

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 696

H.P. 527

House of Representatives, February 12, 2007

An Act To Require Credentials for Amateur Radio Emergency Communications Volunteers

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GERZOFKY of Brunswick.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: BEAUDOIN of Biddeford, BLANCHETTE of Bangor, CANAVAN of
Waterville, NORTON of Bangor, PERCY of Phippsburg, RAND of Portland, SIMPSON of
Auburn, SMITH of Monmouth.

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

2 **Sec. 1. 37-B MRSA §703, sub-§2-C** is enacted to read:

3 **2-C. Emergency communications volunteer.** “Emergency communications
4 volunteer” means a person who is registered with the agency to engage in emergency
5 communications activities in accordance with approved federal, state or local emergency
6 operations and communications plans and holds a valid identification card.

7 **Sec. 2. 37-B MRSA §703, sub-§2-D** is enacted to read:

8 **2-D. Identification card.** “Identification card” means a one-piece document that
9 clearly indicates its nature as an official state document issued to an emergency
10 communications volunteer by the agency following registration. The card shows the
11 agency’s logo, a photograph of the person to whom the card is issued and other
12 information required or appropriate for the identification of the volunteer.

13 **Sec. 3. 37-B MRSA §705-A** is enacted to read:

14 **§705-A. Emergency communications; rules**

15 **1. Emergency communications.** The director shall adopt rules governing
16 registration requirement levels for emergency communications volunteers and adopt rules
17 to implement a state radio amateur civil emergency services plan to establish guidelines
18 for volunteers to support state and local emergency management agencies during a
19 disaster or widespread power outage. Rules adopted pursuant to this subsection are
20 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

21 **2. Rules.** The director shall adopt rules to implement a state radio amateur civil
22 emergency services plan, in accordance with Federal Communications Commission and
23 Federal Emergency Management Agency guidelines, to support back-up communications
24 between state and local emergency operations centers; back-up communications for E-9-
25 1-1 centers, fire departments and police departments; emergency communications for
26 shelters; and other emergency support as needed. The director shall also adopt rules
27 governing registration requirement levels for emergency communications volunteers that
28 include, but are not limited to, a valid amateur radio license from the Federal
29 Communications Commission, certifications from relevant training courses provided by
30 the Federal Emergency Management Agency, relevant certifications from the American
31 Radio Relay League and procedures for local authorized officials to perform criminal
32 history and driving record background checks during the registration process. Rules
33 adopted pursuant to this subsection are routine technical rules as defined in Title 5,
34 chapter 375, subchapter 2-A.

35 **Sec. 4. 37-B MRSA §784-A**, as amended by PL 2005, c. 630, §2, is further
36 amended to read:

1 **§784-A. Right to call for and employ assistance**

2 The Maine Emergency Management Agency and local organizations for emergency
3 management may employ any person considered necessary to assist with emergency
4 management activities. All persons called and employed for assistance, including, but
5 not limited to, emergency communications volunteers, shall proceed as directed by the
6 Maine Emergency Management Agency. Any person called and employed for assistance
7 is deemed to be an employee of the State for purposes of immunity from liability
8 pursuant to section 822 and for purposes of workers' compensation insurance pursuant to
9 section 823, except for persons excluded from the definition of employee pursuant to
10 Title 39-A, section 102, subsection 11. A health care worker licensed in this State, either
11 designated by the Maine Emergency Management Agency to perform emergency
12 management or health activities in this State in a declared disaster or civil emergency
13 pursuant to section 742 or designated by the Maine Emergency Management Agency to
14 render aid in another state under chapter 16, is deemed to be an employee of the State for
15 purposes of immunity from liability pursuant to this section and section 926 and for
16 purposes of workers' compensation insurance pursuant to sections 823 and 928, except
17 for persons excluded from the definition of employee pursuant to Title 39-A, section 102,
18 subsection 11.

19 **SUMMARY**

20 This bill includes registered emergency communications volunteers among those
21 individuals that the Maine Emergency Management Agency may employ to assist with
22 emergency management activities. This bill creates a definition for emergency
23 communications volunteer that requires volunteers to meet certain requirements before
24 they may receive a valid identification card from the agency. This bill also directs the
25 Director of the Maine Emergency Management Agency to adopt rules to implement a
26 state radio amateur civil emergency services plan in accordance with Federal
27 Communications Commission and Federal Emergency Management Agency guidelines.
28 It also requires the director to adopt rules governing registration requirement levels for
29 emergency communications volunteers.