

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

fee is dedicated to the Shellfish Fund under section 6651.

5. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

6. Rules. Rules adopted by the commissioner pursuant to section 6852, subsection 6 are applicable to this section.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: Allocates funds related to the newly created enhanced retail seafood license.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,564	\$4,752
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,564	\$4,752

See title page for effective date.

CHAPTER 218

S.P. 108 - L.D. 344

An Act To Allow Smelting on Mud Brook on Long Lake in Aroostook County

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

Sec. 1. 12 MRSA §12460-A, sub-§3, as amended by PL 2007, c. 651, §12, is repealed.

See title page for effective date.

CHAPTER 219

H.P. 393 - L.D. 555

An Act To Promote Public Safety Answering Point Efficiency

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

Sec. 1. 25 MRSA §2925, sub-§6, ¶D is enacted to read:

D. The council shall assist the bureau in responding to and resolving service-related complaints and issues regarding the E-9-1-1 system.

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

2-A. Goal. To the extent possible, the bureau shall establish a total of between 16 and 24 public service answering points. The bureau shall seek to coordinate any reduction in the number of public service answering points to achieve this goal with any contractual obligations it may have or may enter into that are or could be affected by that reduction. Prior to implementing a reduction in the number of public safety answering points, the bureau shall make a finding regarding the need for the reduction based on an evaluation of the costs and benefits of the reduction, taking into account impacts on ratepayers, each of the affected municipalities and the State.

Sec. 3. 25 MRSA §2927, sub-§5, as amended by PL 1997, c. 409, §1, is further amended to read:

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

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

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

C. The bureau's recommended statewide E-9-1-1 surcharge for the coming year; ~~and~~

D. The bureau's recommendations for amending existing and enacting new law to improve the E-9-1-1 system; and

E. The performance of each of the public safety answering points in the State during the previous calendar year.

Sec. 4. Report regarding public safety answering points and E-9-1-1 system. No later than February 1, 2010, the Public Utilities Commission, Emergency Services Communication Bureau shall prepare and submit to the Joint Standing Committee on Utilities and Energy a report on:

1. The optimum configuration of public safety answering points in the State, taking into account:

A. Total E-9-1-1 system needs and costs, including, but not limited to, needs and costs related to system operations, maintenance, training, back-up system capacity and staffing levels, including answering position units or seats;

B. Forecasted total system costs, including direct and indirect costs, under the optimum configuration; and

C. Established formulas and models of optimum call-taker staffing for public safety answering points, including, but not limited to, the minimum call-taker, or call answerer, staffing model presented in the 1980 report "Design and Costing of 911 Systems - A Technical Manual - Final Report" commissioned by the United States Department of Justice;

2. The implementation and regulation of the optimum configuration of public safety answering points, including the regulation of changes to public safety answering point locations initiated by municipalities, taking into consideration the cost implications for municipalities and the State; and

3. The benefits and consequences of expanding the statewide E-9-1-1 surcharge to fund all E-9-1-1 system costs, including operation and maintenance expenses that are currently funded through county assessments and fees from the political subdivisions, and the projected increase in the E-9-1-1 surcharge required to fund all system costs.

After receipt and review of the report required under this section, the Joint Standing Committee on Utilities and Energy may submit legislation relating to the report to the Second Regular Session of the 124th Legislature.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Provides funds for a study on the optimum configuration of public safety answering points.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$300,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,000	\$0

See title page for effective date.

CHAPTER 220

S.P. 159 - L.D. 456

An Act To Provide Free Admission to State Parks to Veterans and Military Personnel

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to be in effect for the upcoming summer season; 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 §1819-A, as enacted by PL 2005, c. 268, §1, is amended to read:

§1819-A. Day use passes for certain veterans

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each veteran determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 6. The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites for the period described in Title 37-B, section 6. This section is repealed June 30, 2015.

Sec. 2. 12 MRSA §1819-B is enacted to read:

§1819-B. Day use passes for active military personnel

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each active duty military member determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 7. The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites.

Sec. 3. 37-B MRSA §6, as enacted by PL 2005, c. 268, §3, is amended to read:

§6. Issuance of free day use pass

The Commissioner of Defense, Veterans and Emergency Management, in accordance with a memorandum of agreement entered into with the Commissioner of Conservation and this section, shall issue a free day use pass to state parks and historic sites to eligible veterans. ~~The commissioner, in accordance with a memorandum of agreement entered into with~~