

MAINE STATE LEGISLATURE

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DATE: 3.24.04

L.D. 1683
(Filing No. S-454)

UTILITIES AND ENERGY

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**STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 615, L.D. 1683, Bill, "An Act Creating the Central Maine Regional Public Safety Communication Center"

Amend the bill by striking out the title and substituting the following:

'An Act Relating to the Establishment of a Central Maine Regional Public Safety Communication Center'

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

'Sec. 1. 5 MRSA §12004-I, sub-§74-D is enacted to read:

<u>74-D.</u>	<u>Maine</u>	<u>Not</u>	<u>25 MRSA</u>
<u>Public</u>	<u>Communica-</u>	<u>Authorized</u>	<u>§1531</u>
<u>Safety</u>	<u>tions System</u>		
	<u>Policy</u>		
	<u>Board</u>		

Sec. 2. 25 MRSA c. 192-A is enacted to read:

CHAPTER 192-A

MAINE COMMUNICATIONS SYSTEM POLICY BOARD

§1531. Maine Communications System Policy Board

This section governs the establishment and powers of the Maine Communications System Policy Board within the Department of Public Safety.

COMMITTEE AMENDMENT

1 1. Policy board established. The Maine Communications
2 System Policy Board, referred to in this chapter as "the board,"
3 is established within the Department of Public Safety, referred
4 to in this chapter as "the department." The purpose of the board
5 is to establish policies, procedures and standards for the
6 cooperative use of the department's communication systems by
7 municipal, county and state governmental entities. The board
8 also shall carry out any other functions specified in this
9 chapter.

10 2. Members. The board consists of 15 members as follows:

11 A. The Commissioner of Public Safety, ex officio;

12 B. The Chief of the State Police, ex officio;

13 C. The Chief Information Officer within the Department of
14 Administrative and Financial Services, ex officio;

15 D. A representative of the Executive Department, appointed
16 by the Governor;

17 E. A representative of participating municipalities with
18 populations of less than 5,000, selected from and
19 recommended by the boards of selectmen, town councils or
20 city councils of those municipalities and appointed by the
21 Governor;

22 F. A representative of participating municipalities with
23 populations of 5,000 or more but less than 15,000, selected
24 from and recommended by the boards of selectmen, town
25 councils or city councils of those municipalities and
26 appointed by the Governor;

27 G. A representative of participating municipalities with
28 populations of 15,000 or more, selected from and recommended
29 by the boards of selectmen, town councils or city councils
30 of those municipalities and appointed by the Governor;

31 H. A representative of participating counties, recommended
32 by a statewide association of county commissioners and
33 appointed by the Governor;

34 I. A representative of police chiefs of participating
35 municipalities, recommended by a statewide association of
36 police chiefs and appointed by the Governor;

37 J. A representative of county sheriffs of participating
38 counties, recommended by a statewide association of sheriffs
39 and appointed by the Governor;

2 K. A representative of fire chiefs of participating
4 municipalities, recommended by a statewide association of
fire chiefs and appointed by the Governor;

6 L. A representative of emergency medical services of
8 participating municipalities, recommended by the Emergency
Medical Services' Board established by Title 5, section
10 12004-A, subsection 15 and appointed by the Governor;

12 M. A representative of the users of the department's
14 communications system, appointed by the Governor. After the
initial appointment, the Governor shall appoint a person who
16 serves on an advisory board established pursuant to section
1532, subsection 6 and who is recommended by a majority of
the members of the advisory boards;

18 N. A nonsupervisory employee of the department involved in
20 the operation of the department's communications system,
recommended by the bargaining unit representing those
22 employees and appointed by the Governor; and

24 O. One citizen representing the public, who is not and has
26 not been associated with law enforcement, fire fighting or
emergency medical services, appointed by the Governor.

28 For purposes of this subsection, "participating" means
participating in the cooperative use of the department's
30 communication systems.

