

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1761

H.P. 1296

House of Representatives, January 9, 2012

An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services

(EMERGENCY)

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.
Reference to the Committee on Energy, Utilities and Technology suggested and ordered
printed.

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

HEATHER J.R. PRIEST
Clerk

Presented by Representative FITTS of Pittsfield.

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,** the State's E-9-1-1 service provides significant public safety benefits by
4 enabling the public to dial 9-1-1 in the event of an emergency; and

5 **Whereas,** the State and the nation are preparing to migrate to the next evolutionary
6 step in 9-1-1 service, known as Next Generation 9-1-1, which uses Internet protocol and
7 will enable the public to send emergency communications to public safety answering
8 points via text messaging, photographs, video and other data and will enhance the
9 information available to public safety answering points and first responders for assessing
10 and responding to emergencies; and

11 **Whereas,** incorporating text messaging and other media capabilities into the E-9-1-1
12 service will make it more accessible to the public, both for people with disabilities and for
13 people in situations in which placing a voice call to 9-1-1 could be difficult or dangerous;
14 and

15 **Whereas,** the E-9-1-1 service is funded by a surcharge on telephone lines; and

16 **Whereas,** the E-9-1-1 surcharge is established in statute and an increase in the
17 E-9-1-1 surcharge is necessary to ensure that the surcharge amount going forward is
18 consistent with expenditure needs; and

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

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

24 **Sec. 1. 25 MRSA §2921, sub-§6,** as enacted by PL 1987, c. 840, §3, is amended
25 to read:

26 **6. Enhanced 9-1-1 services.** "Enhanced 9-1-1 services" or "E-9-1-1" means a
27 system consisting of ~~selective~~ routing 9-1-1 calls or requests to the proper public safety
28 answering points with the capability of automatic number or other calling party
29 identification and location identification ~~and public safety answering points~~, which
30 enables users of the public ~~telecommunications' system~~ to request emergency services ~~by~~
31 ~~dialing the digits 9-1-1.~~ "Enhanced 9-1-1 services" or "E-9-1-1" includes Internet
32 protocol enabled services.

33 **Sec. 2. 25 MRSA §2921, sub-§6-C** is enacted to read:

34 **6-C. Internet protocol enabled services.** "Internet protocol enabled services"
35 means services and applications using Internet protocol, including, but not limited to,
36 voice over Internet protocol and other services and applications provided through
37 wireline, cable, wireless and satellite facilities and any other facility that is capable of
38 connecting users to public safety answering points.

1 **Sec. 3. 25 MRSA §2926, sub-§1**, as amended by PL 2003, c. 359, §2, is further
2 amended to read:

3 **1. Bureau established.** The Emergency Services Communication Bureau is
4 established within the Public Utilities Commission to implement and manage E-9-1-1,
5 including the deployment of E-9-1-1 service using new communications technologies,
6 including, but not limited to, Internet protocol enabled services, that are capable of
7 connecting users to public safety answering points.

8 **Sec. 4. 25 MRSA §2927, sub-§1-E, ¶A**, as amended by PL 2009, c. 617, §8 and
9 affected by §13, is further amended to read:

10 A. The statewide E-9-1-1 surcharge is ~~37¢ per month per line or number. Beginning~~
11 ~~July 1, 2010, the statewide E-9-1-1 surcharge is 45¢~~ 50¢ per month per line or
12 number. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines
13 or numbers per customer billing account.

14 **Sec. 5. 25 MRSA §2927, sub-§1-F, ¶A**, as amended by PL 2009, c. 617, §9 and
15 affected by §13, is further amended to read:

16 A. The prepaid wireless E-9-1-1 surcharge is ~~37¢ per retail transaction. Beginning~~
17 ~~July 1, 2010, the prepaid wireless E-9-1-1 surcharge is 45¢~~ 50¢ per retail transaction.

18 **Sec. 6. 25 MRSA §2927, sub-§2-B**, as amended by PL 2009, c. 400, §12 and
19 affected by §15, is further amended to read:

20 **2-B. Surcharge remittance.** Each local exchange telephone utility, cellular or
21 wireless telecommunications service provider and interconnected voice over Internet
22 protocol service provider shall remit the statewide E-9-1-1 surcharge revenues collected
23 from its customers pursuant to subsection 1-D on a monthly basis and within one month
24 of the month collected, except that a utility or provider whose average monthly surcharge
25 remittance payment for the prior calendar year is below \$5,000 shall remit the E-9-1-1
26 surcharge revenues on a quarterly basis, to the Treasurer of State for deposit in a separate
27 account known as the E-9-1-1 fund. Each telephone utility or service provider required to
28 remit statewide E-9-1-1 surcharge revenues shall provide, on a form approved by the
29 bureau, supporting data, including but not limited to the following:

- 30 A. The calculation used to arrive at the surcharge remittance amount;
- 31 B. The calculation used to arrive at the uncollectible amount of surcharge;
- 32 C. The total surcharge;
- 33 D. The month and year for which surcharge is remitted;
- 34 E. The legal name of company and telephone number and, if applicable, the parent
35 company name, address and telephone number; and
- 36 F. The preparer's name and telephone number.

37 Prepaid wireless E-9-1-1 surcharges collected by sellers must be remitted to the Treasurer
38 of State in accordance with subsection 1-F, paragraph G.

