

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

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

**Sec. 1. 30-A MRSA §757**, as repealed and replaced by PL 1993, c. 345, §5, is repealed and the following enacted in its place:

**§757. Budget committee membership districts**

**1. Redistricting process.** The county commissioners shall prepare a redistricting plan for county budget committee seats by June 1, 1993 and every 10 years thereafter. The county commissioners shall submit the plan to the Secretary of State within 5 days of adoption. The Secretary of State shall immediately transmit the redistricting plan to the Legislature for review and enactment.

**2. Budget committee districts.** Budget committee members must be elected from districts as provided in this subsection.

A. District 1 consists of Isle au Haut, Matinicus Isle Plantation, North Haven, St. George and Friendship and elects one member. The initial term for District 1 expires on December 31, 1996.

B. District 2 consists of South Thomaston, Vinalhaven and Owls Head and elects one member. The initial term for District 2 expires on December 31, 1994.

C. District 3 consists of Rockland and elects 2 members at large. The initial term for District 3 expires on December 31, 1996.

D. District 4 consists of that portion of Camden that is north of Route 1 from the Megunticook River and elects one member. The initial term for District 4 expires on December 31, 1994.

E. District 5 consists of Rockport and that portion of Camden that is south of Route 1 and from the Rockport/Camden line as far as the Megunticook River and elects one member. The initial term for District 5 expires on December 31, 1996.

F. District 6 consists of Appleton, Union and Washington and elects one member. The initial term for District 6 expires on December 31, 1994.

G. District 7 consists of Warren and Hope and elects one member. The initial term for District 7 expires on December 31, 1996.

H. District 8 consists of Thomaston and Cushing and elects one member. The initial term for District 8 expires on December 31, 1994.

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

Effective March 30, 1994.

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**CHAPTER 566**

**S.P. 452 - L.D. 1419**

**An Act to Amend the Laws Concerning Emergency 911**

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

**Sec. 1. 5 MRSA §12004-I, sub-§74-A**, as enacted by PL 1989, c. 503, Pt. A, §35, is amended to read:

<b>74-A.</b>	E-9-1-1	Expenses	25
Public Safety	<del>Advisory</del>	Only	MRSA
	<del>Committee</del>		§2925
	<u>Council</u>		

**Sec. 2. 25 MRSA §2921, sub-§§2-A, 6-A and 6-B** are enacted to read:

**2-A. Bureau.** "Bureau" means the Emergency Services Communication Bureau in the Department of Public Safety, which is responsible for the statewide implementation and management of E-9-1-1.

**6-A. Private safety agency.** "Private safety agency" means a private entity that provides fire, emergency medical or security services.

**6-B. Public safety agency.** "Public safety agency" means a state, county or municipal government entity that provides or has the authority to provide fire, emergency medical or police services.

**Sec. 3. 25 MRSA §2921, sub-§7**, as enacted by PL 1987, c. 840, §3, is amended to read:

**7. Public safety answering point.** "Public safety answering point" means a facility with enhanced 9-1-1 capability, operated on a 24-hour basis, assigned the responsibility of receiving 9-1-1 calls and, as appropriate, directly dispatching emergency services or ~~transferring or relaying emergency~~, through transfer routing or relay routing, passing 9-1-1 calls to ~~other~~ public or private safety agencies.

**Sec. 4. 25 MRSA §2921, sub-§§7-A and 9** are enacted to read:

**7-A. Relay routing.** "Relay routing" means the method of responding to a 9-1-1 call whereby a public safety answering point notes pertinent information

and relays it by telephone to the appropriate public or private safety agency that dispatches the needed service.

**9. Transfer routing.** "Transfer routing" means the method of responding to a 9-1-1 call whereby a public safety answering point transfers the call, including the automatic location and number information, to the appropriate public or private safety agency that dispatches the needed service.

**Sec. 5. 25 MRSA §2922**, as enacted by PL 1987, c. 840, §3, is repealed.

**Sec. 6. 25 MRSA §2923**, as amended by PL 1991, c. 232, §1, is repealed.

**Sec. 7. 25 MRSA §2924**, as enacted by PL 1987, c. 840, §3, is repealed.

**Sec. 8. 25 MRSA §2925**, as amended by PL 1989, c. 503, Pt. B, §107, is further amended to read:

#### **§2925. E-9-1-1 Council**

~~Beginning January 1, 1989, the~~ The E-9-1-1 Advisory Committee Council, established in Title 5, section 12004-I, subsection 74-A, shall advise and assist the ~~department~~ bureau in the implementation of the E-9-1-1 system.