32 3. Term of office; vacancy. Ex officio members of the
34 board serve during their terms of office. Other members of the
board serve 3-year terms, except that initial appointments are
36 made pursuant to subsection 4. A vacancy on the board must be
filled for the remainder of the unexpired term of that member in
38 the same manner as the original appointment. Members whose terms
expire serve until their successors are appointed.

40 4. Initial appointments. Initial appointments to the board
are made as follows:

42 A. The member representing the Executive Department is
44 appointed for a one-year term;

46 B. The member representing municipalities with populations
48 of less than 5,000 is appointed for a one-year term, the
member representing municipalities with populations of 5,000
50 or more but less than 15,000 is appointed for a 2-year term
and the member representing municipalities with populations
of 15,000 or more is appointed for a 3-year term;

- 2 C. The member representing counties is appointed for a
3 one-year term;
- 4
- 5 D. The member representing police chiefs is appointed for a
6 2-year term;
- 7
- 8 E. The member representing fire chiefs is appointed for a
9 3-year term;
- 10
- 11 F. The member representing county sheriffs is appointed for
12 a 3-year term;
- 13
- 14 G. The member representing emergency medical services is
15 appointed for a 2-year term;
- 16
- 17 H. The member representing the users of the department's
18 communications system is appointed for a one-year term;
- 19
- 20 I. The member representing nonsupervisory employees of the
21 department is appointed for a 2-year term; and
- 22
- 23 J. The member representing the public is appointed for a
24 3-year term.

25 Excluding the Commissioner of Public Safety, the Chief of the
26 State Police, the Chief Information Officer within the Department
27 of Administrative and Financial Services, the member representing
28 the Executive Department and the member representing
29 nonsupervisory employees of the department, at least 5 of the
30 initial appointments must be members that represent entities in
31 Kennebec County.

32

33 5. Chair. The Governor shall appoint one of the 15 board
34 members to serve as chair. The chair serves at the pleasure of
35 the Governor.

36

37 6. Meetings. The board may meet as necessary to carry out
38 its duties but shall meet at least one time in each calendar
39 quarter at a place and time determined by the board and at the
40 call of the chair.

41

42 7. Compensation. Members of the board are not entitled to
43 compensation.

44

45 **§1532. Powers and duties of board**

46

47 1. Policies, procedures and standards. The board shall
48 establish policies, procedures and standards for the cooperative
49 use of the department's communication systems by municipal,
50

2 county and state governmental entities. The board may not
3 establish a policy, procedure or standard that interferes with
4 the ability of the Chief of the State Police to operate a
5 telecommunications system pursuant to section 1508.

6 2. Budget. The board shall formulate a budget for the
7 department's communications unit, which must be submitted to the
8 commissioner for approval and inclusion in the budget of the
9 department.

10 3. Implementation plan. The board shall develop an
11 implementation plan to accommodate the voluntary consolidation of
12 the various governmental communications systems in Kennebec
13 County with the department's communication systems and for the
14 design of an appropriate communications unit within the
15 department. The plan must include provisions to ensure that
16 employees of the department's communications unit are state
17 employees.

18 4. Annual report. Beginning in 2005, the board shall
19 report to the joint standing committee of the Legislature having
20 jurisdiction over utilities and energy matters no later than
21 February 1st of each year concerning the activities of the board
22 during the previous year and the status of the operation of the
23 department's communication systems. The report must contain
24 information regarding the status of the development and
25 implementation of a consolidated communications system within the
26 State. The report must also contain a list of the entities that
27 are participants in the cooperative use of the department's
28 communication systems. A copy of the annual report must be
29 provided to each municipality and county of the State within 10
30 days of filing the report with the Legislature.

31 5. Annual meeting. In addition to board meetings held
32 pursuant to section 1531, subsection 6, the board shall hold an
33 annual meeting between February 15th and March 31st of each year.
34 The purpose of the annual meeting is to solicit input from the
35 municipalities and counties of the State and other interested
36 parties concerning the activities of the board and operation of
37 the department's communication systems.

