

MAINE STATE LEGISLATURE

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DATE: 5/17/99

(Filing No. H-594)

UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1516, L.D. 2164, Bill, "An Act to Enhance Access to Technology for Maine Schools and Libraries"

Amend the bill in section 2 in that part designated "S7104-B." in subsection 1 in paragraph B in the 2nd line (page 1, line 25 in L.D.) by striking out the following: "secondary"

Further amend the bill in section 2 in that part designated "S7104-B." in subsection 1 in paragraph C in the last line (page 1, line 35 in L.D.) by striking out the following: "(1996)"

Further amend the bill in section 2 in that part designated "S7104-B." in subsection 2 in the 6th line (page 1, line 42 in L.D.) by inserting after the following: "State" the following: 'and any other entities identified by the commission pursuant to subsection 8'

Further amend the bill in section 2 in that part designated "S7104-B." in subsection 3 by striking out all of paragraphs A, B and C (page 2, lines 1 to 12 in L.D.) and inserting in their place the following:

'A. Limit the amount collected to no more than 0.5% of retail charges for telecommunications services as determined by the commission, excluding interstate tolls or interstate private line services;

B. Ensure that the funds are collected in a competitively neutral manner;

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2 C. Integrate the collection of the charge with any state
3 universal service fund developed by the commission;

4 D. Require explicit identification on customer bills of any
5 charge imposed under this section; and

6 E. Commence any assessment for this fund no earlier than
7 July 1, 2001.'

8
9 Further amend the bill in section 2 in that part designated
10 "~~S7104-B.~~" in subsection 5 by striking out all of the first 2
11 lines (page 2, lines 27 and 28 in L.D.) and inserting in their
12 place the following:
13

14 '5. Guidelines for funding. The commission shall allocate
15 money from the fund using the following guidelines:'

16
17 Further amend the bill in section 2 in that part designated
18 "~~S7104-B.~~" in subsection 5 by inserting at the end the following
19 blocked paragraph:
20

21 'A minimum of 25% of each annual program budget must be devoted
22 to targeted projects that are innovative and technologically
23 advanced.'

24
25 Further amend the bill in section 2 in that part designated
26 "~~S7104-B.~~" in subsection 6 in the last 2 lines (page 3, lines 9
27 and 10 in L.D.) by striking out the following: "based on the
28 same criteria used for federal discounts" and inserting in its
29 place the following: 'determined by the commission'
30

31
32 Further amend the bill in section 2 in that part designated
33 "~~S7104-B.~~" by inserting at the end the following new subsection:
34

35 '8. Review by commission. The commission shall
36 periodically examine the services provided and entities assessed
37 a fee under this section. The purpose of the review is to ensure
38 that the fees assessed under this section are competitively
39 neutral by including services provided by any entity, including
40 but not limited to cable television companies, internet service
41 providers or any other relevant business, to the extent that
42 those entities offer services that provide a method of delivering
43 2-way interactive communications services comparable to those
44 offered by telecommunications carriers. In accordance with
45 subsection 2, the assessment of fees on entities that provide
46 services other than 2-way interactive communications services
47 comparable to those offered by telecommunications carriers must
48 be based on the entities' retail charges for delivering 2-way
49 interactive communications, excluding interstate toll and
50

2 interstate private line services, and may not be related to other
3 services provided by the entity.'

4 Further amend the bill by striking out all of section 3
5 (page 3, lines 19 to 35 in L.D.)

6
7 Further amend the bill by inserting at the end before the
8 summary the following:

10

'FISCAL NOTE

12

13 This bill establishes a telecommunications education access
14 fund effective in fiscal year 2001-02 to be funded through an
15 assessment on telecommunications services. The additional costs
16 associated with establishing the assessment, allocating resources
17 from the fund and periodically examining the services provided
18 and the entities assessed fees can be absorbed by the Public
19 Utilities Commission utilizing existing budgeted resources.'

20

22

SUMMARY

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25 This amendment lowers the assessment proposed in the bill
26 from 1.5% of intrastate revenues to 0.5% of retail revenues for
27 telecommunications services, excluding interstate tolls or
28 interstate private line services. The amendment also requires
29 the Public Utilities Commission to periodically review the
30 assessments to ensure that they are assessed in a competitively
31 neutral manner by capturing all 2-way interactive communications
32 services comparable to those offered by telecommunications
33 carriers.

34

35 This amendment also removes the allocation section from the
36 bill. The program established under this bill as amended will
37 not begin until July 1, 2001, after the current Public Utilities
38 Commission program regarding schools and libraries terminates.

38

39 Under the bill and this amendment, the commission is
40 required to integrate the collection of charges for the program
41 with any universal service fund developed by the commission. The
42 amendment also makes explicit that the commission must require
43 identification on customer bills of contributions to the program,
44 which is the same requirement imposed under existing law with
45 respect to universal service fund charges. Pursuant to the Maine
46 Revised Statutes, Title 35-A, section 7104, the fund for the
47 program will be administered by an independent fiscal agent, and
48 funds in the fund will be dedicated to the purposes of the
49 program and not be state funds.

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COMMITTEE AMENDMENT "A" to H.P. 1516, L.D. 2164

This amendment also adds a fiscal note to the bill.

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