**1. Membership.** The E-9-1-1 Advisory Committee shall be Council is composed of ~~13~~ 15 members; one appointed by the Public Utilities Commission; one appointed by the Commissioner of Public Safety; and ~~11~~ 13 appointed by the Governor, including one who is a municipal official nominated by the statewide association of municipalities, one who is a chief of a municipal police department nominated by the statewide association of chiefs of police, one who is the chief of a municipal fire department nominated by the statewide association of fire chiefs, one who is a county sheriff nominated by the statewide association of sheriffs, one who represents small telephone companies, one who represents the largest provider of local exchange telephone services, one who represents a direct provider of emergency medical services, one who is a dispatcher nominated by the statewide association of dispatchers, one who is a member of a volunteer fire department, one to represent the deaf and hearing impaired and 3 to represent the public-at-large. Each member may name a designee who may attend meetings of the council and act on that member's behalf in council proceedings.

**2. Terms of office.** The members appointed by the Public Utilities Commission and the department shall Commissioner of Public Safety serve at the pleasure of the appointing authority. The remaining members shall serve terms of 3 years, except that, of

~~the initial 11 members appointed by the Governor, 4 shall be appointed for terms of 3 years, 4 for terms of 2 years and 3 for terms of one year. A vacancy shall~~ must be filled by the appointing authority to complete the term of the appointee who vacated the office.

**3. Quorum.** A majority of the members of the committee shall constitute council constitutes a quorum.

**4. Compensation.** Members of the board shall be compensated for council are entitled to receive expenses only according to Title 5, chapter 379.

**5. Chair.** The committee council shall choose a chairman chair from among its members.

**6. Duties.** The committee council has the following duties.

A. The committee council shall advise the department bureau on activities relating to the establishment of an E-9-1-1 system.

B. The committee council shall review and comment on rules proposed by the department bureau under this chapter.

C. The committee council shall assist the department bureau in providing public information about the implementation and operation of the E-9-1-1 system.

**Sec. 9. 25 MRSA §§2926 to 2928** are enacted to read:

#### **§2926. Emergency Services Communication Bureau**

**1. Bureau established.** The Emergency Services Communication Bureau is established within the department to implement and manage E-9-1-1.

**2. System design.** In consultation with the E-9-1-1 Council, the bureau shall develop all necessary system elements, standards and cost estimates necessary to provide for the installation and operation of a statewide E-9-1-1 system, including, but not limited to, the following:

A. Development of network design specifications;

B. Development of minimum public safety answering point requirements including 24-hour operation; emergency backup power; secured communication areas; separate administrative phone lines for nonemergency calls; call recording and playback equipment; TDD equipment, as defined in Title 35-A, section 8702, subsection 6; maximum call handling times; and staff training;

C. After consultation with the affected public and private safety agency officials, identification of appropriate public safety answering point sites based on consideration of the existing dispatching capabilities of public and private safety agencies, the expressed preferences of municipalities throughout the State and overall system cost;

D. Identification of appropriate technology for system networks, public safety answering point equipment and data base requirements;

E. Procedures for developing and maintaining address and routing data bases;

F. Procedures for cooperation and coordination with telephone utilities and municipalities for implementation;

G. Standards and procedures to establish the confidentiality and prevent the dissemination of reports and records handled by public safety answering points and of the bureau;

H. Estimates of the cost of establishing an operational E-9-1-1 system; and

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

**3. Rulemaking.** The bureau shall adopt by rule its standards, specifications and procedures developed under subsection 2, paragraphs A to F after consultation with the E-9-1-1 Council and following at least 3 public hearings geographically dispersed throughout the State.

**4. Technical assistance.** The bureau may provide support for the development of street address information sufficient to support E-9-1-1 services. The bureau shall provide technical assistance to any municipality in the development of street address information at the request of the interested municipality.

#### **§2927. E-9-1-1 funding**

**1. Statewide E-9-1-1 surcharge.** The activities authorized under this chapter are funded through a special statewide E-9-1-1 surcharge to be levied on each residence and business telephone exchange line, including private branch exchange, or PBX, lines and Centrex lines, trunks serving cellular communications providers in the State and semipublic coin and public access lines. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines per customer billing account. The statewide E-9-1-1 surcharge is 2¢ per month per line beginning on August 1, 1994. The statewide E-9-1-1 surcharge must be billed on a monthly basis by each local exchange telephone

utility and be shown separately as a statewide E-9-1-1 surcharge on the customer's bill.

**2. Surcharge remittance.** Each local exchange telephone utility shall remit the statewide E-9-1-1 surcharge revenues collected from its customers pursuant to this section on a monthly basis to the Treasurer of State for deposit in a separate account known as the E-9-1-1 fund.

