

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1746

S.P. 645

In Senate, December 22, 2017

**An Act To Ensure That Low-income Residents of the State Have
Access to Telephone Services**

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

Received by the Secretary of the Senate on December 19, 2017. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WOODSOME of York.
Cosponsored by Representative BERRY of Bowdoinham and
Senator: JACKSON of Aroostook, Representative: POULIOT of Augusta.

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

2 **Sec. 1. 25 MRSA §2927, sub-§1-D**, as enacted by PL 2009, c. 400, §8 and
3 affected by §15, is amended to read:

4 **1-D. Funding.** The activities authorized under this chapter are funded through:

5 A. The statewide E-9-1-1 surcharge under subsection 1-E levied on:

6 (1) Each residential and business telephone exchange line, including private
7 branch exchange lines and Centrex lines;

8 (2) Semipublic coin and public access lines;

9 (3) Customers of interconnected voice over Internet protocol service; and

10 (4) Customers of cellular or wireless telecommunications service that is not
11 prepaid wireless telecommunications service. A surcharge may not be levied
12 under this subparagraph with respect to customers of cellular or wireless
13 telecommunications service that is supported by federal universal service support
14 funds pursuant to 47 Code of Federal Regulations, Part 54; and

15 B. The statewide prepaid wireless E-9-1-1 surcharge under subsection 1-F levied on
16 prepaid wireless telecommunications service consumers. A surcharge may not be
17 levied under this paragraph with respect to prepaid wireless telecommunications
18 service supported by federal universal service support funds pursuant to 47 Code of
19 Federal Regulations, Part 54, except that a surcharge may be levied under this
20 paragraph on transactions in which the customer directly purchases optional services
21 that are not supported by federal universal service support funds.

22 **Sec. 2. 35-A MRSA §7104, sub-§3, ¶D**, as amended by PL 2011, c. 623, Pt. B,
23 §14, is further amended to read:

24 D. Ensure that any requirements regarding contributions to a state universal service
25 fund be nondiscriminatory and competitively neutral; ~~and~~

26 **Sec. 3. 35-A MRSA §7104, sub-§3, ¶G**, as enacted by PL 2011, c. 623, Pt. B,
27 §14, is amended to read:

28 G. Require, if a voice network service provider recovers its contributions under this
29 section by means of a charge placed on a bill issued to a customer, explicit
30 identification on that bill of any charge imposed under this section; and

31 **Sec. 4. 35-A MRSA §7104, sub-§3, ¶H** is enacted to read:

32 H. Ensure that any fees or surcharges established by or pursuant to this section are
33 not imposed on revenues received from or on prepaid wireless telecommunications
34 service transactions supported by federal universal service support funds pursuant to
35 47 Code of Federal Regulations, Part 54. This paragraph does not prohibit the
36 imposition of fees or surcharges with respect to revenues received from consumers
37 for optional services that are not supported by federal universal service support funds.

1 fees assessed under the state universal service fund, the state telecommunications
2 education access fund and the statewide E-9-1-1 surcharge.