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**An Act To Implement the Recommendations of the Office
of Program Evaluation and Government Accountability
Regarding Emergency Communications Services**

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

PART A

Sec. A-1. 25 MRSA §2926, sub-§2, ¶B, as amended by PL 2001, c. 439, Pt. EEEE, §3, is further amended to read:

B. Development of minimum public safety answering point requirements including 24hour operation; emergency backup power; secured communication areas; separate administrative phone lines for nonemergency calls; call recording and playback equipment; TDD equipment, as defined in Title 35A, section 8702, subsection 6; maximum call handling times; uniform standards, protocols and reference systems for emergency dispatching; standards for quality assurance and improvement programs; and minimum mandatory staff training requirements for E911 call answering and dispatching;

Sec. A-2. 25 MRSA §2926, sub-§2, ¶I, as amended by PL 2001, c. 439, Pt. EEEE, §3, is further amended to read:

I. Procedures for collecting and administering the necessary funds for E911; and

Sec. A-3. 25 MRSA §2926, sub-§2, ¶J, as enacted by PL 2001, c. 439, Pt. EEEE, §4, is amended to read:

J. Standards and procedures for developing and maintaining the system databases and for ensuring the confidentiality of those databases pursuant to section 2929.; and

Sec. A-4. 25 MRSA §2926, sub-§2, ¶K is enacted to read:

K. Monitoring of public safety answering point compliance with standards, protocols and requirements established pursuant to paragraph B.

Sec. A-5. 25 MRSA §2927, sub-§9 is enacted to read:

9. Funding of public safety dispatch training costs. To assist public safety answering points in meeting the requirements of section 2926, subsection 2, paragraph B, the bureau shall:

A. Fund training courses for the personnel of public safety answering points related to the adoption of fire and law enforcement dispatch standards and protocols. The bureau shall provide each public safety answering point either a sufficient number of printed copies of any approved standards, protocols and reference systems or access to the standards, protocols and systems in an electronic format, as determined by the bureau;

B. Fund training courses for the personnel of public safety answering points in approved continuing education related to established standards and protocols, quality assurance practices, supervisory and management practices and other topics identified by the bureau as appropriate for achieving compliance with bureau rules or continuing education and recertification requirements; and

C. Make any training courses provided under paragraphs A and B available to personnel of entities providing only dispatch services on a fee basis. The bureau, to the extent it determines sufficient funds are available in the E911 fund, may use those revenues to defray the cost of these training courses for dispatch-only entities.

All costs incurred by the bureau under this subsection must be paid for from the E911 fund.

PART B

Sec. B-1. 25 MRSA §1532, sub-§1, as enacted by PL 2003, c. 678, §2, is amended to read:

1. Policies, procedures and standards. The board shall establish policies, procedures and standards for the cooperative use of the department's communication systems by municipal, county and state governmental entities. Policies, procedures and standards established pursuant to this subsection must be consistent with standards and protocols established by the Public Utilities Commission, Emergency Services Communication Bureau pursuant to section 2926. The board may not establish a policy, procedure or standard that interferes with the ability of the Chief of the State Police to operate a telecommunications system pursuant to section 1508.

Sec. B-2. 25 MRSA §1535, as enacted by PL 2007, c. 622, §1, is amended to read:

§ 1535. Fees for public safety answering point services and dispatch services

~~The Public Utilities Commission may, on its own motion or at the request of the department or a political subdivision of the State, establish in an adjudicatory proceeding~~board shall establish the fees that must be paid by political subdivisions for public safety answering point services and dispatch services provided by the department to those political subdivisions, including services provided pursuant to section 2923A. ~~In the proceeding, the commission~~establishing the fees, the board shall establish~~consider the revenue requirement for the department's relevant costs incurred by the department in providing dispatch and public safety answering point services and shall use a fee design for the recovery of the department's revenue requirement to ensure the fees that reasonably reflect~~reflects those costs and the services provided. In any proceeding held under this section, the department and all~~All~~ political

subdivisions that are to be provided public safety answering point services and dispatch services shall provide to the ~~commission~~board all information the ~~commission~~board determines necessary in order to establish the fees.

Sec. B-3. Examination of methodologies. The Department of Public Safety, Maine Communications System Policy Board established in the Maine Revised Statutes, Title 25, section 1531 shall examine methodologies for recovering costs and establishing fees for public safety answering point services and dispatch services provided by the Department of Public Safety to political subdivisions pursuant to Title 25, section 1535. The goal of this examination is to determine which methodologies would allow adequate coverage of the department's costs while also resulting in fees for political subdivisions that are consistent with fees being charged by public safety answering points and dispatch centers being operated by municipal and county governments. This examination must include an analysis of how identified methodologies would affect the fees paid by political subdivisions and state agencies. The board shall submit a report on the results of this examination to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters no later than January 31, 2011. The report shall include the board's recommendations regarding changes to the methodologies and any related statutory changes that may be necessary. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit a bill to implement these recommendations.

SUMMARY

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. The goal of the recommendations is to improve the consistency, efficiency and effectiveness in the provision of emergency communications services statewide as well as to reduce disparities in fees being charged to political subdivisions for these services.

Part A assigns the Public Utilities Commission, Emergency Services Communication Bureau additional responsibilities related to standards and protocols for emergency dispatching, compliance and quality assurance practices and training for public safety answering points. It also requires the bureau to make training offered to the public safety answering points available to entities providing only dispatch services on a fee basis with an opportunity for the bureau to defray training costs for those entities if there are sufficient funds available in the E911 fund to do so.

Part B removes the requirement for the Public Utilities Commission to set rates for answering point and dispatch services provided by the Department of Public Safety and gives the Maine Communications System Policy Board within the department responsibility for establishing the fees the department will charge to political subdivisions. It also requires the board to examine various methodologies for setting those fees and to make recommendations on any desired changes to current methodology.