

# 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.**

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**Augusta, Maine**  
**2009**

case of prepaid wireless services, 52¢ per month or 30-day increment of service per customer. The statewide E-9-1-1 surcharge must be collected from the customer on a monthly basis by each local exchange telephone utility, cellular or wireless telecommunications service provider and interconnected voice over Internet protocol service provider and be shown separately as a statewide E-9-1-1 surcharge on the customer's bill, except that in the case of prepaid wireless telephone service, the collection of the statewide E-9-1-1 surcharge is governed by subsection 1-C.

**Sec. 2. Authority for legislation; E-9-1-1 surcharge.** The Joint Standing Committee on Utilities and Energy may submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. Before submitting legislation under this section, the committee shall consider E-9-1-1 surcharge revenue history and projections, including surcharge revenue from prepaid wireless services; E-9-1-1 fund expenditure history and projections; unexpended amounts in the E-9-1-1 fund; any opportunities to reduce expenditures related to the configuration of public safety answering points; and designated uses of the E-9-1-1 fund. The Public Utilities Commission, Emergency Services Communication Bureau shall provide relevant information regarding the E-9-1-1 surcharge and E-9-1-1 fund for the committee's consideration.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

#### PUBLIC UTILITIES COMMISSION

##### Emergency Services Communication Bureau 0994

Initiative: Allocates funds to the Emergency Services Communication Bureau for the E-9-1-1 program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,286,506	\$4,043,303
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,286,506	\$4,043,303

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect July 1, 2009.

Effective July 1, 2009.

## CHAPTER 417

### H.P. 545 - L.D. 796

#### An Act To Direct Fines Derived from Tribal Law Enforcement Activities to the Passamaquoddy Tribe and the Penobscot Nation

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

**Sec. 1. 4 MRSA §1059** is enacted to read:

#### **§1059. Fines; tribal law enforcement activities**

**1. Civil and criminal fines.** Except as provided in subsection 2, a fine for a civil violation, traffic infraction or Class D or Class E crime imposed for a violation of any tribal or state law must be remitted to the Passamaquoddy Tribe or the Penobscot Nation, as appropriate, when a tribal law enforcement agency issued the ticket, complaint, summons or warrant or made the arrest related to the violation.

**2. Exception; environmental violations.** A fine imposed by a state court for a violation of Title 38 within the Indian territory of the Passamaquoddy Tribe or the Penobscot Nation may not be remitted to the Passamaquoddy Tribe or the Penobscot Nation. In addition to those costs awarded to the State pursuant to Title 14, section 1522, subsection 1, the court may award to the Passamaquoddy Tribe or the Penobscot Nation costs associated with investigating and otherwise contributing to any enforcement action for a violation of Title 38.

**3. Repeal.** This section is repealed June 30, 2012.

**Sec. 2. Report.** By January 15, 2012 the judicial branch shall submit a report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and judiciary matters concerning the fiscal, administrative and practical effects of the Maine Revised Statutes, Title 4, section 1059. The Attorney General may provide information to the judicial branch to be included in the report.

See title page for effective date.