

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)

M
10/10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Date: 4/4/08

L.D. 2265
(Filing No. H-929)

UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1628, L.D. 2265, Bill, "An Act To Reduce the Amount Collected for the Purpose of the E-9-1-1 System"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, the State's E-9-1-1 service provides significant public safety benefits by enabling the public to dial 9-1-1 in the event of an emergency and speeding up the dispatch of emergency services through automatic caller location information; and

Whereas, the E-9-1-1 system is funded by a special statewide surcharge on telephone lines; and

Whereas, in recent years, the E-9-1-1 surcharge, which is established in statute and has been fixed at 50¢ per line per month since 2001, has generated revenues in excess of necessary expenditures to fund the E-9-1-1 system; and

Whereas, it is necessary to reduce the E-9-1-1 surcharge as soon as possible to ensure that the money contributed by telephone ratepayers to fund the E-9-1-1 system is used for that purpose and the surcharge amount going forward is consistent with expenditure needs; and

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

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 25 MRSA §2927, sub-§1-B, as amended by PL 2007, c. 68, §5, is further amended to read:

COMMITTEE AMENDMENT

11. 08. 08

COMMITTEE AMENDMENT "A" to H.P. 1628, L.D. 2265

1 1-B. Statewide E-9-1-1 surcharge. The activities authorized under this chapter are
2 funded through a special statewide E-9-1-1 surcharge levied on each residential and
3 business telephone exchange line, including private branch exchange lines and Centrex
4 lines, cellular or wireless telecommunications service customers, including prepaid
5 wireless telephone service customers, interconnected voice over Internet protocol service
6 customers and semipublic coin and public access lines. The statewide E-9-1-1 surcharge
7 may not be imposed on more than 25 lines or numbers per customer billing account,
8 except that this limitation does not apply to prepaid wireless telephone services. In the
9 case of cellular or wireless telecommunications service customers, the place of residence
10 of those customers must be determined according to the sourcing rules for mobile
11 telecommunications services as set forth in Title 36, section 2556. The statewide E-9-1-1
12 surcharge is ~~50¢~~ 30¢ per month per line or number or, in the case of prepaid wireless
13 telephone services, ~~50¢~~ 30¢ per month or 30-day increment of service per customer. The
14 statewide E-9-1-1 surcharge must be collected from the customer on a monthly basis by
15 each local exchange telephone utility, cellular or wireless telecommunications service
16 provider and interconnected voice over Internet protocol service provider and be shown
17 separately as a statewide E-9-1-1 surcharge on the customer's bill, except that in the case
18 of prepaid wireless telephone service, the collection of the statewide E-9-1-1 surcharge is
19 governed by subsection 1-C.

20 Sec. 2. Review of E-9-1-1 fund and surcharge; report. The Public Utilities
21 Commission, Emergency Services Communication Bureau, referred to in this section as
22 "the bureau," shall conduct a thorough review of the E-9-1-1 fund under the Maine
23 Revised Statutes, Title 25, section 2927, including but not limited to surcharge revenue
24 history and projections, expenditure history and projections and unexpended amounts in
25 the fund. Based on the results of the review, the bureau shall make a recommendation
26 regarding the E-9-1-1 surcharge amount under Title 25, section 2927, subsection 1-B. No
27 later than February 1, 2009, the bureau shall submit the results of its review and its
28 recommendation regarding the E-9-1-1 surcharge to the joint standing committee of the
29 Legislature having jurisdiction over utilities matters. The report required under this
30 section may be combined with the February 1, 2009 annual report required under Title
31 25, section 2927, subsection 5. After receipt and review of the report, the joint standing
32 committee of the Legislature having jurisdiction over utilities matters may submit
33 legislation regarding the E-9-1-1 surcharge to the First Regular Session of the 124th
34 Legislature.

35 Sec. 3. Appropriations and allocations. The following appropriations and
36 allocations are made.

37 PUBLIC UTILITIES COMMISSION

38 Emergency Services Communication Bureau 0994

39 Initiative: Deallocates funds within the Emergency Services Communication Bureau as a
40 result of a reduction in the E-9-1-1 surcharge from 50¢ to 30¢ per line per month.

| | | | |
|----|------------------------------------|----------------|----------------|
| 41 | OTHER SPECIAL REVENUE FUNDS | 2007-08 | 2008-09 |
| 42 | All Other | \$0 | (\$3,520,000) |
| 43 | | <hr/> | <hr/> |

COMMITTEE AMENDMENT

1 OTHER SPECIAL REVENUE FUNDS TOTAL \$0 (\$3,520,000)

2 **Emergency clause.** In view of the emergency cited in the preamble, this
3 legislation takes effect when approved.'

4 **SUMMARY**

5 This amendment reduces the statewide E-9-1-1 surcharge to 30¢ per line per month,
6 rather than to 45¢ per line per month as proposed in the bill. The amendment adds a
7 provision to the bill to require the Public Utilities Commission, Emergency Services
8 Communication Bureau to conduct a thorough review of the E-9-1-1 fund, including but
9 not limited to surcharge revenue history and projections, expenditure history and
10 projections and unexpended amounts in the fund, and to make a recommendation
11 regarding the E-9-1-1 surcharge amount going forward. The Emergency Services
12 Communication Bureau is required to report the results of its review and recommendation
13 regarding the surcharge to the joint standing committee of the Legislature having
14 jurisdiction over utilities matters by February 1, 2009. The amendment also adds an
15 appropriations and allocations section to the bill.

16 **FISCAL NOTE REQUIRED**
17 **(See attached)**



123rd MAINE LEGISLATURE

LD 2265

LR 3559(02)

An Act To Reduce the Amount Collected for the Purpose of the E-9-1-1 System

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

Committee: Utilities and Energy

Fiscal Note Required: Yes

Fiscal Note

| | 2007-08 | 2008-09 | Projections 2009-10 | Projections 2010-11 |
|-----------------------------------|---------|---------------|------------------------|------------------------|
| Appropriations/Allocations | | | | |
| Other Special Revenue Funds | \$0 | (\$3,520,000) | (\$3,520,000) | (\$3,520,000) |
| Revenue | | | | |
| Other Special Revenue Funds | \$0 | (\$3,520,000) | (\$3,520,000) | (\$3,520,000) |

Fiscal Detail and Notes

This legislation includes a reduction of Other Special Revenue Funds and a corresponding deallocation of \$3,520,000 annually to the Public Utilities Commission beginning in fiscal year 2008-09 as a result of a 20 cent reduction in the monthly E-9-1-1 surcharge rate. Additional costs associated with a required reporting requirement can be absorbed by the Public Utilities Commission utilizing existing budgeted resources.