

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1101

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H.P. 754

House of Representatives, March 1, 2005

### An Act To Designate Pay Phone Locations in the Public Interest

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative ADAMS of Portland.  
Cosponsored by Senator DAMON of Hancock and  
Representatives: ASH of Belfast, BLISS of South Portland, CANAVAN of Waterville,  
CURTIS of Madison, FITTS of Pittsfield, FLETCHER of Winslow, HOTHAM of Dixfield,  
Senator: BARTLETT of Cumberland.

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

4 **Sec. 1. 35-A MRSA §7508** is enacted to read:

6 **§7508. Public-interest pay phones**

8 **1. Public-interest pay phone locations.** In order to ensure  
10 access to pay phone in a manner that fulfills the requirements of  
the public health, safety and welfare, the commission shall  
identify by rule locations for public-interest pay phones in  
accordance with this section.

12  
14 **A. A public-interest pay phone location may be designated**  
where other forms of landline or wireless service are not  
available or are unaffordable or where access by the general  
public is of special importance.

18 **B. A public-interest pay phone location may be designated**  
in security settings, such as correctional facilities, where  
landline or wireless service is not practical or authorized.

22 **C. A public-interest pay phone location may be designated**  
upon petition by citizens pursuant to procedures identified  
by commission rule.

26 **D. A public-interest pay phone may not be removed from**  
service unless its owner provides written notice to the  
commission 30 days prior to removal.

30 **2. Recovery of costs; account.** Any incremental costs  
32 associated with installing or maintaining a public-interest pay  
phone pursuant to this section and 47 United States Code Section  
276(b)(2) must be recovered from owners of public or semipublic  
34 pay phones in the State by means of an annual assessment on those  
owners levied by the commission. Each owner of a public or  
36 semipublic pay phone in this State must be billed an annual  
charge for each pay phone location sufficient to fund for one  
38 year the number of public-interest pay phones authorized under  
this section by the commission. All funds received by the  
40 commission from owners of public and semipublic pay phones must  
be deposited in a public-interest pay phone account established  
42 within the commission.

44 **3. Rules.** The commission shall adopt rules that are routine  
46 technical rules pursuant to Title 5, chapter 375, subchapter 2-A  
to implement this section.

48 **SUMMARY**

50  
52 Due to the prevalence of wireless telephone technology,  
public pay phones in Maine have become less numerous in recent  
years, which has led to a loss of access to E-9-1-1 emergency

2 services in many locations where landline or cellular service is  
not available and hinders the receipt of services by low-income  
4 households, by tourists and by visitors in remote areas of the  
State. This bill preserves the availability of public-interest  
6 pay phones in locations to be determined by the Public Utilities  
Commission and funds the continued operation of these pay phones,  
8 as necessary, with a surcharge levied each year on the owners of  
pay phones in the State.