

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

April 2010

STAFF:

LUCIA A. NIXON, LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. BARRY J. HOBBS, CHAIR
SEN. PETER B. BOWMAN
SEN. ROGER L. SHERMAN

REP. JON HINCK, CHAIR
REP. HERBERT C. ADAMS
REP. RICHARD D. BLANCHARD
REP. STACY T. DOSTIE
REP. SEAN FLAHERTY
REP. DAVID A. VAN WIE
REP. JOSEPH ANDREW WAGNER
REP. KENNETH C. FLETCHER
REP. STACEY ALLEN FITTS
REP. MICHAEL D. THIBODEAU

STATE OF MAINE

124TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER Carried over to a subsequent session of the Legislature
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE Committee of Conference unable to agree; bill died
DIED BETWEEN HOUSES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report) Ought Not To Pass report accepted; bill died
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Utilities and Energy

LD 1813

An Act Relating to the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Emergency Communications Services

**PUBLIC 617
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-806

This bill implements the recommendations for legislative action found in the report on emergency communications in Kennebec County submitted by the Office of Program Evaluation and Government Accountability.

Part A requires the Public Utilities Commission, Emergency Services Communications Board (ESCB), with respect to public service answering points (PSAPs) to develop uniform standards and protocols for emergency dispatching; develop compliance and quality assurance and improvement programs; monitor PSAP compliance with standards and protocols; fund training programs and provide materials relating to the adoption of fire and law enforcement dispatch standards and protocols as well as continuing education programs related to standards and protocols, quality assurance practices, supervisory and management practices and other topics as appropriate for achieving compliance with ESCB rules or recertification requirements. It also requires the ESCB to make training offered to the public safety answering points available to entities providing only dispatch services on a fee basis; it allows the bureau to defray training costs for those entities if there are sufficient funds available in the E-911 Fund to do so.

Part B transfers the responsibility for establishing rates paid by political subdivisions for PSAP and dispatch services provided by the Department of Public Safety to political subdivisions from the Public Utilities Commission to the Maine Communications System Policy Board within the Department of Public Safety. It requires the Maine Communications System Policy Board to examine various methodologies for setting those fees and to make recommendations on any changes in methodologies to the Joint Standing Committee on Utilities and Energy by January 31, 2011. It authorizes the Joint Standing Committee on Utilities and Energy to submit a bill to implement the recommendations.

Committee Amendment "A" (H-806)

This amendment replaces the bill. The amendment:

1. Modifies the makeup of the Maine Communications System Policy Board to provide that the 3 municipal members are nominated by a statewide municipal association. It removes the requirements that these members must represent towns of specific sizes and be participants in the cooperative use of the Department of Public Safety's communications systems;
2. Removes the authority of the Public Utilities Commission to establish the fees that must be paid by political subdivisions for public safety answering point services and dispatch services provided by the Department of Public Safety. It gives this authority to the Maine Communications System Policy Board and directs the board to set fees based on the department's incremental costs of providing such services to political subdivisions;
3. Directs the Public Utilities Commission, Emergency Services Communications Bureau to develop and implement a quality assurance program to audit and monitor compliance with emergency dispatching standards, practices and procedures of public safety answering points;
4. Authorizes the use of the E-9-1-1 fund to support legislatively authorized supervisory positions relating to emergency dispatch and E-9-1-1 call-taking services provided by the Department of Public Safety until June 30, 2011;

Joint Standing Committee on Utilities and Energy

5. Modifies the E-9-1-1 surcharge that is currently scheduled to increase to 52 cents on July 1, 2010 to provide that it increases to 45 cents instead;
6. Corrects a conflict created when Public Law 2009, chapter 400 repealed the Maine Revised Statutes, Title 25, section 2927, subsection 1-B and enacted related provisions in Title 25, section 2927, subsections 1-E and 1-F, and chapter 416 amended Title 25, section 2927, subsection 1-B. The conflict is corrected by repealing Title 25, section 2927, subsection 1-B and incorporating the changes to rates made by Public Law 2009, chapter 416 in Title 25, section 2927, subsections 1-E and 1-F. The corrections are applied retroactively to January 1, 2010, the effective date of Public Law 2009, chapter 400. The modification of the surcharge on prepaid wireless telecommunications service that will take effect on July 1, 2010 is exempted from a provision of law that provides that a change in that surcharge does not take effect until 60 days after enactment of the change; and
7. Adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 617:

1. Modifies the makeup of the Maine Communications System Policy Board to provide that the three municipal members are nominated by a statewide municipal association. It removes the requirements that these members must represent towns of specific sizes and be participants in the cooperative use of the Department of Public Safety's communications systems;
2. Removes the authority of the Public Utilities Commission to establish the fees that must be paid by political subdivisions for public safety answering point services and dispatch services provided by the Department of Public Safety. It gives this authority to the Maine Communications System Policy Board and directs the board to set fees based on the department's incremental costs of providing such services to political subdivisions;
3. Directs the Public Utilities Commission, Emergency Services Communications Bureau to develop and implement a quality assurance program to audit and monitor compliance with emergency dispatching standards, practices and procedures of public safety answering points;
4. Authorizes the use of the E-9-1-1 fund to support legislatively authorized supervisory positions relating to emergency dispatch and E-9-1-1 call-taking services provided by the Department of Public Safety until June 30, 2011;
5. Modifies the E-9-1-1 surcharge that is currently scheduled to increase to 52 cents on July 1, 2010 to provide that it increases to 45 cents instead;
6. Corrects a conflict created when Public Law 2009, chapter 400 repealed the Maine Revised Statutes, Title 25, section 2927, subsection 1-B and enacted related provisions in Title 25, section 2927, subsections 1-E and 1-F, and chapter 416 amended Title 25, section 2927, subsection 1-B. The conflict is corrected by repealing Title 25, section 2927, subsection 1-B and incorporating the changes to rates made by Public Law 2009, chapter 416 in Title 25, section 2927, subsections 1-E and 1-F. The corrections are applied retroactively to January 1, 2010, the effective date of Public Law 2009, chapter 400. The modification of the surcharge on prepaid wireless telecommunications service that will take effect on July 1, 2010 is exempted from a provision of law that provides that a change in that surcharge does not take effect until 60 days after enactment of the change.

Public Law 2009, chapter 617 was enacted as an emergency measure effective April 7, 2010.