

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)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1858

H.P. 1298

House of Representatives, January 3, 2006

An Act To Improve Cell Phone Service in the State

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 28, 2005. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMAS of Ripley.

2 **Emergency preamble.** Whereas, acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** the availability of analog cellular telephone
service is critical to individuals and businesses in those areas
of the State where adequate digital cellular telephone service is
8 not yet available; and

10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
12 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
14 safety; now, therefore,

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

18 **Sec. 1. 35-A MRSa §8903** is enacted to read:

20 **§8903. Analog cellular service requirements**

22 A provider of mobile telecommunications services shall allow
a new subscriber who owns an analog cellular telephone to use
24 that analog cellular telephone for mobile telecommunications
services with the provider until there is adequate digital
26 cellular service coverage throughout the State. The Office of
the Public Advocate shall evaluate the adequacy of digital
28 cellular service coverage throughout the State and report its
findings to the joint standing committee of the Legislature
30 having jurisdiction over telecommunications matters annually
beginning January 30, 2007. Based on a review of the report, the
32 committee shall make a determination regarding the adequacy of
digital cellular service coverage throughout the State and may
34 report out legislation to amend or repeal this section
accordingly.

36 **Emergency clause.** In view of the emergency cited in the
38 preamble, this Act takes effect when approved.

40
42 **SUMMARY**

44 This bill requires a provider of mobile telecommunications
services to allow new subscribers to use analog phones until
there is adequate digital cellular telephone coverage throughout
46 the State. The bill directs the Office of the Public Advocate to
evaluate the adequacy of digital service and report annually to
48 the joint standing committee of the Legislature having
jurisdiction over telecommunications matters. The bill requires
50 the committee to review the annual report and make a

2 determination as to whether digital cellular service is adequate throughout the State and authorizes the committee to report out legislation to amend or repeal the analog service requirement.