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Public Law
123rd Legislature
Second Regular Session

Chapter 637
H.P. 1628 - L.D. 2265

**An Act To Reduce the Amount Collected
for the Purpose of the E-9-1-1 System**

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

Whereas, the State's E-9-1-1 service provides significant public safety benefits by enabling the public to dial 9-1-1 in the event of an emergency and speeding up the dispatch of emergency services through automatic caller location information; and

Whereas, the E-9-1-1 system is funded by a special statewide surcharge on telephone lines; and

Whereas, in recent years, the E-9-1-1 surcharge, which is established in statute and has been fixed at 50¢ per line per month since 2001, has generated revenues in excess of necessary expenditures to fund the E-9-1-1 system; and

Whereas, it is necessary to reduce the E-9-1-1 surcharge as soon as possible to ensure that the money contributed by telephone ratepayers to fund the E-9-1-1 system is used for that purpose and the surcharge amount going forward is consistent with expenditure needs; 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 §2927, sub-§1-B, as amended by PL 2007, c. 68, §5, is further amended to read:

1-B. Statewide E-9-1-1 surcharge. The activities authorized under this chapter are funded through a special statewide E-9-1-1 surcharge levied on each residential and business telephone exchange line, including private branch exchange lines and Centrex lines, cellular or wireless telecommunications service customers, including prepaid wireless telephone service customers, interconnected voice over Internet protocol service customers and semipublic coin and public access lines. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines or numbers per customer billing account, except that this limitation does not apply to prepaid wireless telephone services. In the case of cellular or wireless telecommunications service customers, the place of residence of those customers must be determined according to the sourcing rules for mobile telecommunications services as set forth in Title 36, section

2556. The statewide E-9-1-1 surcharge is ~~50¢~~30¢ per month per line or number or, in the case of prepaid wireless telephone services, ~~50¢~~30¢ 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. Review of E-9-1-1 fund and surcharge; report. The Public Utilities Commission, Emergency Services Communication Bureau, referred to in this section as "the bureau," shall conduct a thorough review of the E-9-1-1 fund under the Maine Revised Statutes, Title 25, section 2927, including but not limited to surcharge revenue history and projections, expenditure history and projections and unexpended amounts in the fund. Based on the results of the review, the bureau shall make a recommendation regarding the E-9-1-1 surcharge amount under Title 25, section 2927, subsection 1-B. No later than February 1, 2009, the bureau shall submit the results of its review and its recommendation regarding the E-9-1-1 surcharge to the joint standing committee of the Legislature having jurisdiction over utilities matters. The report required under this section may be combined with the February 1, 2009 annual report required under Title 25, section 2927, subsection 5. After receipt and review of the report, the joint standing committee of the Legislature having jurisdiction over utilities matters may submit legislation regarding the E-9-1-1 surcharge to the First Regular Session of the 124th Legislature.

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

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Deallocates funds within the Emergency Services Communication Bureau as a result of a reduction in the E-9-1-1 surcharge from 50¢ to 30¢ per line per month.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$0	(\$3,520,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$3,520,000)

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

Effective April 16, 2008.