

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 2164

H.P. 1516

House of Representatives, April 7, 1999

**An Act to Enhance Access to Technology for Maine Schools and Libraries.**

(AFTER DEADLINE)

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DAVIDSON of Brunswick.  
Cosponsored by Senator TREAT of Kennebec and  
Representatives: BERRY of Belmont, BRYANT of Dixfield, COLWELL of Gardiner,  
DUNCAN of Presque Isle, McGLOCKLIN of Embden, ROSEN of Bucksport, SAVAGE of  
Buxton, SAXL of Portland.

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

2           Sec. 1. 35-A MRSA §7104-A, as amended by PL 1997, c. 169,  
4 §1, is repealed.

6           Sec. 2. 35-A MRSA §7104-B is enacted to read:

8           §7104-B. Access to information services

10           1. Definitions. As used in this section, unless the  
12 context otherwise indicates, the following terms have the  
following meanings.

14           A. "Qualified library" means a public library as defined in  
16 Title 27, section 110, subsection 10; a research center as  
18 defined in Title 27, section 110, subsection 12; or a  
20 library that provides free public access to all advanced  
22 telecommunications services available at that library and  
whose collection serves as a statewide resource, if the  
commission determines, in consultation with the Maine  
Library Commission, that including that library as a  
qualified library is in the public interest.

24           B. "Qualified school" means a public school as defined in  
26 Title 20-A, section 1, subsection 24; a private secondary  
28 school approved under Title 20-A, section 2901 or 2951; or a  
30 school that provides free public access to all advanced  
telecommunications services available at that school, if the  
commission determines, in consultation with the Department  
of Education, that including that school as a qualified  
school is in the public interest.

32           C. "Telecommunications carrier" and "telecommunications  
34 service" have the same meanings as set forth in 47 United  
States Code, Section 153 (1996).

36           2. Authority. Pursuant to the authority granted in section  
38 7104 and in order to carry out the policy goals established by  
40 section 7101, subsections 1, 2 and 4, the commission shall  
42 establish a telecommunications education access fund, referred to  
44 in this section as the "fund," and require all telecommunications  
46 carriers offering telecommunications services in the State to  
contribute to the fund. The fund must be available, with any  
accumulated interest, to qualified libraries and qualified  
schools to assist in paying the costs of acquiring and using  
advanced telecommunications technologies.

48           3. Limitations. In carrying out the authority granted by  
50 subsection 2, the commission shall:

2 A. Limit the annual cost to each telecommunications carrier  
4 of all programs to not more than 1.5% of its intrastate  
6 revenues as determined by the commission;

8 B. Ensure that funds are collected from each  
10 telecommunications carrier in a competitively neutral  
12 manner; and

14 C. Attribute any amount collected from a telecommunications  
16 carrier, as defined in subsection 1, as an offset to any  
18 required intrastate support mechanism developed by the  
20 commission to preserve and advance universal service.

22 4. Use of fund. The fund must be used to provide discounts  
24 to qualified libraries and qualified schools for the following:

26 A. Telecommunications services;

28 B. Internet access;

30 C. Internal connections;

32 D. Computers; and

34 E. Training.

36 5. Priority of funding. The commission shall allocate  
38 money from the fund using the following order of priority:

40 A. To ensure a basic level of connectivity for all of the  
42 qualified schools and qualified libraries in the State;

44 B. To ensure all qualified schools and qualified libraries  
46 are capable of using the advanced technology equipment  
48 obtained through the fund;

50 C. To ensure that more technologically sophisticated  
equipment is available to students in grades 9 to 12 and in  
larger qualified libraries in the State;

D. To provide for necessary equipment to use the services  
obtained through the fund;

E. To provide for internal connections necessary to use the  
services obtained through the fund;

F. To provide training to teachers so that they may assist  
and educate their students in the use of the advanced  
technology equipment; and

2 G. To provide for the establishment of computer technology  
3 training programs in schools to provide training to students  
4 in areas such as, but not limited to, electronic commerce,  
5 Internet proficiency and World Wide Web-enabled systems.

6 6. Coordination with federal funds. Qualified schools and  
7 qualified libraries shall apply for any federal discounts  
8 available pursuant to the federal Telecommunications Act of  
9 1996. The level of discount, pursuant to subsection 4, is based  
10 on the same criteria used for federal discounts.

11 7. Coordination with existing facilities. Any existing  
12 facilities developed to provide services to qualified schools and  
13 qualified libraries, as directed by the commission under this  
14 section, must continue to provide services to qualified schools  
15 and qualified libraries at rates that reflect the incremental  
16 costs to use those facilities.

17  
18 **Sec. 3. Allocation.** The following funds are allocated from  
19 Other Special Revenue funds to carry out the purposes of this Act.

20  
21  
22 **1999-00**

23  
24 **PUBLIC UTILITIES COMMISSION**

25  
26 **Telecommunications Education**  
27 **Access Fund**

28 All Other **\$8,000,000**

29  
30  
31 Provides funds for qualified schools and  
32 qualified libraries and schools to assist in  
33 paying the costs of acquiring and using  
34 advanced telecommunications technologies.  
35

36  
37  
38 **SUMMARY**

39  
40 In current law, the Public Utilities Commission requires  
41 telecommunications carriers in the State to provide to libraries  
42 and schools telecommunications services and funds to purchase  
43 telecommunications services.  
44

45 This bill repeals the requirement that carriers provide the  
46 services but continues the requirement that the carriers  
47 contribute to a telecommunications education access fund. The  
48 commission is given responsibility to administer the fund and  
49 allocate funds to qualified libraries and qualified schools based  
50 upon specific criteria.

2

This bill allocates funds from the current assessment on telecommunications providers to begin the funding.