

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1697

H.P. 1249

House of Representatives, December 23, 2011

**An Act Relating to the Calculation of Population for Purposes of the  
Maine Uniform Building and Energy Code and Public Safety  
Answering Point Assessments**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2011. Referred to the Committee on Labor, Commerce, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative RICHARDSON of Warren.  
Cosponsored by Senator: RECTOR of Knox.

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,** beginning July 1, 2012, municipalities with more than 4,000 residents are  
4 required to enforce the Maine Uniform Building and Energy Code; and

5           **Whereas,** it is necessary to change the method of calculating the number of  
6 residents in a municipality for the purpose of enforcement before that date to avoid undue  
7 burdens and confusion; and

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

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

13           **Sec. 1. 10 MRSA §9724, sub-§1-B** is enacted to read:

14           **1-B. Residents.** For the purposes of subsections 1 and 1-A, "residents" does not  
15 include persons held at a correctional facility, as defined in Title 34-A, section 1001,  
16 subsection 6, within the municipality.

17           **Sec. 2. 25 MRSA §1535, sub-§3** is enacted to read:

18           **3. Consideration of population.** If a fee established under this section for a  
19 political subdivision is based in whole or in part on population, the population of the  
20 political subdivision may not include persons held at a correctional facility, as defined in  
21 Title 34-A, section 1001, subsection 6, within the political subdivision.

22           **Sec. 3. 25 MRSA §2923-A,** as enacted by PL 2007, c. 622, §2, is amended to  
23 read:

24 **§2923-A. Requirements of municipalities**

25           Each municipality that does not have a public safety answering point shall contract  
26 with an entity that does have a public safety answering point, which may be the  
27 department, for receiving 9-1-1 calls and, as appropriate, directly dispatching emergency  
28 services or, through transfer routing or relay routing, passing 9-1-1 calls to public or  
29 private safety agencies that dispatch emergency services. If a municipality without a  
30 public safety answering point does not enter into such an agreement, the department shall  
31 serve as the public safety answering point for that municipality and the municipality shall  
32 pay the department for the provision of those services. Fees received by the department  
33 pursuant to this section must be deposited in the Consolidated Emergency  
34 Communications Fund established in section 1534. If a fee assessed to a municipality for  
35 services provided pursuant to an agreement under this section or by the department is  
36 based in whole or in part on population, the population of the municipality may not  
37 include persons held at a correctional facility, as defined in Title 34-A, section 1001,  
38 subsection 6, within the municipality.

