

# MAINE STATE LEGISLATURE

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REFS

L.D. 1423

DATE: 5-19-03

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UTILITIES AND ENERGY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 121ST LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1042, L.D. 1423, Bill, "An Act To Facilitate the Implementation, Maintenance and Operation of the E-9-1-1 Emergency System"

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

Sec. 1. 25 MRSA §2921, sub-§2-A, as enacted by PL 1993, c. 566, §2, is amended to read:

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

Sec. 2. 25 MRSA §2926, sub-§1, as enacted by PL 1993, c. 566, §9, is amended to read:

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

Sec. 3. 25 MRSA §2926, sub-§2-A is enacted to read:

2-A. Goal. To the extent possible, the bureau shall establish a total of between 16 and 24 public service answering points. The bureau shall seek to coordinate any reduction in the number of public service answering points to achieve this goal with any contractual obligations it may have or may enter into that are or could be affected by that reduction.

COMMITTEE AMENDMENT

2           **Sec. 4. 25 MRSA §2927, sub-§1-B**, as amended by PL 2001, c.  
584, §1 and affected by §10, is further amended to read:

4           **1-B. Statewide E-9-1-1 surcharge.** The activities  
6 authorized under this chapter are funded through a special  
7 statewide E-9-1-1 surcharge levied on each residential and  
8 business telephone exchange line, including private branch  
9 exchange lines and Centrex lines, cellular or wireless  
10 telecommunications service subscribers and semipublic coin and  
11 public access lines. The statewide E-9-1-1 surcharge may not be  
12 imposed on more than 25 lines or numbers per customer billing  
13 account. In the case of cellular or wireless telecommunications  
14 service subscribers, the place of residence of those subscribers  
15 must be determined according to the sourcing rules for mobile  
16 telecommunications services set forth in Title 36, section 1816.  
17 The statewide E-9-1-1 surcharge is 50¢ per month per line or  
18 number ~~until 90 days after adjournment of the First Regular  
19 Session of the 121st Legislature, after which time the statewide  
20 E-9-1-1 surcharge is 32¢ per month per line or number.~~ The  
21 statewide E-9-1-1 surcharge must be billed on a monthly basis by  
22 each local exchange telephone utility or cellular or wireless  
23 telecommunications service provider and be shown separately as a  
24 statewide E-9-1-1 surcharge on the customer's bill.

26           **Sec. 5. 35-A MRSA §103, sub-§2, ¶D** is enacted to read:

28           D. The commission shall oversee and manage the Emergency  
29 Services Communication Bureau established under Title 25,  
30 chapter 352.

32           **Sec. 6. Transition.**

34           1. The provisions of this Act that move the Emergency  
35 Services Communication Bureau from within the Department of  
36 Public Safety to within the Public Utilities Commission are  
37 intended to change the oversight and management of the bureau but  
38 are not intended and may not be interpreted to affect in any  
39 manner the purposes, powers, duties or functions or any  
40 contracts, agreements, obligations or other legal arrangements of  
41 the bureau, and all existing contracts, agreements, obligations  
42 or other legal arrangements of the bureau currently in effect  
43 continue in effect until rescinded, revised or amended.

44           2. All existing rules, regulations and procedures in  
45 effect, in operation or adopted in or by the Emergency Services  
46 Communication Bureau remain in effect until rescinded, revised or  
47 amended.

48           3. All positions authorized and allocated to the Emergency  
50 Services Communication Bureau within the Department of Public

Safety are authorized and allocated to the Emergency Services Communication Bureau within the Public Utilities Commission.

4. All buildings, real property, equipment, records or other property belonging to or allocated for the use of the Emergency Services Communication Bureau within the Department of Public Safety are the property of and allocated to the bureau within the Public Utilities Commission.

5. All existing forms, letterheads or other supplies of the Emergency Services Communication Bureau may continue to be utilized by the bureau.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Emergency Services Communication Bureau 0790**

Initiative: Deallocates funds to reflect the transfer of the Emergency Services Communication Bureau to the Public Utilities Commission.

<b>Other Special Revenue Funds</b>	<b>2003-04</b>	<b>2004-05</b>
Positions - Legislative Count	(-5.000)	(-5.000)
Personal Services	(\$294,298)	(\$395,048)
All Other	(5,469,689)	(7,304,161)
Other Special Revenue Funds Total	(\$5,763,987)	(\$7,699,209)

**PUBLIC SAFETY, DEPARTMENT OF  
DEPARTMENT TOTALS**

	<b>2003-04</b>	<b>2004-05</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$5,763,987)</b>	<b>(\$7,699,209)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$5,763,987)</b>	<b>(\$7,699,209)</b>

**PUBLIC UTILITIES COMMISSION**

**Emergency Services Communication Bureau 0790**

Initiative: Allocates funds to reflect the transfer of the Emergency Services Communication Bureau from the Department of Public Safety.

<b>Other Special Revenue Funds</b>	<b>2003-04</b>	<b>2004-05</b>
Positions - Legislative Count	(5.000)	(5.000)
Personal Services	\$294,298	\$395,048

COMMITTEE AMENDMENT "A" to H.P. 1042, L.D. 1423

2	All Other	5,469,689	7,304,161
4	Other Special Revenue Funds Total	<u>\$5,763,987</u>	<u>\$7,699,209</u>
6	<b>PUBLIC UTILITIES COMMISSION</b>		
6	<b>DEPARTMENT TOTALS</b>	<b>2003-04</b>	<b>2004-05</b>
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$5,763,987</b>	<b>\$7,699,209</b>
10	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b><u>\$5,763,987</u></b>	<b><u>\$7,699,209</u></b>
12	<b>SECTION TOTALS</b>	<b>2003-04</b>	<b>2004-05</b>
14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>
16	<b>SECTION TOTAL - ALL FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0'</u></b>

**SUMMARY**

This amendment:

1. Moves the Emergency Services Communication Bureau from the Department of Public Safety to the Public Utilities Commission;

2. Keeps the current surcharge at 50¢ per month per line or number by removing the "sunset" provision in current law that reduces the surcharge to 32¢ 90 days after the adjournment of the First Regular Session of the 121st Legislature; and

3. Directs the Emergency Services Communication Bureau to seek to reduce the total number of public service answering points to between 16 and 24.

**FISCAL NOTE REQUIRED**  
(See attached)

121st Maine Legislature  
Office of Fiscal and Program Review



**LD 1423**

**An Act To Facilitate the Implementation, Maintenance and Operation of  
the E-9-1-1 Emergency System**

**LR 1874(02)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Utilities and Energy**

**Fiscal Note Required: Yes**

**Fiscal Note**

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
<b>Appropriations and Allocations</b>				
Other Special Revenue Funds	\$0	\$0	\$0	\$0
<b>Revenue</b>				
Other Special Revenue Funds	\$1,893,201	\$2,524,268	\$2,524,268	\$2,524,268

**Fiscal Detail and Notes**

Increasing the E-9-1-1 surcharge will increase dedicated revenues collected by the Emergency Services Communication Bureau within the Department of Public Safety by \$1,893,201 and \$2,524,268 in fiscal years 2003-04 and 2004-05, respectively.

As amended, this bill includes the necessary Other Special Revenue Funds allocations to transfer the Emergency Services Communication Bureau from the Department of Public Safety to the Public Utilities Commission.