**3. Expenditure of funds.** The bureau may use the revenues in the E-9-1-1 fund to fund staff and to defray costs associated with the implementation and management of E-9-1-1.

**4. Unexpended funds; interest.** Any amount of the E-9-1-1 fund not expended at the end of the fiscal year may not lapse but must be carried forward to be expended for the purposes specified in this chapter in succeeding fiscal years. The Treasurer of State shall credit all interest on fund balances to the fund.

**5. Legislative annual report.** The bureau shall report annually, before February 1st, to the joint standing committee of the Legislature having jurisdiction over public utilities matters on:

A. The bureau's planned expenditures for the year and use of funds for the previous year; and

B. The statewide E-9-1-1 surcharge collected under this section.

**6. Violations.** A telephone utility, subject to this section, that willfully fails to remit the statewide E-9-1-1 surcharge revenues collected under this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged for each day that payment is not made after the due date.

**7. Repeal.** Subsections 1 and 2 are repealed 90 days after the adjournment of the Second Regular Session of the 117th Legislature.

#### **§2928. Confidential information**

**1. Unlisted telephone numbers.** Any portion of public safety answering point records containing customer information described in Title 35-A, section 7501, subsection 1 and omitted from telephone utility directory listings upon request of the customer is confidential and may not be disseminated.

**Sec. 10. Rulemaking by the Emergency Services Communication Bureau.** Rules adopted before July 1, 1996 by the Emergency Services Communication Bureau in the Department of Public Safety pursuant to the Maine Revised Statutes, Title 25, section 2926, subsection 3 become effective 90 days after adjournment of the Second Regular Session of

the 117th Legislature. The bureau shall submit the adopted rules, together with any comments from the E-9-1-1 Council, the bureau's recommendations regarding confidentiality, the bureau's cost estimates and a proposed funding mechanism, to the joint standing committee of the Legislature having jurisdiction over utility matters on or before January 1, 1996. That joint standing committee is authorized to introduce and report out legislation to the Legislature regarding the E-9-1-1 laws during the Second Regular Session of the 117th Legislature.

**Sec. 11. Transition; terms of additional council members.** A person who is a member of the E-9-1-1 Advisory Committee on the day preceding the effective date of this Act is considered a member of the E-9-1-1 Council and shall fulfill the remainder of that member's established term. The additional 2 members appointed to the E-9-1-1 Council pursuant to section 8 of this Act are each appointed to serve terms of 3 years.

**Sec. 12. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

1994-95

**PUBLIC SAFETY,  
DEPARTMENT OF**

**Emergency Services  
Communication Bureau**

Positions	(3.0)
Personal Services	\$103,314
All Other	8,745
Capital Expenditures	3,000

Provides funds for one  
Director position, one  
Planning and Research  
Associate II position, one  
Clerk Typist III position and  
general operating expenses to  
establish a statewide  
Emergency 9-1-1 system.

**DEPARTMENT OF PUBLIC  
SAFETY**  
**TOTAL**

\_\_\_\_\_

\$115,059

See title page for effective date.

**CHAPTER 567**

**H.P. 1217 - L.D. 1636**

**An Act to Modify the Manufacture of  
Motor Vehicle Registration Plates**

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

**Whereas,** distribution from the Maine Environmental Trust Fund is vital to the purposes of the fund; and

**Whereas,** contributions to the fund are dependent on sale of the environmental registration plates; and

**Whereas,** marketing is necessary to increase awareness of the program and to stimulate sales; and

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

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

**Sec. 1. 12 MRSA §7759, sub-§3,** as enacted by PL 1993, c. 410, Pt. BBB, §3, is amended to read:

**3. Distribution from fund.** The first \$10,000 received from the sale of environmental registration plates must be allocated to the Department of Conservation for marketing of the plates. Money distributed from the fund may be used for marketing the plates and for the production and marketing of goods using the environmental plate design. After the Treasurer of State has reimbursed the Secretary of State for costs of producing and issuing environmental registration plates in accordance with Title 29, section 252-J, the Treasurer of State shall annually distribute the balance in the fund as follows:

A. Sixty percent of the balance must be deposited in the Maine State Parks Fund established in section 610; and

B. Forty percent of the balance must be deposited in the Maine Endangered and Nongame Wildlife Fund established in section 7757.

This subsection is repealed March 31, 1996.

**Sec. 2. 29 MRSA §131, 3rd ¶,** as amended by PL 1991, c. 597, §7, is further amended to read: