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An Act To Provide Funds for Voice-activated Telephones

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

Sec. 1. 26 MRSA §1419-A, sub-§2, as amended by PL 2005, c. 336, §1, 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 received for the purposes of subsection 6 pursuant to Title 35-A, section 7104 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. The Division of Deafness shall draw on the Communications Equipment Fund to fund the voice-activated telephone lending program pursuant to subsection 7.

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

3. Communications equipment plan. The Division of Deafness shall develop a plan to make specialized customer communications equipment available to deaf, hard-of-hearing or speech-impaired persons and persons with disabilities and to distribute money from the Communications Equipment Fund. The plan must be developed by the Division of Deafness annually, not later than January 1st, in accordance with the rule-making procedures in Title 5, chapter 375. The plan must provide for the expenditure of money from the Communications Equipment Fund for the benefit of deaf, hard-of-hearing or speech-impaired persons and persons with disabilities for the purchase, lease, distribution, upgrading, installation, maintenance and repair of specialized customer communications equipment capable of serving their needs and may provide for expenditures for training in the use of such equipment. The plan must provide for expenditures for the voice-activated telephone lending program in accordance with subsection 7. Persons who are profoundly deaf or speech-impaired or who have a disability so that they are unable to use the telephone for expressive or receptive communications, as verified by a written report from an otologist, an audiologist or a physician, are eligible for assistance from the Communications Equipment Fund. The plan must ensure that persons with disabilities have access to appropriate specialized customer communications equipment to meet their individual needs. The plan must include specific criteria that govern the priorities assigned to various persons who need this equipment. The criteria must take

into account household income, degree of impairment, need for emergency communications, living arrangements and other factors determined relevant by the Division of Deafness. In developing the criteria, the Division of Deafness shall consult with the advisory council established in section 1413-C and other advisory councils representing the interests of persons with disabilities.

Sec. 3. 26 MRSA §1419-A, sub-§7 is enacted to read:

7. Voice-activated telephone lending program. There is established within the Bureau of Rehabilitation Services the voice-activated telephone lending program, referred to in this subsection as “the program,” for the purpose of lending voice-activated telephones to persons with disabilities and, as appropriate, to deaf, hard-of-hearing or speech-impaired persons. The program must lend a minimum of 5 voice-activated telephones. The Communications Equipment Fund must be used to fund the program. The bureau shall adopt rules to implement the program, including but not limited to rules governing program eligibility, criteria to govern the priorities assigned to various persons who need this equipment and terms of a lending agreement. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill establishes a program within the Department of Labor, Bureau of Rehabilitation Services to lend voice-activated telephones to persons with disabilities and to deaf, hard-of-hearing or speech-impaired persons. The program is required to lend out a minimum of 5 voice-activated telephones. This program is funded by the Communications Equipment Fund, which receives funds from the state universal service fund.