

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2279

S.P. 905

March 26, 2008

An Act To Ensure Equitable Payment for E-9-1-1 Services

(AFTER DEADLINE)

(EMERGENCY)

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

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.

Cosponsored by Senator: BARTLETT of Cumberland, Representatives: ADAMS of Portland, BERRY of Bowdoinham, BROWNE of Vassalboro, CROCKETT of Augusta, SILSBY of Augusta.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** E-9-1-1 service is of vital importance to the citizens of the State; and

4 **Whereas,** some municipalities currently do not have a public safety answering
5 point, requiring by law the provision of those services by the Department of Public
6 Safety; and

7 **Whereas,** in order to meet the demands of those municipalities, the Department of
8 Public Safety has had to hire more personnel, resulting in increased costs to the
9 department; and

10 **Whereas,** the law is unclear as to the ability of the Department of Public Safety to
11 bill municipalities for these services; and

12 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
13 the meaning of the Constitution of Maine and require the following legislation as
14 immediately necessary for the preservation of the public peace, health and safety; now,
15 therefore,

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

17 **Sec. 1. 25 MRSA §1532, sub-§7** is enacted to read:

18 7. Fee setting for public safety answering point services. The board shall adopt
19 rules to determine the fees to be charged those municipalities that contract with the
20 department for the provision of public safety answering point services pursuant to chapter
21 352 and for those municipalities that fail to contract with another entity for the provision
22 of such services pursuant to section 2923-A. Rules adopted pursuant to this subsection
23 are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

24 **Sec. 2. 25 MRSA §2923-A** is enacted to read:

25 §2923-A. Requirements of municipalities

26 Each municipality that does not have a public safety answering point shall contract
27 with an entity that does have a public safety answering point, which may be the
28 department, for receiving 9-1-1 calls and, as appropriate, directly dispatching emergency
29 services or, through transfer routing or relay routing, passing 9-1-1 calls to public or
30 private safety agencies that dispatch emergency services. If a municipality without a
31 public safety answering point does not enter into such an agreement, the department shall
32 serve as the public safety answering point for that municipality and the municipality shall
33 pay the department for the provision of those services. Fees received by the department
34 pursuant to this section must be deposited in the Consolidated Emergency
35 Communications Fund established in section 1534.

36 **Emergency clause.** In view of the emergency cited in the preamble, this
37 legislation takes effect when approved.

1 **SUMMARY**

2 Under current law, if a municipality does not have a public safety answering point to
3 serve as the facility for receiving 9-1-1 calls and dispatching emergency services, the
4 Department of Public Safety serves that function. There is no explicit authority in the law
5 that allows the department to bill the municipality for those services, however.

6 This bill requires a municipality that does not have a public safety answering point to
7 contract with another entity, which may be the Department of Public Safety, for the
8 provision of such services. If a municipality fails to contract for these services, the
9 department is required to act as the public safety answering point and the municipality is
10 required to pay the department for those services.

11 This bill also requires the Maine Communications System Policy Board within the
12 Department of Public Safety to set by rule the fees to be charged by the department for
13 acting as a public safety answering point.