38 6. Advisory boards. The board shall designate advisory
39 boards composed of users of the department's communication
40 systems for the purpose of soliciting input regarding the
41 policies, procedures and standards set by the board and the
42 operation of the communication systems. The board shall
43 designate a sufficient number of advisory boards to represent the
44 interest of the users of the department's communication systems.
45 Each advisory board shall make a report to the board at least one
46 time each year.

2 time in each calendar quarter at a board meeting regarding the
3 activities of the advisory board.

4 **§1533. Supervisor of communication systems; appointment and**
5 **duties**

6
7 Within existing resources, pending establishment of a
8 communications unit within the department, the Commissioner of
9 Public Safety shall appoint a department employee to supervise
10 the department's communications systems and to carry out policies
11 and procedures established by the board. Upon establishment of a
12 communications unit in the department, the commissioner, to the
13 extent resources are available and with the approval of the
14 board, shall appoint a director to administer the unit, plan,
15 direct and supervise the day-to-day operations of the unit and
16 carry out the policies and procedures of the board. The director
17 may be dismissed by the commissioner for cause with the approval
18 of the board.

19
20 **Sec. 3. Implementation report; proposed legislation.** The Maine
21 Communications System Policy Board shall report to the joint
22 standing committee of the Legislature having jurisdiction over
23 utilities and energy matters no later than January 1, 2005
24 regarding the status of the implementation plan developed
25 pursuant to the Maine Revised Statutes, Title 25, section 1532,
26 subsection 3. This report must contain information relative to
27 the fiscal and personnel issues involved in the implementation of
28 consolidated communications systems. A copy of the report must
29 be provided to each municipality and county of the State and each
30 affected bargaining unit within 10 days of filing the report with
31 the Legislature. If during the development of the implementation
32 plan the board determines that statutory changes are required to
33 effectuate the implementation plan, the board shall submit
34 proposed legislation to the First Regular Session of the 122nd
35 Legislature by January 15, 2005. During the development of the
36 implementation plan, the board shall consult with any bargaining
37 units whose members may be affected by the implementation plan.

38

40

SUMMARY

42

This amendment replaces the bill and changes the title.
43 This amendment establishes the Maine Communications System Policy
44 Board within the Department of Public Safety. The purpose of the
45 board is to establish policies, procedures and standards for the
46 cooperative use of the department's communication systems by
47 municipal, county and state governmental entities. The board is
48 also directed to develop an implementation plan for the voluntary
49 consolidation of the various governmental communication systems
50 in Kennebec County with the department's communication systems

COMMITTEE AMENDMENT "A" to S.P. 615, L.D. 1683

2 and for the design of an appropriate communications unit within
the department. The board is composed of representatives of the
4 state and of local governments and emergency service providers
who participate in the cooperative use of the department's
6 communication systems, as well as representatives of employees,
users of the system and the public. The amendment also directs
8 the Commissioner of Public Safety, within existing resources, to
appoint a department employee to supervise the department's
10 communications systems and to carry out policy and procedures
established by the board pending establishment of a
12 communications unit within the department. Upon establishment of
a communications unit in the department, the commissioner is
14 directed, to the extent resources are available and with the
approval of the board, to appoint a director to administer the
16 unit, plan, direct and supervise the day-to-day operations of the
unit and carry out the policies and procedures of the board. The
18 director may be dismissed by the commissioner for cause with the
approval of the board.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1683

**An Act Creating the Central Maine Regional Public Safety
Communication Center**

LR 2241(02)

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

Committee: Utilities and Energy

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Potential future biennium cost increase - General Fund

Fiscal Detail and Notes

The costs of establishing the Maine Communications System Policy Board within the Department of Public Safety can be absorbed utilizing currently budgeted resources. Possible future General Fund costs associated with any subsequent establishment of a regional communications unit within the department will depend on any implementation recommendations developed by the board and submitted to the Legislature for approval. The amounts can not be determined at this time.