



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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FINAL DELIBERATIONS

As in past sessions, the General Assembly must follow rules, guidelines, and constitutional mandates to govern the legislative process and to facilitate the consideration of the 2,500 or more bills and resolutions introduced during a session. Monday, March 25th, the 76th day of the session, marked the observance of the Opposite Chamber Bill Crossover Date. By that day in a session, each chamber is to pass to the other chamber those proposals that it wishes to pass favorably. Opposite chamber bills received after the crossover date are subject to referral to the Rules Committees, making committee consideration in the opposite chamber less likely. As of Thursday, March 28, 571 House bills were in Senate committees and 370 Senate bills were assigned to House committees.

Next week is the last full week of the 2002 session. The first day of the week's deliberations, Monday, April 1, is the 83rd day, the day by which the Maryland Constitution mandates that the Budget Bill be passed by both chambers. When the Budget Bill is approved, it does not require the Governor's signature and it cannot be vetoed.

The following Monday, April 8, the 2002 session of the General Assembly will come to a close at midnight. The 2002 session is the last of the 4-year term that began with the swearing in of senators and delegates on the second Wednesday in January 1999.

AGRICULTURE/SEAFOOD INDUSTRY

This week several bills moved to the opposite chamber:

- [HB 469](#) increases penalties for taking oysters from oyster preserves and sanctuaries;
- [HB 747](#) restricts the use of crab scrapes and, as amended, establishes the conditions when the Department of Natural Resources may establish a minimum size for possession of hard crabs larger than 5 inches; and

- [HB 984](#), as amended, alters the Department of Agriculture's (DOA) authority to enter onto private property and establishes a modified nutrient management plan procedure for agricultural operations with a gross income between \$2,500 and \$10,000 or a livestock operation with less than 8 animal units. The bill also requires DOA to streamline the Nutrient Management Program.

[HB 1276](#), which would have set specific minimum sizes for the possession of hard, soft, and peeler crabs, received an unfavorable committee report.

COURTS AND CIVIL PROCEEDINGS

The General Assembly has passed [HB 6](#), a proposed constitutional amendment, and [HB 663](#), the implementing bill, which authorize District Court commissioners to issue interim civil orders for protection against domestic violence when the District Court is closed. If the Governor approves the measures and [HB 6](#) passes a referendum vote this fall, domestic violence victims will have access to relief 24 hours a day, 7 days a week.

A Senate committee approved [SB 334](#), a measure to limit judicial reconsideration of criminal sentences to 1 year after a defendant's motion for sentence revision, which must be made within 90 days after sentencing, except in cases involving an illegal sentence, fraud, mistake, or irregularity. However, the bill remains locked in committee and unavailable for floor consideration. Similar bills ([SB 73/HB 160](#)) have seen no action in their respective committees.

CRIMINAL MATTERS AND CORRECTIONS

Four bills to support the use of marijuana for medical purposes were introduced this session, and one survives. The House acutely amended and passed [HB 1222](#), which allows defendants accused of using or possessing marijuana to introduce evidence of medical necessity, and requires a court to consider the evidence as a

mitigating factor. If the defendant is convicted, and the court is convinced of the medical necessity of use, the maximum penalty would be a fine of \$100, rather than the current maximum penalty of a year in jail and a \$1,000 fine. Similar provisions for use or possession of drug paraphernalia related to marijuana also appear in the bill, which has a Senate hearing next week. As introduced, [HB 1222](#) would have allowed a person with a “debilitating medical condition” to register to possess and use marijuana, and would have allowed patients to cultivate small amounts of marijuana for their own use. The other 3 bills concerning the medical use of marijuana ([HB 24](#), [HB 504](#), and [HB 1072](#)) failed in committee.

The House of Delegates approved [HB 1053](#), which addresses DNA testing, and its ramifications with provisions to:

- expand the list of criminals required to submit a DNA sample to State Police for entry into a statewide database to include all convicted felons and those convicted of breaking and entering misdemeanors;
- establish a fund, consisting of State budget appropriations and grants from private entities and federal agencies, to help the State Police and local police departments purchase DNA technology equipment; and
- require the State to preserve DNA evidence collected for a case that ended in a conviction for manslaughter, murder, rape, or a first or second degree sexual offense for the length of time the convicted individual remains incarcerated.

