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An Act To Ensure Equitable Payment for E-9-1-1 Services

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

Whereas, E-9-1-1 service is of vital importance to the citizens of the State; and

Whereas, some municipalities currently do not have a public safety answering point, requiring by law the provision of those services by the Department of Public Safety; and

Whereas, in order to meet the demands of those municipalities, the Department of Public Safety has had to hire more personnel, resulting in increased costs to the department; and

Whereas, the law is unclear as to the ability of the Department of Public Safety to bill municipalities for these services; 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 §1532, sub-§7 is enacted to read:

7. Fee setting for public safety answering point services. The board shall adopt rules to determine the fees to be charged those municipalities that contract with the department for the provision of public safety answering point services pursuant to chapter 352 and for those municipalities that fail to contract with another entity for the provision of such services pursuant to section 2923-A. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §2923-A is enacted to read:

§ 2923-A. Requirements of municipalities

Each municipality that does not have a public safety answering point shall contract with an entity that does have a public safety answering point, which may be the department, for receiving 9-1-1 calls and, as appropriate, directly dispatching emergency services or, through transfer routing or relay routing, passing 9-1-1 calls to public or private safety agencies that dispatch emergency services. If a municipality without a public safety answering point does not enter into such an agreement, the department shall serve as the public safety answering point for that municipality and the municipality shall pay the department for the provision of those services. Fees received by the department pursuant to this section must be deposited in the Consolidated Emergency Communications Fund established in section 1534.

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

SUMMARY

Under current law, if a municipality does not have a public safety answering point to serve as the facility for receiving 9-1-1 calls and dispatching emergency services, the Department of Public Safety serves that function. There is no explicit authority in the law that allows the department to bill the municipality for those services, however.

This bill requires a municipality that does not have a public safety answering point to contract with another entity, which may be the Department of Public Safety, for the provision of such services. If a municipality fails to contract for these services, the department is required to act as the public safety answering point and the municipality is required to pay the department for those services.

This bill also requires the Maine Communications System Policy Board within the Department of Public Safety to set by rule the fees to be charged by the department for acting as a public safety answering point.