

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1813

H.P. 1297

House of Representatives, March 9, 2010

**An Act To Implement the Recommendations of the Office of  
Program Evaluation and Government Accountability Regarding  
Emergency Communications Services**

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Reported by Representative HINCK of Portland for the Government Oversight Committee pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

Reference to the Committee on Utilities and Energy suggested and ordered printed pursuant to Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

2 **PART A**

3 **Sec. A-1. 25 MRSA §2926, sub-§2, ¶B**, as amended by PL 2001, c. 439, Pt.  
4 EEEE, §3, is further amended to read:

5 B. Development of minimum public safety answering point requirements including  
6 24-hour operation; emergency backup power; secured communication areas; separate  
7 administrative phone lines for nonemergency calls; call recording and playback  
8 equipment; TDD equipment, as defined in Title 35-A, section 8702, subsection 6;  
9 maximum call handling times; uniform standards, protocols and reference systems for  
10 emergency dispatching; standards for quality assurance and improvement programs;  
11 and minimum mandatory staff training requirements for E-9-1-1 call answering and  
12 dispatching;

13 **Sec. A-2. 25 MRSA §2926, sub-§2, ¶I**, as amended by PL 2001, c. 439, Pt.  
14 EEEE, §3, is further amended to read:

15 I. Procedures for collecting and administering the necessary funds for E-9-1-1; and

16 **Sec. A-3. 25 MRSA §2926, sub-§2, ¶J**, as enacted by PL 2001, c. 439, Pt.  
17 EEEE, §4, is amended to read:

18 J. Standards and procedures for developing and maintaining the system databases  
19 and for ensuring the confidentiality of those databases pursuant to section 2929; and

20 **Sec. A-4. 25 MRSA §2926, sub-§2, ¶K** is enacted to read:

21 K. Monitoring of public safety answering point compliance with standards, protocols  
22 and requirements established pursuant to paragraph B.

23 **Sec. A-5. 25 MRSA §2927, sub-§9** is enacted to read:

24 **9. Funding of public safety dispatch training costs.** To assist public safety  
25 answering points in meeting the requirements of section 2926, subsection 2, paragraph B,  
26 the bureau shall:

27 A. Fund training courses for the personnel of public safety answering points related  
28 to the adoption of fire and law enforcement dispatch standards and protocols. The  
29 bureau shall provide each public safety answering point either a sufficient number of  
30 printed copies of any approved standards, protocols and reference systems or access  
31 to the standards, protocols and systems in an electronic format, as determined by the  
32 bureau;

33 B. Fund training courses for the personnel of public safety answering points in  
34 approved continuing education related to established standards and protocols, quality  
35 assurance practices, supervisory and management practices and other topics  
36 identified by the bureau as appropriate for achieving compliance with bureau rules or  
37 continuing education and recertification requirements; and

1 C. Make any training courses provided under paragraphs A and B available to  
2 personnel of entities providing only dispatch services on a fee basis. The bureau, to  
3 the extent it determines sufficient funds are available in the E-9-1-1 fund, may use  
4 those revenues to defray the cost of these training courses for dispatch-only entities.

5 All costs incurred by the bureau under this subsection must be paid for from the E-9-1-1  
6 fund.

7 **PART B**

8 **Sec. B-1. 25 MRSA §1532, sub-§1**, as enacted by PL 2003, c. 678, §2, is  
9 amended to read:

10 **1. Policies, procedures and standards.** The board shall establish policies,  
11 procedures and standards for the cooperative use of the department's communication  
12 systems by municipal, county and state governmental entities. Policies, procedures and  
13 standards established pursuant to this subsection must be consistent with standards and  
14 protocols established by the Public Utilities Commission, Emergency Services  
15 Communication Bureau pursuant to section 2926. The board may not establish a policy,  
16 procedure or standard that interferes with the ability of the Chief of the State Police to  
17 operate a telecommunications system pursuant to section 1508.

18 **Sec. B-2. 25 MRSA §1535**, as enacted by PL 2007, c. 622, §1, is amended to  
19 read:

20 **§1535. Fees for public safety answering point services and dispatch services**

21 ~~The Public Utilities Commission may, on its own motion or at the request of the~~  
22 ~~department or a political subdivision of the State, establish in an adjudicatory proceeding~~  
23 ~~board shall establish~~ the fees that must be paid by political subdivisions for public safety  
24 answering point services and dispatch services provided by the department to those  
25 political subdivisions, including services provided pursuant to section 2923-A. ~~In the~~  
26 ~~proceeding, the commission establishing the fees, the board shall establish consider~~ the  
27 ~~revenue requirement for the department's relevant costs incurred by the department in~~  
28 ~~providing dispatch and public safety answering point services and shall use a fee design~~  
29 ~~for the recovery of the department's revenue requirement to ensure the fees that~~  
30 ~~reasonably reflect reflects those costs and the services provided. In any proceeding held~~  
31 ~~under this section, the department and all All~~ political subdivisions that are to be provided  
32 public safety answering point services and dispatch services shall provide to the  
33 ~~commission board~~ all information the ~~commission board~~ determines necessary in order to  
34 establish the fees.

35 **Sec. B-3. Examination of methodologies.** The Department of Public Safety,  
36 Maine Communications System Policy Board established in the Maine Revised Statutes,  
37 Title 25, section 1531 shall examine methodologies for recovering costs and establishing  
38 fees for public safety answering point services and dispatch services provided by the  
39 Department of Public Safety to political subdivisions pursuant to Title 25, section 1535.  
40 The goal of this examination is to determine which methodologies would allow adequate  
41 coverage of the department's costs while also resulting in fees for political subdivisions

1 that are consistent with fees being charged by public safety answering points and dispatch  
2 centers being operated by municipal and county governments. This examination must  
3 include an analysis of how identified methodologies would affect the fees paid by  
4 political subdivisions and state agencies. The board shall submit a report on the results of  
5 this examination to the joint standing committee of the Legislature having jurisdiction  
6 over utilities and energy matters no later than January 31, 2011. The report shall include  
7 the board's recommendations regarding changes to the methodologies and any related  
8 statutory changes that may be necessary. The joint standing committee of the Legislature  
9 having jurisdiction over utilities and energy matters may submit a bill to implement these  
10 recommendations.

## 11 SUMMARY

12 This bill implements the recommendations for legislative action found in the report  
13 on emergency communications in Kennebec County submitted by the Office of Program  
14 Evaluation and Government Accountability. The goal of the recommendations is to  
15 improve the consistency, efficiency and effectiveness in the provision of emergency  
16 communications services statewide as well as to reduce disparities in fees being charged  
17 to political subdivisions for these services.

18 Part A assigns the Public Utilities Commission, Emergency Services Communication  
19 Bureau additional responsibilities related to standards and protocols for emergency  
20 dispatching, compliance and quality assurance practices and training for public safety  
21 answering points. It also requires the bureau to make training offered to the public safety  
22 answering points available to entities providing only dispatch services on a fee basis with  
23 an opportunity for the bureau to defray training costs for those entities if there are  
24 sufficient funds available in the E-9-1-1 fund to do so.

25 Part B removes the requirement for the Public Utilities Commission to set rates for  
26 answering point and dispatch services provided by the Department of Public Safety and  
27 gives the Maine Communications System Policy Board within the department  
28 responsibility for establishing the fees the department will charge to political  
29 subdivisions. It also requires the board to examine various methodologies for setting  
30 those fees and to make recommendations on any desired changes to current methodology.