

MAINE STATE LEGISLATURE

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Date: 3/28/12

L.D. 1799
(Filing No. H 846)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1326, L.D. 1799, Bill, "An Act Regarding the Collection of Fees for Prepaid Wireless Service"

Amend the bill by striking out all of sections 1 to 4 and inserting the following:

'Sec. 1. 25 MRSA §2927, sub-§1-F, ¶¶B to J, as enacted by PL 2009, c. 400, §10 and affected by §15, are repealed.'

Amend the bill in section 5 in subsection 2-B in the last paragraph in the first 2 lines (page 2, lines 4 and 5 in L.D.) by striking out the following: "Treasurer of State" and inserting the following: '~~Treasurer of State~~ State Tax Assessor'

Amend the bill by striking out all of section 8.

Amend the bill in section 9 in subsection 3-A in the 7th line (page 3, line 30 in L.D.) by inserting after the following: "penny." the following: 'The fee may not be adjusted by the commission more frequently than once every 24 months. The collection of the fee is governed by section 7104-C.'

Amend the bill by striking out all of section 10.

Amend the bill in section 11 in subsection 2-A in the next to the last line (page 4, line 12 in L.D.) by inserting after the following: "penny." the following: 'The fee may not be adjusted by the commission more frequently than once every 24 months. The collection of the fee is governed by section 7104-C.'

Amend the bill in section 12 in §7104-C in subsection 1 in paragraph C in the last line (page 4, line 25 in L.D.) by striking out the following: "1-H" and inserting the following: '1-F'

Amend the bill in section 12 in §7104-C in subsection 2 by striking out all of paragraph I (page 5, lines 37 to 41 and page 6, lines 1 to 7 in L.D.) and inserting the following:

I. The State Tax Assessor shall remit the total prepaid wireless fees collected pursuant to this subsection to the commission. The commission shall deposit the total

COMMITTEE AMENDMENT

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fees into the prepaid wireless fee fund established in subsection 3 and shall ensure that, within 30 days of receipt:

(1) The portion of the remitted prepaid wireless fees attributable to the E-9-1-1 surcharge imposed by Title 25, section 2927, subsection 1-F is deposited in a separate account;

(2) The portion of the remitted prepaid wireless fees attributable to the fee imposed under section 7104, subsection 3-A is deposited in the state universal service fund established pursuant to section 7104, subsection 3; and

(3) The portion of the remitted prepaid wireless fees attributable to the fee imposed under section 7104-B, subsection 2-A is deposited in the telecommunications education access fund established under section 7104-B, subsection 2.'

Amend the bill in section 12 in §7104-C by adding after subsection 2 the following:

'3. Fund established. The prepaid wireless fee fund is established within the commission for the purposes of collecting and distributing funds pursuant to subsection 2, paragraph I.'

Amend the bill by inserting after section 13 the following:

'Sec. 14. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Establishes the prepaid wireless fee fund for the purposes of collecting and distributing prepaid wireless fees. The fees will be collected by the State Tax Assessor and credited to the Public Utilities Commission. The commission will transfer the funds to the state universal service fund and the telecommunications education access fund.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500,000

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment limits the Public Utilities Commission's adjustment of the amount of fees collected for the state universal service fund and the telecommunications education access fund to not more often than once every 24 months. This amendment establishes a fund at the commission to accept the fees from the State Tax Assessor, and

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COMMITTEE AMENDMENT "A" to H.P. 1326, L.D. 1799

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this amendment removes some unnecessary language and makes technical changes. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See Attached)

COMMITTEE AMENDMENT



125th MAINE LEGISLATURE

LD 1799

LR 2691(02)

An Act Regarding the Collection of Fees for Prepaid Wireless Service

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-846)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$500,000	\$500,000	\$500,000
Revenue				
Other Special Revenue Funds	\$0	\$500,000	\$500,000	\$500,000

Fiscal Detail and Notes

The bill establishes the Prepaid Wireless Fee Fund for the purpose of collecting and distributing prepaid wireless fees the Public Utilities Commission (PUC) will receive from the State Tax Assessor. The portion of the remitted prepaid wireless fees imposed by the bill will provide Other Special Revenue Funds revenue in the amount of \$500,000 annually beginning in FY 2012-13. The bill includes annual allocations of \$500,000 beginning in FY 2012-13 to transfer the fees to the state universal service fund and telecommunications education access fund, which are administered by an independent fiscal agent. Any additional costs to the Public Utilities Commission and Maine Revenue Services can be absorbed within existing budgeted resources.