The Senate passed a similar bill last week ([SB 486](#)), but the chambers must agree on the details for the measure to gain final passage.

“Rape shield laws” exist in all 50 states to limit the evidentiary use of a victim’s prior sexual history as a way of undermining the victim’s credibility. [SB 212](#), passed by the Senate, expands the prohibition on the introduction by the defendant of a victim’s prior sexual history, including opinion evidence, to include prosecutions for sexual abuse of a minor, incest, sexual conduct between a correctional or juvenile justice employee and an inmate or confined child, third or fourth degree sexual offenses, sodomy, or an unnatural

or perverted sexual practice. [SB 212](#) has a hearing next week in a House committee.

The House passed [HB 854](#), a bill that clarifies and restricts the application of diminution credits to sentences of inmates whose program of mandatory supervision is revoked and who committed a violent crime while on mandatory supervision. The bill also calls for the establishment of a workgroup to study and make recommendations by January 1, 2003, on the calculation of diminution credits for a new sentence for a crime committed while an inmate was on mandatory supervision, the issue of commencement of concurrent and consecutive sentences, and any other related issue.

The Senate approved with some modifications [HB 971](#), which codifies provisions relating to the existing independent juvenile justice monitor program in the Office for Children, Youth, and Families (OCYF). The program, established through a memorandum of agreement between the Department of Juvenile Justice (DJJ) and the OCYF, has been operating since September 2000.

ECONOMIC, BUSINESS, AND CONSUMER ISSUES

[HB 358](#) addresses the growing problem of identify theft, making certain components of this type of fraud a felony, and increasing the jail time for the offenses. Under the bill, misdemeanor components of identity theft would also have increased incarceration penalties. The legislation, now on the Senate floor, also expands the authority of law enforcement officers to operate without regard to jurisdictional boundaries to investigate identity fraud. [SB 559](#), with some similar provisions, has passed a preliminary vote in the House.

Only the last 8 digits from a credit card or other payment device would appear on an electronically printed receipt under [SB 25](#), now under consideration by a House committee. The bill applies to machines placed in operation beginning October 1 of this year and requires that all machines comply by 2006. The proposal excludes receipts where the sole means of recording the credit card or credit device number is by handwriting, imprinting, or copying the card.

[HB 863](#) applies the legal framework applicable to a guarantor of a consumer product guaranty to a provider of a service contract, and changes the name of the Maryland Consumer Products Guaranty Act to the

Maryland Service Contracts and Consumer Product Guaranty Act. The legislation addresses merchants who provide service contracts for goods such as appliances, electronics, lawn and garden equipment, and computers, but who are not presently regulated by the State. A Senate committee heard the measure this week. An identical bill, [SB 543](#), is scheduled for a House committee hearing early next week.

As amended and passed by the House, the Maryland Household Goods Movers Act ([HB 794](#)) prohibits a mover from enforcing or threatening to enforce a carrier's lien against a consumer's household goods when providing moving services for an intrastate move. [SB 578](#), as amended and passed by the Senate, is identical.

[SB 538](#) specifies the circumstances under which the transmittal of unauthorized, misleading, or false commercial electronic mail is prohibited from a computer in the State or to a computer in the State. With Senate approval, the fate of the measure is now in the hands of the House.

[HB 1150](#), scheduled for a Senate hearing next week, amends the State's Minority Business Enterprise (MBE) preference to include, as a socially disadvantaged individual:

- an individual who, as a result of circumstances beyond the individual's control, has been subjected to racial or ethnic prejudice or cultural bias within American society because of membership in a group and without regard to individual qualities; or
- an individual, including a nonminority male, who has suffered social disadvantage because of long-term residence in an environment isolated from the mainstream of American society or other causes not common to a member of the general public.

As amended and passed by the House, [HB 714](#) increases maximum weekly unemployment benefit amounts from \$280 to \$310. The bill voids the \$30 increase if it triggers the currently required payment by retailers of a surtax charge when the State's unemployment insurance trust fund falls below a specified level. The bill is effective January 1, 2003.

