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No. 1243

H.P. 877

House of Representatives, March 27, 2013

**An Act Regarding Next Generation 9-1-1 and Making Changes in
Surcharge Remittance for Certain Telecommunications Service
Providers**

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.
Reference to the Committee on Energy, Utilities and Technology suggested and ordered
printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HOBBS of Saco.
Cosponsored by Senator CLEVELAND of Androscoggin.

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

2 **Sec. 1. 25 MRSA §2921, sub-§6**, as enacted by PL 1987, c. 840, §3, is amended
3 to read:

4 **6. Enhanced 9-1-1 services.** "Enhanced 9-1-1 services" or "E-9-1-1" means a
5 system consisting of ~~selective routing 9-1-1 calls or requests to the proper public safety~~
6 answering points with the capability of automatic number or other calling party
7 identification and location identification ~~and public safety answering points, which that~~
8 ~~enables users of the public telecommunications' system to request emergency services by~~
9 ~~dialing the digits 9-1-1.~~ "Enhanced 9-1-1 services" or "E-9-1-1" includes Internet
10 protocol enabled services.

11 **Sec. 2. 25 MRSA §2921, sub-§6-C** is enacted to read:

12 **6-C. Internet protocol enabled services.** "Internet protocol enabled services"
13 means services and applications using Internet protocol, including, but not limited to,
14 voice over Internet protocol and other services and applications provided through
15 wireline, cable, wireless and satellite facilities and any other facility that is capable of
16 connecting users to public safety answering points.

17 **Sec. 3. 25 MRSA §2926, sub-§1**, as amended by PL 2003, c. 359, §2, is further
18 amended to read:

19 **1. Bureau established.** The Emergency Services Communication Bureau is
20 established within the Public Utilities Commission to implement and manage E-9-1-1,
21 including the deployment of E-9-1-1 service using emerging communications
22 technologies, including, but not limited to, Internet protocol enabled services, that are
23 capable of connecting users to public safety answering points.

24 **Sec. 4. 25 MRSA §2927, sub-§2-B**, as amended by PL 2011, c. 600, §2 and
25 affected by §10, is further amended to read:

26 **2-B. Surcharge remittance.** Each local exchange telephone utility, cellular or
27 wireless telecommunications service provider and interconnected voice over Internet
28 protocol service provider shall remit the statewide E-9-1-1 surcharge revenues collected
29 from its customers pursuant to subsection 1-D on a monthly basis and within one month
30 of the month collected, except that a utility or provider whose average monthly surcharge
31 remittance payment for the prior calendar year is less than \$5,000 shall remit the E-9-1-1
32 surcharge revenues on a quarterly basis, to the Treasurer of State for deposit in a separate
33 account known as the E-9-1-1 fund. Each telephone utility or service provider required to
34 remit statewide E-9-1-1 surcharge revenues shall provide, on a form approved by the
35 bureau, supporting data, including but not limited to the following:

- 36 A. The calculation used to arrive at the surcharge remittance amount;
- 37 B. The calculation used to arrive at the uncollectible amount of surcharge;
- 38 C. The total surcharge;

- 1 D. The month and year or the quarter and year for which surcharge is remitted;
- 2 E. The legal name of company and telephone number and, if applicable, the parent
3 company name, address and telephone number; and
- 4 F. The preparer's name and telephone number.

5 Prepaid wireless E-9-1-1 surcharges collected by sellers must be remitted to the State Tax
6 Assessor in accordance with Title 35-A, section 7104-C.

7 **Sec. 5. 25 MRSA §2927, sub-§3**, as amended by PL 2005, c. 303, §1, is further
8 amended to read:

9 **3. Expenditure of funds.** The bureau may use the revenues in the E-9-1-1 fund to
10 fund staff and to defray costs associated with the implementation, operation and
11 management of E-9-1-1, including the deployment of E-9-1-1 service using emerging
12 communications technologies, including, but not limited to, Internet protocol enabled
13 services, that are capable of connecting users to public safety answering points, and may
14 transfer funds to the Other Special Revenue Funds, Emergency Medical Services account
15 within the Department of Public Safety to defray the costs, including necessary staffing
16 costs, of the Emergency Medical Services' Board in implementing the requirements of
17 Title 32, section 85-A. The bureau, to the extent it determines sufficient funds are
18 available in the E-9-1-1 fund, shall use revenues in the E-9-1-1 fund to reimburse local
19 exchange carriers and cellular and wireless telecommunications service providers for
20 eligible expenses incurred by the carriers and service providers. For purposes of this
21 subsection, the term "eligible expenses" means expenses:

- 22 A. Incurred in preparing, correcting, verifying or updating subscriber information for
23 use in databases necessary to implement the E-9-1-1 system;
- 24 B. Determined by the Public Utilities Commission to meet the requirements of
25 paragraph A and to be reasonable expenses for the services provided; and
- 26 C. When incurred by a cellular or wireless telecommunications service provider:
- 27 (1) That are approved by the bureau to be properly incurred for the
28 implementation of E-9-1-1 technologies and procedures;
- 29 (2) That are not separately billed to customers; and
- 30 (3) For which the provider is not reimbursed from any other source.

31 The Public Utilities Commission, in consultation with the bureau, shall establish
32 procedures for reviewing and approving expenses pursuant to paragraph B.

33 **SUMMARY**

34 This bill expands the scope of E-9-1-1 services to include emerging communications
35 technologies. This bill changes the E-9-1-1 surcharge remittance period from monthly to
36 quarterly for local exchange telephone utilities, cellular or wireless telecommunications
37 service providers and interconnected voice over Internet protocol service providers whose
38 average monthly surcharge remittance payment for the prior calendar year is less than

1 \$5,000 and allows the Emergency Services Communication Bureau to expend funds on
2 emerging communications technologies.