

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Require Credentials for Amateur Radio Emergency Communications Volunteers**

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

**Sec. 1. 37-B MRSA §703, sub-§2-C** is enacted to read:

**2-C. Emergency communications volunteer.** “Emergency communications volunteer” means a person who is registered with the agency to engage in emergency communications activities in accordance with approved federal, state or local emergency operations and communications plans and holds a valid identification card.

**Sec. 2. 37-B MRSA §703, sub-§2-D** is enacted to read:

**2-D. Identification card.** “Identification card” means a one-piece document that clearly indicates its nature as an official state document issued to an emergency communications volunteer by the agency following registration. The card shows the agency’s logo, a photograph of the person to whom the card is issued and other information required or appropriate for the identification of the volunteer.

**Sec. 3. 37-B MRSA §705-A** is enacted to read:

### **§ 705-A. Emergency communications; rules**

**1. Emergency communications.** The director shall adopt rules governing registration requirement levels for emergency communications volunteers and adopt rules to implement a state radio amateur civil emergency services plan to establish guidelines for volunteers to support state and local emergency management agencies during a disaster or widespread power outage. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**2. Rules.** The director shall adopt rules to implement a state radio amateur civil emergency services plan, in accordance with Federal Communications Commission and Federal Emergency Management Agency guidelines, to support back-up communications between state and local emergency operations centers; back-up communications for E-9-1-1 centers, fire departments and police departments; emergency communications for shelters; and other emergency support as needed. The director shall also adopt rules governing registration requirement levels for emergency communications volunteers that include, but are not limited to, a valid amateur radio license from the Federal Communications Commission, certifications from relevant training courses provided by the Federal Emergency Management Agency, relevant certifications from the American Radio Relay League and procedures for local authorized officials to perform criminal history and driving record background checks during the registration process. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. 37-B MRSA §784-A,** as amended by PL 2005, c. 630, §2, is further amended to read:

## **§ 784-A. Right to call for and employ assistance**

The Maine Emergency Management Agency and local organizations for emergency management may employ any person considered necessary to assist with emergency management activities. All persons called and employed for assistance, including, but not limited to, emergency communications volunteers, shall proceed as directed by the Maine Emergency Management Agency. Any person called and employed for assistance is deemed to be an employee of the State for purposes of immunity from liability pursuant to section 822 and for purposes of workers' compensation insurance pursuant to section 823, except for persons excluded from the definition of employee pursuant to Title 39-A, section 102, subsection 11. A health care worker licensed in this State, either designated by the Maine Emergency Management Agency to perform emergency management or health activities in this State in a declared disaster or civil emergency pursuant to section 742 or designated by the Maine Emergency Management Agency to render aid in another state under chapter 16, is deemed to be an employee of the State for purposes of immunity from liability pursuant to this section and section 926 and for purposes of workers' compensation insurance pursuant to sections 823 and 928, except for persons excluded from the definition of employee pursuant to Title 39-A, section 102, subsection 11.

### **SUMMARY**

This bill includes registered emergency communications volunteers among those individuals that the Maine Emergency Management Agency may employ to assist with emergency management activities. This bill creates a definition for emergency communications volunteer that requires volunteers to meet certain requirements before they may receive a valid identification card from the agency. This bill also directs the Director of the Maine Emergency Management Agency to adopt rules to implement a state radio amateur civil emergency services plan in accordance with Federal Communications Commission and Federal Emergency Management Agency guidelines. It also requires the director to adopt rules governing registration requirement levels for emergency communications volunteers.