EDUCATION

Some of the education bills that passed the House this week were:

- [HB 426](#), as amended, prohibits a community college from denying a student eligibility for resident tuition status based on the student's immigration status if the individual has the capacity to establish residency;
- [HB 1172](#) expands eligibility for the Maryland Teacher Scholarship Program to include teaching assistants who have been employed at public elementary or secondary schools for at least 2 years at the time they enroll at institutions of higher education in the State;
- [HB 218](#) allows an individual honorably discharged from military service to apply to a local board of education to obtain a high school diploma if the individual withdrew from a regular full-time public or private school during the individual's senior year in high school to enlist in the armed forces during the Korean conflict;
- [HB 569](#) establishes a task force, appointed by the State Superintendent, to propose regulations regarding student behavior intervention practices; and
- [HB 1221](#) makes a disabled child eligible for a nonpublic educational placement if the child can not attend a public school in the local school system due to the child's home circumstances or because of medical necessity. The State and local school system are required to pay the cost for wraparound services for a child who qualifies for a nonpublic educational program if the child's parent or guardian is unable to provide those services.

Passed by the Senate, [SB 233](#) authorizes local boards of education and local school employee organizations representing local certificated and noncertificated school personnel to negotiate over mutually agreeable matters, other than salaries, wages, hours, and working conditions.

The Senate is also poised to pass [HB 15](#), which changes the requirements for the \$1,000 salary signing bonus paid to newly hired teachers from those who graduated

in the top 10% of their classes to graduates with a 3.5 grade point average.

As amended and passed by their respective houses, [SB 453/HB 661](#), the College Readiness for Disadvantaged and Capable Students Act of 2002, contain recommendations of the interim Task Force by the same name. The legislation includes certain funding requirements and grants and also establishes new initiatives for guidance and outreach assistance to qualified students and for a graduate and professional scholarship program.

Proposed legislation, [SB 383/HB 437](#) making changes to the Maryland Higher Education Investment Program, was amended and passed by the original chambers. The bills expand the type of programs that qualify for subtraction modifications for tax-deferred contributions to any qualified investment program under federal law. The bill also makes clear that the subtraction modifications are limited to \$2,500 for each contributor for each designated beneficiary.

[SB 153](#), which would have required local boards of education to establish full-day kindergarten programs by the 2007-2008 school year, was rejected by a committee. [HB 579](#), which would have required public schools lavatories to be supplied with soap, was withdrawn.

ELECTIONS

Chances are improving that legislation will pass this session allowing individuals, who are convicted of more than one felony or other infamous crime, to register to vote once their sentences are completed and a 3-year waiting period has elapsed. [SB 184](#) passed the Senate on Friday. [HB 535](#), with the same provisions, is waiting for a Senate committee hearing date.

ENVIRONMENTAL MATTERS

The House amended [SB 326](#), clarifying the Chesapeake Bay Critical Area Protection Program's variance provision requirements for local critical area programs. The Senate agreed to the House amendments, and the bill is ready to go to the Governor. The proposal is identical to the amended [HB 528](#), which is no longer an emergency bill and does not apply to variance applications filed before June 1, 2002. [HB 528](#) has received a favorable preliminary Senate vote.

[HB 1229](#) and [SB 848](#), which establish new procedures for environment permit contested case hearing requests, have both moved to the opposite chamber. As amended, the requirements of the bills apply to all requests for contested case hearings made on or after July 1, 2002. The Senate also added amendments to [HB 1229](#).

Other measures under consideration in the second chamber include:

- [HB 444](#), which requires publicly owned wastewater treatment plants to post permanent warning signs at discharge points;
- [SB 87](#), which adds catfish to the list of species for which the Department of Environment must prepare a fishery management plan;
- [SB 247](#), which renames the Chesapeake Bay Critical Area Commission to be the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays, and expands the provisions of the Chesapeake Bay Critical Area Protection Program to include the Atlantic Coastal Bays;
- [HB 295](#), which, as amended, creates a 3-year statute of limitations for criminal prosecution or civil action for violations of air quality and radiation laws and makes the act proscriptive; and
- [HB 350](#), which, as amended, authorizes the Secretary of the Environment to adopt State primary drinking water regulations for a contaminant, if the Secretary determines that the contaminant poses a significant risk to public health and federal regulations concerning the contaminant are not in effect. [SB 246](#), also relating to State drinking water regulations, remains in a House committee.

