

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 843

H.P. 620

House of Representatives, February 20, 2003

An Act To Ensure Equal Treatment of Telecommunications Customers under Maine's Universal Service Fund

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative RINES of Wiscasset.
Cosponsored by President DAGGETT of Kennebec and
Representatives: BERRY of Belmont, BLISS of South Portland, DUNLAP of Old Town,
GERZOFKY of Brunswick, NORBERT of Portland.

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

4 **Sec. 1. 35-A MRSA §7104, sub-§3**, as amended by PL 1999, c. 60,
§1, is further amended to read:

6 **3. Authority.** The commission shall adopt rules to
8 implement this section and may require providers of intrastate
telecommunications services to contribute to a state universal
10 service fund to support programs consistent with the goals of
applicable provisions of this Title and the federal
12 Telecommunications Act of 1996, Public Law 104-104, 110 Stat.
56. Prior to requiring that providers of intrastate
14 telecommunications services contribute to a state universal
service fund, the commission shall assess the telecommunications
16 needs of the State's consumers and establish the level of support
required to meet those needs. If the commission establishes a
18 state universal service fund pursuant to this section, the
commission shall contract with an appropriate independent fiscal
20 agent that is not a state entity to serve as administrator of the
state universal service fund. Funds contributed to a state
22 universal service fund are not state funds. Rules and any state
universal service fund requirements established by the commission
pursuant to this section must:

24 A. Be reasonably designed to maximize federal assistance
26 available to the State for universal service purposes;

28 B. Meet the State's obligations under the federal
Telecommunications Act of 1996, Public Law 104 - 104, 110
30 Stat. 56;

32 C. Be consistent with the goals of the federal
Telecommunications Act of 1996, Public Law 104 - 104, 110
34 Stat. 56;

36 D. Ensure that any requirements regarding contributions to
a state universal service fund be nondiscriminatory and
38 competitively neutral;

40 E. Require explicit identification on customer bills of
contributions to any state universal service fund
42 established pursuant to this section; and

44 F. Allow consideration in appropriate rate-making
proceedings of contributions to any state universal service
46 fund established pursuant to this section.

48 ~~For purposes of this subsection, "providers of intrastate
telecommunications services" includes providers of radio paging~~

~~service--and--mobile--telecommunications--services.~~ Rules adopted
2 under this subsection are routine technical rules as defined in
4 Title 5, chapter 375, subchapter ~~II~~-A 2-A.

6 SUMMARY

8 This bill removes the requirement that customers of mobile
10 carriers contribute financially to Maine's universal service fund
from which they are not entitled to receive money.