

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

OTHER SPECIAL	\$0	(\$4,249)
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 622

S.P. 905 - L.D. 2279

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

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

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

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

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

Whereas, the law is unclear as to the ability of the Department of Public Safety to bill municipalities for these services; 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. 25 MRSA §1535 is enacted to read:

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

The Public Utilities Commission may, on its own motion or at the request of the department or a political subdivision of the State, establish in an adjudicatory proceeding the fees that must be paid by political

subdivisions for public safety answering point services and dispatch services provided by the department to those political subdivisions, including services provided pursuant to section 2923-A. In the proceeding, the commission shall establish the revenue requirement for the department's relevant dispatch and public safety answering point services and a fee design for the recovery of the department's revenue requirement to ensure the fees reasonably reflect services provided. In any proceeding held under this section, the department and all political subdivisions that are to be provided public safety answering point services and dispatch services shall provide to the commission all information the commission determines necessary in order to establish the fees.

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

§2923-A. Requirements of municipalities

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

Sec. 3. Initial setting of fees. The Public Utilities Commission shall undertake an adjudicatory proceeding pursuant to the Maine Revised Statutes, Title 25, section 1535 to initially establish the fees that must be paid by political subdivisions of the State for public safety answering point services and dispatch services provided by the Department of Public Safety.

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

Effective April 15, 2008.

CHAPTER 623

H.P. 1657 - L.D. 2298

An Act To Improve the Reporting Requirements of Boards and Commissions

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

Sec. 1. 5 MRSA §12005-A, as amended by PL 1999, c. 668, §§45 and 46, is further amended to read:

§12005-A. Report to Secretary of State

Every board listed in this chapter is required to appoint a clerk of the board who is responsible for submitting reports to the Secretary of State as required by this chapter. This clerk shall submit an annual report to the Secretary of State ~~on forms in a manner~~ provided by the Secretary of State. This report must be submitted no later than December 31st of each calendar year and must include information required by this section and any other information determined necessary by the Secretary of State to fulfill the purposes of this chapter. This information must include:

1. Clerk of board. The name, address ~~and~~ telephone number ~~and e-mail address~~ of the clerk of the board ~~as well as an estimate of the number of hours spent annually working for the board;~~

2. Names and addresses of members. The ~~names and current addresses~~ name of each member of the board ~~on file with the Secretary of State and the current address of each member at the time of filing under this section;~~

3. Date of appointment and expiration. The date of appointment of each member and the date of expiration of the term of each member on file with the Secretary of State;

4. Dates and locations of all meetings. The dates and locations of all meetings or other activities of the board as specified in section 12002-B, subsection 1 during the calendar year for which the report is prepared.

A. In the event that a board reports no meetings for the calendar year of the report, the clerk shall indicate the last meeting of the board;

5. Attendance at and length of meetings. The number of members attending each meeting or activity of the board and the length of each meeting or activity of the board;

~~**6. Compensation.** The total per diem compensation, if any, received by the board for each meeting and the total received for the calendar year;~~

6-A. Expenses related to the meetings or activities of the board. The following expenses related to the meetings or activities of the board:

A. Total per diem compensation, if any, received by board members for each meeting or other activity of the board and the total received for the calendar year;

B. Total expenses for which board members were reimbursed, if any, for each meeting or other activity of the board and the total reimbursed for the calendar year;

C. Reimbursement other than per diem compensation or expenses such as a stipend; and

D. Total expenses related to the functioning of the board, if any, for each meeting or other activity of the board and the total received for the calendar year, including but not limited to:

- (1) Expenses related to facility rental costs;
- (2) Expenses related to refreshment costs for meetings or other activities;
- (3) Expenses related to holding public hearings; and
- (4) Other expenses not otherwise classified in this section.

~~**7. Expenses.** The total expenses for which the board is reimbursed, if any, for each meeting and the total expenses for which all board members were reimbursed for the calendar year; and~~

7-A. Funding source for expenses. The funding source or sources for all expenses paid for the functioning of the board, including reimbursement to members incurred by the board;

8. Vacancies. The number of vacancies on the board on December 31st and the term of ~~the~~ each vacancy; ~~and~~

9. Activities of the board related to its mission. A brief summary of the activities related to accomplishing the mission of the board.

The Secretary of State may not waive the requirements of this section.

See title page for effective date.

CHAPTER 624

S.P. 636 - L.D. 1792

An Act To Require Disclosure of the Compensation of Officers and Directors of Public Benefit Nonprofit Corporations

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

Sec. 1. 13-B MRSA §713-A, sub-§2-A is enacted to read:

2-A. Compensation information. A public benefit corporation that receives at least 25% of its total funding from one or more municipal, county, state or federal sources shall provide to the public information about the total compensation paid by the corporation to any director or officer of the corporation if the compensation exceeds \$250,000 in any 12-