An emergency measure ([HB 5](#)) to expand who has standing to seek judicial review of air quality operating permit decisions rendered by the Department of the Environment (DOE) has passed a preliminary vote in the Senate. The legislation brings the State into compliance with the federal Clean Air Act. Companion bill, [SB 248](#), remains in a House committee.

FAMILY LAW

The Senate and House approved identical bills ([SB 657/HB 993](#)) to extend child support for a child who is 18 years old and a full-time secondary school student, until the earlier of when the child dies, marries, is emancipated, graduates, is no longer enrolled in secondary school, or turns 19.

FISCAL MATTERS

The Budget Bill, [SB 175](#), is in conference committee after the Senate refused to concur on any of the House amendments and the House refused to recede from any of its amendments. The House version, with 221 committee amendments and 1 floor amendment, reduces the Governor's proposed budget for fiscal year 2003 by \$473.8 million in all funds. The Senate reduction is \$476.9 million. The House reduction is \$179.1 million below the Spending Affordability Committee's recommendations. The Maryland Constitution requires that the Budget Bill pass by the 83rd day, which is Monday, April 1, this year.

Among the House reductions are \$35 million from statewide information technology projects and \$1.25 million in operating funds from the Community Legacy Program. The House also deleted the entire \$5 million appropriation for the nonpublic textbook aid and eliminated approximately 4,600 vacant State employee positions for a reduction of \$20 million. Budget narrative states that there are more than 6,000 vacant positions in the executive branch.

The House also reduced the appropriation to State universities and colleges by \$26.1 million, as opposed to the Senate's reduction of \$37.1 million. Additionally the House agreed with Senate actions deleting cost-of-living adjustments, deleting 1/2 of merit increase funds and using the other half for one time bonuses, and a one-time \$100 reduction in the State match to supplemental retirement for State employees.

The House also amended and passed [SB 323](#), the Budget Reconciliation and Financing Act. The House version requires that \$9 million in tobacco settlement funds, released upon the resolution of the attorneys' fee litigation, be used for medical assistance nursing home reimbursement increases after \$102.5 million is used for medical assistance. Another amendment requires that disproportionate share hospital payment funds obtained from the federal government be used for reducing

deficits in the State's fee-for-service public mental health system.

The House also deleted the Senate requirement that unanticipated lottery revenues be used to fund the recommendations of the Commission on Education Finance, Equity, and Excellence (Thornton Commission). A floor amendment, which would have delayed the final 2% income tax reduction for 1 year, was defeated.

The Maryland Consolidated Capital Bond Loan of 2002 ([SB 288](#)), as passed by the Senate, authorizes the State to borrow \$731.1 million for State capital projects while deauthorizing \$11.1 million in projects. There were 65 committee amendments, all of which were adopted, as was one floor amendment. Among the changes made by the amendments are:

- an increase in public school construction funds by \$500,000 to \$224.1 million;
- a decrease in the Rural Legacy Program from \$25 million to \$5 million;
- a decrease in the GreenPrint Program from \$25 million to \$10 million; and
- a decrease in the Community Parks and Playgrounds Program from \$15 million to \$5 million.

The House added to the Capital bond bill \$144.6 million in State projects and \$27.1 million in nonstate-owned projects, which in prior years had been funded in the operating budget. The Senate capital program does not provide for any separate bond bills for grants to nonprofit entities. The capital bond bill, [SB 288](#), may not pass the General Assembly until the Budget Bill, [SB 175](#), has passed.

A proposed constitutional amendment ([SB 476](#)), which would have given the General Assembly the authority to increase or add items to the Executive Department in the Budget Bill subject to a gubernatorial veto of those increases or additions, died on third reading in the Senate after failing to obtain the constitutionally required three-fifths majority vote.

Legislation related to various aspects of Maryland tax law has moved to the second chamber:

- [HB 892](#), concerning property tax appeals outside the 3-year assessment cycle, has passed the House with amendments that repeal obsolete language and add sponsors; and
- [HB 759](#), limiting the Maryland Heritage Structure Rehabilitation Tax Credit, has passed the House with amendments that limit the credits available in 1 year to \$50 million. Of that cap, \$30 million will be available to commercial rehabilitations with a maximum credit not exceeding \$3 million, and \$20 million will be available to commercial rehabilitations with a maximum credit greater than \$3 million. The amendments also limit noncommercial tax credits to \$50,000 and require quarterly reports.

