

# MAINE STATE LEGISLATURE

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L.D. 874

(Filing No. H- 144)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 640, L.D. 874, Bill, "An Act to Give Deaf, Hearing Impaired and Speech Impaired Persons the Same Rights of Communication by Telephone as Those Given to Persons Without Such Impairments"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Authorize the Public Utilities Commission to Study the Implementation of Continuous Relay Services for Deaf, Hearing Impaired or Speech Impaired Persons'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

**Whereas,** it is the belief of the Joint Standing Committee on Utilities that the Public Utilities Commission should make provisions for the establishment of a system to provide continuous telephone relay services for deaf, hearing impaired or speech impaired persons who must rely on teletypewriter equipment for telephone communications; and

**Whereas,** for the Public Utilities Commission to complete the study outlined in this Act, the commission should start as soon as possible; 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. Public Utilities Commission Study.** The Public Utilities

1 Commission shall undertake a study of the implementation of a  
2 system to provide continuous telephone relay services to deaf,  
3 hearing impaired or speech impaired persons who must rely on  
4 teletypewriter equipment for telephone communications.

5

6 The study shall include a review of the following topics  
7 regarding continuous telephone relay services:

8 1. Alternative system designs and implementation plans for a  
9 statewide system;

10

11 2. The potential benefits and practicality of developing a  
12 regional, multi-state system;

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14 3. Cost estimates for alternative system designs;

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16 4. Alternative mechanisms for funding the system; and

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18 5. A recommendation for a system to serve the State and a  
19 recommended method of funding the system.

20

21 **Sec. 2. Consultation with and cooperation of other agencies.** The  
22 Public Utilities Commission shall consult with appropriate  
23 agencies and organizations serving the deaf community, with  
24 representatives of the deaf community and with relevant state  
25 agencies. The other state agencies shall cooperate with the  
26 Public Utilities Committee in conducting the study.

27

28 **Sec. 3. Report.** The Public Utilities Commission shall report  
29 their findings to the joint standing committee having  
30 jurisdiction over utility matters by January 5, 1990. The report  
31 shall include draft legislation for the implementation of a plan  
32 to provide a continuous telephone relay service.

33

34 **Sec. 4. Staff.** The Public Utilities Commission may contract  
35 for services to complete this study.

36

37 **Sec. 5. Special Assessment.** Every telephone utility subject to  
38 an assessment pursuant to the Maine Revised Statutes, Title 35-A,  
39 section 116 shall be subject to an additional assessment on its  
40 intrastate gross operating revenues to produce no more than  
41 \$45,000 in revenues in fiscal year 1989-90. This assessment may  
42 be billed on the effective date of this Act and shall be due July  
43 1, 1989. The revenues produced from this assessment shall be  
44 used to conduct the study. These funds shall be raised and  
45 accounted for in accordance with the provisions of Title 35-A,  
46 section 116 and shall be paid to the Treasurer of State and  
47 deposited in a separate account in the Public Utilities  
48 Commission Regulatory Fund. The assessment charged to utilities  
49 under this section is a just and reasonable operation cost for  
50 rate-making purposes. Any funds remaining in the fund after the  
51

1 study has been completed will be returned proportionately to the  
2 utilities assessed.

3  
4 **Sec. 6. Allocation of the Public Utilities Commission Regulatory**  
5 **Fund.** Income not otherwise allocated from the Public Utilities  
6 Commission Regulatory Fund is allocated for the fiscal year  
7 ending June 30, 1990 and shall be segregated, apportioned and  
8 disbursed as designated in the following schedule.

9 **1989-90**

11 **PUBLIC UTILITIES COMMISSION**

13 **Public Utilities - Administrative Division**

15 All Other **\$45,000**

17 **Emergency clause.** In view of the emergency cited in the  
18 preamble, this Act shall take effect when approved.

19  
21 **FISCAL NOTE**

23 This bill will result in an increase of dedicated revenue of  
24 \$45,000 in fiscal year 1989-90 to the Public Utilities Commission  
25 Regulatory Fund.'

27  
29 **STATEMENT OF FACT**

31 This amendment replaces the original bill and authorizes the  
32 Public Utilities Commission to carry out a study for the  
33 implementation of a system to provide continuous telephone relay  
34 services for deaf, hearing impaired and speech impaired persons.  
35 It adds an emergency preamble and clause and allocates \$45,000  
36 from a special assessment apportioned among all telephone  
37 companies.

Reported by the Majority of the Committee on Utilities  
Reproduced and distributed under the direction of the Clerk of the  
House  
5/4/89 (Filing No. H-144)