

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1563

S.P. 530

In Senate, March 2, 1999

**An Act to Implement the Recommendations of the Commission to Study
the Funding and Distribution of Teletypewriters and Other
Telecommunications Equipment for People with Disabilities.**

Reported by Senator TREAT of Kennebec for the Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities pursuant to Resolve 1997, chapter 72, section 5.

Reference to the Committee on Labor and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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

2
4 **Sec. 1. 26 MRSA §1419-A, sub-§2**, as amended by PL 1997, c. 751, Pt. A, §4, is further amended to read:

6 **2. Telecommunications Equipment Fund.** There is established
8 the Telecommunications Equipment Fund to be used by the Division
of Deafness within the Bureau of Rehabilitation Services. The
10 fund is nonlapsing. The Division of Deafness may accept gifts or
grants for the purposes of this section. These gifts and grants
12 and authorized appropriations must be deposited in the
Telecommunications Equipment Fund and disbursed in accordance
14 with this section. The Telecommunications Equipment Fund may be
used for purchase, lease, distribution, upgrading, installation,
16 maintenance and repair of specialized customer telecommunications
equipment for deaf, hard-of-hearing or speech-impaired persons
18 and persons with disabilities. The Division of Deafness may draw
on the Telecommunications Equipment Fund in accordance with the
telecommunications equipment plan required under subsection 3.

20 **Sec. 2. 26 MRSA §1419-A, sub-§5** is enacted to read:

22 **5. Assessment on telecommunications carriers.** The Bureau of
24 Rehabilitation Services, beginning in fiscal year 1999-2000,
shall assess annually telecommunications carriers in accordance
26 with this subsection and deposit the funds collected in the
Telecommunications Equipment Fund. The bureau shall assess
28 telecommunications carriers in accordance with a schedule
established by the Public Utilities Commission in accordance with
30 this subsection.

32 A. The Public Utilities Commission shall determine which
34 carriers are to be assessed under this subsection based on
an evaluation of the extent of business activity undertaken
36 by carriers in the State and the practicalities of making
the assessment. The Public Utilities Commission shall
38 include as many carriers as reasonably practicable in order
to ensure a fair and broad allocation of the assessment.

40 B. The Public Utilities Commission shall establish an
42 assessment schedule that is proportional to the gross annual
revenues of the carriers identified for assessment and that
44 will generate an annual aggregate of \$85,000.

46 C. A telecommunications carrier doing business in this
State, including a provider of interstate services and a
48 provider of wireless services, shall provide to the Public
Utilities Commission, on request, records relating to its
50 gross revenues. At the request of a carrier, the Public
Utilities Commission may issue a protective order in

2 accordance with the Maine Rules of Civil Procedure, Rule 26
3 (c) to protect any confidential business information
4 provided by the carrier. Records placed under protective
5 order by the Public Utilities Commission to this paragraph
6 are within the scope of a privilege against discovery within
7 the meaning of Title 1, section 402, subsection 3, paragraph
8 B and are not public records while under the protective
9 order.

10 **Sec. 3. PL 1997, c. 751, Pt. A, §5 is repealed.**

12 **Sec. 4. Allocation.** The following funds are allocated from
13 Other Special Revenue to carry out the purposes of this Act.

	1999-00	2000-01
LABOR, DEPARTMENT OF		
Rehabilitation Services		
All Other	\$85,000	\$85,000
Provides additional allocations for the Telecommunications Equipment Fund.		

28 **SUMMARY**

30 This bill implements the recommendations of the Commission
32 to Study the Funding and Distribution of Teletypewriters and
33 Other Telecommunications Equipment for People With Disabilities.
34 The bill establishes an annual assessment on telecommunications
35 carriers to generate \$85,000 annually for the Telecommunications
36 Equipment Fund.