[HB 557](#), also in the second chamber, had a hearing in a Senate committee on Friday. The bill imposes recordation and transfer taxes on the transfer of real property, with a value of \$500,000 or more, when the transfer is achieved through the sale of a “controlling” interest in a specified corporation, partnership, limited liability company, or other form of unincorporated business. “Controlling” interest is defined as more than 80% of total value of the stock or the interest in capital and profits. The amendments exclude property subject to an agricultural use assessment, and transfers to nonstock corporations or certain continuing care retirement communities. [HB 607](#), which would have increased the tax on alcoholic beverages, received an unfavorable report from a House committee.

HEALTH CARE AND INSURANCE

A late introduction, [HB 1449](#) was heard in a House committee this week. The bill imposes a 2% premium tax on HMOs. Unlike the similar bill passed by the Senate ([SB 10](#)), the House bill does not earmark the revenue for mental health care funding.

Bills increasing the personal needs allowance for nursing home residents continue to move in both chambers. [HB 422](#) had a hearing in the Senate this week. [SB 5](#) has a hearing next week. The bills differ only in the dates of the increase.

Receiving a favorable preliminary Senate floor vote, [HB 454](#) will extend the termination date for the Community Services Reimbursement Rate Commission from 2002 until 2005. The Commission studies and makes recommendations regarding rate system issues for the

Mental Hygiene Administration. The companion bill, [SB 289](#), is in a House committee. Other health legislation of interest includes:

- [HB 210](#), as passed by the Senate with amendments, changes the age at which a minor may donate blood from 17 to 16 and requires a parent or guardian to consent for those who are 16;
- [HB 420](#), as passed by the full General Assembly, creates an Asthma Control Program in the Department of Health and Mental Hygiene;
- [HB 917](#), as amended and sent to the Senate, requires a person conducting human research projects to comply with federal regulations on the protection of human subjects, and allows a review board to redact confidential and privileged information from the minutes of its meetings; and
- [SB 556](#), as passed by the Senate, establishes the Maryland Mental Health Crisis Response System to coordinate emergency mental health services statewide, and, as amended, requires the implementation of the System to be contingent on finding either federal or private funding.

Two new task forces related to mental health are in the opposite chamber pipeline:

- [SB 738](#) establishes the Task Force on the Reform of the Public Mental Health System in Maryland to study and make recommendations on reforming service delivery, as well as financing of mental health care services; and
- [HB 1025](#), as amended, creates a Task Force on Access to Mental Health Treatment for Privately Insured Individuals to study the differences in coverage for mental health services among the public system, commercial health insurers, and HMOs, and study the structure and effectiveness of the State’s mental health care delivery system and compliance by insurers with the mental health parity requirements.

[SB 558](#), which would have required first time enrollees at higher education institutions to be vaccinated against Hepatitis B, was killed in a Senate committee this week.

Legislative activity continues on issues surrounding the proposed CareFirst nonprofit conversion and acquisition. The House has passed an amended [HB 1254](#) providing for legislative rejection of nonprofit health service plan conversions approved by the Maryland Insurance Commissioner. [SB 592](#), passed by the Senate, adds restrictions to the proposed acquisition. The Senate has approved on a second reading vote [HB 2](#), which alters current law by prohibiting the appropriate State regulating entity from approving an application for acquisition of a nonprofit health entity unless the regulating entity finds that the acquisition is in the public interest. The companion bill, [SB 487](#), was the subject of a House committee hearing this week. [HB 1207](#), passed in the House, revises regulation of nonprofit health service plans including restructuring of these plans' boards of directors and their compensation.

HOUSING

A bill related to lead poisoning prevention in housing continues to move. [HB 1167](#), which exempts from risk reduction standards for lead poisoning the outside surfaces of a property if an inspection report from a Maryland Department of the Environment (MDE) accredited inspector states that the surfaces have been tested and are lead-free, is scheduled for a hearing in the Senate next week. [HB 1411](#), which reduces the frequency of inspections of properties under MDE's Lead Program to the later of every 2 years or at each change in occupancy, was killed in committee.

