

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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MINORITY

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'B' to S.P. 595, L.D. 1613, Bill, "An Act To Promote the Use of Public Safety Telecommunications Equipment by the Deaf and Hard-of-hearing Community"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 26 MRSA §1419-A, sub-§2, as amended by PL 2003, c. 553, Pt. A, §3, is further amended to read:

2. Communications Equipment Fund. There is established the Communications Equipment Fund to be used by the Division of Deafness within the Bureau of Rehabilitation Services. The fund is nonlapsing. The fund receives money transferred by the Public Utilities Commission from the universal service fund pursuant to Title 35-A, section 7104. The Division of Deafness may accept gifts or grants, including, but not limited to, federal grants, for the purposes of this section. Funds transferred from the universal service fund pursuant to Title 35-A, section 7104 and all gifts and grants and authorized appropriations must be deposited in the Communications Equipment Fund and disbursed in accordance with this section. The Communications Equipment Fund may be used for purchase, lease, distribution, upgrading, installation, maintenance and repair of specialized customer communications equipment for deaf, hard-of-hearing or speech-impaired persons and persons with disabilities and for training in the use of such equipment, except that funds transferred to the fund pursuant to paragraph A may be used only in accordance with subsection 6. The Division of Deafness may draw on the Communications Equipment Fund in accordance with the communications equipment plan required under subsection 3.

COMMITTEE AMENDMENT

2 A. Notwithstanding any other provision of law, the State
4 Controller shall transfer \$60,000 in fiscal year 2005-06 and
6 \$90,000 beginning in fiscal year 2006-07 from the General
 Fund undedicated revenue to the Communications Equipment
 Fund for the purposes specified in subsection 6.

8 **Sec. 2. 26 MRSA §1419-A, sub-§6** is enacted to read:

10 **6. Emergency alert telecommunications service; discount**
12 **fund.** This subsection applies to the extent funds are
14 transferred from the General Fund to the Communications Equipment
16 Fund established in subsection 2 for the purposes of this
18 subsection. A person who has been certified by the Division of
20 Deafness as being deaf or hard-of-hearing and has an income of
22 less than 135% of the federal poverty level must receive a
24 discount of up to \$10 per month in the service charge for any
26 wireless communications device or 2-way pager that is used to
28 receive emergency alerts issued by any state or federal agency.
30 Such a person must receive a \$10 discount except when the service
32 charge for the wireless communications device or 2-way pager is
34 less than \$10 per month, in which case the person must receive a
 discount equal to the service charge for the wireless
 communications device or 2-way pager. A company required to
 provide the discount is entitled to recover the discount amount
 from the Communications Equipment Fund. Administrative costs
 associated with implementing this subsection may be paid from
 funds appropriated to the Communications Equipment Fund for the
 purposes of this subsection. The Bureau of Rehabilitation
 Services shall adopt rules to establish the process for
 certifying eligibility with the Division of Deafness and for the
 process to be used by wireless and paging companies in recovering
 discounted revenue from the Communications Equipment Fund. Rules
 adopted pursuant to this subsection are routine technical rules
 as defined in Title 5, chapter 375, subchapter 2-A.

36 **Sec. 3. 35-A MRSA §7104, sub-§5**, as enacted by PL 2003, c.
38 553, Pt. A, §4, is amended to read:

40 **5. Funds for Communications Equipment Fund.** The commission
42 shall annually transfer \$85,000 from a state universal service
44 fund established pursuant to this section to the Communications
46 Equipment Fund established under Title 26, section 1419-A. In
 addition-to-its-authority-under-subsection-3,-the-commission-may
 require-contributions-to-the-state-universal-service-fund-in-an
 amount-sufficient-to-collect-the-\$85,000.

48 If the Department of Labor, Bureau of Rehabilitation Services
50 does not receive from federal or other sources funds in addition
 to the \$85,000 sufficient to carry out the purposes of Title 26,

2 section 1419-A, the commission, at the request of the Department
of Labor, Bureau of Rehabilitation Services, may transfer from
4 the state universal service fund to the Communications Equipment
Fund an additional amounts-as-long-as+ \$37,500.

6 ~~A.-The-total-transfer-in-any-year-does-not-exceed-\$122,500+~~
and

8
10 ~~B.-Any-amount-in-any-year-in-excess-of-\$85,000-is-drawn-from~~
funds--otherwise--available--in--the--universal--service--fund.
12 ~~The-commission-is-not-authorized-to-require-contributions-to~~
the-state-universal-service-fund-for-the-purposes-of-this
14 subsection--in-order-to-collect-any-amount-in-excess-of
\$85,000-in-any-year.

16 The commission may require contributions to the state universal
service fund in an amount necessary to collect amounts
18 transferred pursuant to this subsection.

20 **Sec. 4. Bulk bidding.** The Department of Labor, Bureau of
Rehabilitation Services and the State Purchasing Agent are
22 authorized and shall attempt, to the extent practicable, to
reduce the service charges for wireless communications devices or
24 2-way pagers incurred by deaf or hard-of-hearing persons
eligible for discounts under the Maine Revised Statutes, Title
26 26, section 1419-A, subsection 6 through appropriate bidding or
other procedures to achieve bulk discounts on such charges.

28
30 **Sec. 5. Report.** The Department of Labor, Bureau of
Rehabilitation Services shall report to the joint standing
committee of the Legislature having jurisdiction over
32 appropriations and financial affairs and the joint standing
committee of the Legislature having jurisdiction over utilities
and energy matters by January 5, 2007 recommendations for
34 appropriate funding levels to continue the discount program
established under the Maine Revised Statutes, Title 26, section
36 1419-A, subsection 6.

38
40 **Sec. 6. Appropriations and allocations.** The following
appropriations and allocations are made.

42 **LABOR, DEPARTMENT OF**

44 **Communications Equipment Fund**

46 Initiative: Allocates funds to provide discounts of up to \$10
per month to deaf or hard-of-hearing persons with incomes of less
48 than 135% of the federal poverty level for the service charge for
any wireless communications device or 2-way pager that is used to
50 receive emergency alerts issued by any state or federal agency.



122nd MAINE LEGISLATURE

LD 1613

LR 0870(02)

An Act To Promote the Use of Public Safety Telecommunications Equipment by the Deaf and Hard-of-hearing Community

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Utilities and Energy

Fiscal Note Required: Yes

Minority Report

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$60,000	\$90,000	\$90,000	\$90,000
Appropriations/Allocations				
Other Special Revenue Funds	\$60,000	\$90,000	\$90,000	\$90,000
Transfers				
General Fund	(\$60,000)	(\$90,000)	(\$90,000)	(\$90,000)
Other Special Revenue Funds	\$60,000	\$90,000	\$90,000	\$90,000

Fiscal Detail and Notes

This bill transfers \$60,000 in General Fund revenue in fiscal year 2005-06 and \$90,000 in General Fund revenue in fiscal year 2006-07 to the Communications Equipment Fund within the Department of Labor to provide discounts of up to \$10 per month to a deaf or hard-of-hearing person who has an income of less than 135% of the federal poverty level for any wireless communications device or 2-way pager that is used to receive emergency alerts issued by any state or federal agency.

Allowing the Public Utilities Commission to require additional contributions of \$37,500 to the State Universal Service Fund to fund amounts transferred to the Communications Equipment Fund upon request of the Bureau of Rehabilitation Services within the Department of Labor may increase dedicated revenue to the state universal fund.

Additional costs to the Department of Labor, Bureau of Rehabilitation Services associated with implementing the provisions of this legislation can be absorbed within existing budgeted resources.