operation of this Act.
The center shall bargain with any local union selected by
the employees that is entitled to recognition as the
collective-bargaining-agent.

16 Sec. 3. P&SL 1999, c. 85, §7 is amended to read:

18 Sec. 7. Effective date; creation of center. This Act takes effect
20 when 2 or more municipalities or agencies eligible to participate
22 in the establishment of the center pursuant to this Act complete
24 by vote or signature of their governing authority an interagency
26 agreement and notify the chair of the Kennebec County
28 Commissioners and the Secretary of State except that in no event
30 may this Act take effect within 90 days after adjournment of the
32 Second First Regular Session of the 119th 120th Legislature.
34 Within 210 days but not less than 150 days after adjournment of
the Second First Regular Session of the 119th 120th Legislature,
municipalities or agencies wishing to participate in the
establishment of the center must decide by vote or direction of
the municipality or agency authority whether to participate in
the creation of the center. Upon receiving appropriate notice,
the chair of the Kennebec County Commissioners shall call the
first meeting of the governing council, which constitutes the
creation of the center.

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SUMMARY

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40 This bill amends the Central Maine Regional Public Safety
42 Communication Center by designating the center as a governmental
44 entity. The bill also directs the board of directors to nominate
one candidate to serve as executive director. The nominee must
be approved and appointed by the Commissioner of Public Safety.
The bill also changes the effective date of the original Act.