

HB1552/147979/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1552
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Polybutylene” insert “Malfunctioning”; in line 3, strike “Loan”; in line 6, after “a” insert “Malfunctioning”; in the same line, strike “Loan”; in line 7, after “property;” insert “authorizing the Commission to use certain mechanisms to develop and implement the Program; requiring the Commission to make certain financial assistance available to the Program at certain times, in conjunction with a certain Fund and subject to a certain limit; requiring the Program to establish certain eligibility requirements for participation in the Program; authorizing the Commission to establish a Malfunctioning Polybutylene Connection Pipe Replacement Loan Program for a certain purpose;”; in lines 7, 11, and 17, in each instance, before “Program” insert “Loan”; in line 8, before “Program” insert “Loan”; in line 10, strike “the”; in the same line, after “Commission” insert “employees”; in line 15, after “certain” insert “lien or”; in line 16, strike “the obligation to pay the charge” and substitute “certain customer payment obligations”; in line 17, strike the second “is” and substitute “either may be”; in line 18, after “lien” insert “or may assign the lien”; in line 19, after the first “certain” insert “loan from being given and a certain”; and in line 21, after “loan” insert “and Commission charges”.

On page 2, in line 2, after “the” insert “Loan”; in line 3, after the second “a” insert “Malfunctioning”; in line 7, after “Act;” insert “providing for the reversion of certain funds to the General Fund of the Commission;”; in the same line, after “the” insert “Malfunctioning”; in line 8, strike “Loan”; and in line 11, strike “23-205” and substitute “23-205, 23-205.1, and 23-205.2”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

(Over)

“(A) THE COMMISSION SHALL ESTABLISH A MALFUNCTIONING POLYBUTYLENE CONNECTION PIPE REPLACEMENT PROGRAM.

“(B) THE PURPOSE OF THE PROGRAM IS TO ASSIST RESIDENTIAL CUSTOMERS IN THE REPLACEMENT OF MALFUNCTIONING RESIDENTIAL POLYBUTYLENE CONNECTION PIPES ON CUSTOMER PROPERTY.

“(C) IN DEVELOPING AND IMPLEMENTING THE PROGRAM, THE COMMISSION MAY USE ANY LEGALLY PERMISSIBLE MECHANISM, FUNDING, OR PROCESS THAT THE COMMISSION DETERMINES IS MOST COST-EFFECTIVE FOR THE PROGRAM, INCLUDING THE MALFUNCTIONING POLYBUTYLENE CONNECTION PIPE REPLACEMENT LOAN PROGRAM ESTABLISHED IN § 23-205.1 OF THIS SUBTITLE.

“(D) IN CONJUNCTION WITH THE MALFUNCTIONING POLYBUTYLENE CONNECTION PIPE REPLACEMENT FUND ESTABLISHED IN § 23-205.2 OF THIS SUBTITLE, THE COMMISSION SHALL MAKE AVAILABLE TO THE PROGRAM THE FOLLOWING FINANCIAL ASSISTANCE:

- (1) \$100,000 BY OCTOBER 1, 2016;
- (2) AN ADDITIONAL \$200,000 BY JULY 1, 2017;
- (3) AN ADDITIONAL \$100,000 BY JULY 1, 2018; AND
- (4) ADDITIONAL FUNDING AFTER JULY 1, 2018, UNTIL A TOTAL OF \$1,000,000 HAS BEEN OBLIGATED.

(E) THE FINANCIAL ASSISTANCE THAT THE COMMISSION IS REQUIRED TO PROVIDE UNDER SUBSECTION (D) OF THIS SECTION:

(1) MAY BE FUNDED FROM THE GENERAL FUND OF THE COMMISSION; BUT

(2) IS LIMITED TO NO MORE THAN \$1,000,000 IN TOTAL FUNDS FOR THE PERIOD OF OCTOBER 1, 2016, TO SEPTEMBER 30, 2026.

(F) THE PROGRAM SHALL:

(1) PROVIDE FOR ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE PROGRAM, INCLUDING ELIGIBILITY REQUIREMENTS FOR THE TYPE OF CONNECTION PIPE THAT IS BEING INSTALLED TO REPLACE THE EXISTING POLYBUTYLENE CONNECTION PIPE;

(2) REQUIRE THAT THE REPLACEMENT OF MALFUNCTIONING POLYBUTYLENE PIPES UNDER THE PROGRAM BE PERFORMED BY A LICENSED PLUMBER; AND

(3) PROHIBIT COMMISSION EMPLOYEES FROM REPLACING MALFUNCTIONING POLYBUTYLENE PIPES UNDER THE PROGRAM.

23-205.1.”.

On page 2, in line 18, strike “SHALL” and substitute “MAY”; and in the same line, after “A” insert “MALFUNCTIONING”.

On page 2 in lines 20, 25, 27, and 31, on page 3 in lines 7, 8, 16, and 21, and on page 4 in line 29, in each instance, before “PROGRAM” insert “LOAN”.

(Over)

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On page 2, strike beginning with the colon in line 27 down through “**(II)**” in line 30; and in line 31, after “**PROGRAM;**” insert “**AND**”.

On pages 2 and 3, strike beginning with the semicolon in line 34 on page 2 down through “**PROGRAM**” in line 5 on page 3.

On page 3, in line 15, after “**(I)**” insert “**REPAYMENT AND**”; in line 17, after “**A**” insert “**LIEN OR**”; in line 18, strike “**OBLIGATION TO PAY THE CHARGE**” and substitute “**CUSTOMER PAYMENT OBLIGATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION**”; in line 24, strike “**SHALL**” and substitute “**MAY EITHER**”; in the same line, after “**OF**” insert “**, OR MAY ASSIGN,**”; and in the same line, after “**THE**” insert “**LOAN MADE UNDER THIS SUBSECTION AND THE**”.

On page 4, in line 6, strike “**A**”; in the same line, after “**LOAN**” insert “**AND COMMISSION CHARGES**”; in line 13, after “**A**” insert “**LOAN MAY NOT BE GIVEN AND A**”; in line 15, strike the second “**A**” and substitute “**THE**”; in line 17, strike “**A**” and substitute “**THE**”; in the same line, after “**THE**” insert “**LOAN**”; after line 30, insert:

“**23-205.2.**”;

in line 31, strike “**(F)(1)**” and substitute “**(A)**”; and in the same line, after “**THE**” insert “**MALFUNCTIONING**”.

On page 5, in lines 1, 3, 5, 7, 8, 10, 11, and 13, strike “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, “**(I)**”, “**(II)**”, “**(III)**”, and “**(6)**”, respectively, and substitute “**(B)**”, “**(C)**”, “**(D)**”, “**(E)**”, “**(1)**”, “**(2)**”, “**(3)**”, and “**(F)**”, respectively; in line 1, after “**A**” insert “**MALFUNCTIONING**”; in line 3, after the second “**THE**” insert “**MALFUNCTIONING**”; in line 4, strike “**LOAN**”; in lines 13 and 14, strike beginning with “**FOR**” in line 13 down through “**PROGRAM**” in line 14 and substitute “**IN ACCORDANCE WITH §§ 23-205 AND 23-205.1 OF THIS SUBTITLE**”;

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and in line 18, after “effect” insert “and all remaining funds in the Malfunctioning Polybutylene Connection Pipe Replacement Fund shall immediately revert back to the General Fund of the Commission”.