SPORTS AND GAMING

Among the first bills to win final approval from the General Assembly, [SB 93](#) authorizes the Lottery Commission to enter into agreements to participate in multi-jurisdictional lotteries with foreign countries or private licensees. The legislation allows the sale of more lottery games that involve other states and other countries and will increase revenues of the Lottery Commission.

STATE GOVERNMENT

During debate on the House floor this week, a number of Delegates expressed concern that the expanded State anti-terrorism procedures in [HB 1036](#) could lead to excesses that would damage the rights of individuals who are not involved in such activities. Other legislators

supported the legislation as necessary in light of the events of September 11. The full House did pass the measure. The Senate version, [SB 639](#), which differs from the House bill, passed that body and was before a House committee earlier this week.

Now in the Senate, [HB 361](#) establishes a State biological agents registry program. The program does not apply to a biological agent or a certified laboratory or facility that is exempt from the requirements for the interstate shipment of etiologic agents under federal regulations.

Bills that provide equal access to public services for individuals with limited English proficiency are now in the opposite chambers. [SB 265](#) has a House hearing date next week. [HB 1174](#) is the House measure.

Although the current law governing lobbyist registration and reporting provides substantial requirements for paid lobbyists, some provisions of those laws have been misconstrued to apply to members of the general public and individuals who represent their own interests without the services of a paid lobbyist.

[HB 1076](#) seeks to clarify that the State's extensive registration and disclosure laws for paid lobbyists do not apply to private citizens representing their own interests in seeking to influence legislative or executive action.

The bill also specifically exempts from the monetary thresholds that require registration certain types of communication such as communication by a member of a professional or trade association speaking on behalf of the association, or by students or student organizations acting as a part of a course or school activity. The proposal, which has a Senate hearing next week, also directs the State Ethics Commission to set criteria under which a registered lobbyist may serve on a State board which is not allowed under current law.

Maryland law provides that the State's Information Technology Board within the Department of Budget and Management has oversight over developing, maintaining, and enforcing statewide information technology (IT) standards, policies, and procedures. The board advises the State's Chief Information Officer (CIO) on Maryland's official Information Technology Master Plan. Bills dealing with statewide IT efforts that are moving through the process in the second chamber include:

- [SB 491](#) and [HB 835](#), which limit the authority of units in the Executive branch of State

government to undertake major information technology development projects unless the projects meet certain criteria and are approved by the Chief of Information Technology; and

- [HB 1265](#), which establishes a new 29-member State Commission on Technology and Critical Infrastructure to make recommendations to the Chief Judge of the Court of Appeals on the compatibility and interoperability of communication and information management systems maintained by the Judiciary. The Commission will adopt regulations to ensure the compatibility and interoperability of systems maintained by State and local public safety units, as well as accessibility to public safety and criminal justice databases. The Commission is also directed to develop and annually update a statewide technology strategy.

[HB 1401](#) requires a study on the organizational structure of fire and rescue services in other states, including the funding and the existence of an advisory or coordinating body. Recommendations are due this December. A Senate hearing is scheduled for next week.

A Senate committee has passed [HJ 1](#) with a favorable preliminary vote. The resolution designates September as Ovarian Cancer Awareness Month in Maryland.

Competitive best value contracting, as detailed under [HB 480](#), will not become a procurement standard for the State of Maryland. The bill was defeated recently by a House committee.

TRANSPORTATION

A measure that creates a task force to evaluate the development and construction of a magnetic levitation (Maglev) transportation system has passed the House. Among other things, [HB 1431](#) directs the task force to examine alternative funding mechanisms and the public/private partnership potential for the design, construction, ownership, operation, and funding of the Maglev system.

UTILITIES

As governed by provisions of the Electric Customer Choice and Competition Act of 1999, electric deregulation in Maryland is being phased in over a

period of years. However, since passage of the act, the national electric deregulation landscape has changed dramatically and the Office of the People's Counsel (OPC) has released a report critical of the accomplishments of deregulation in the State.

The Senate has approved [SB 894](#) that establishes a oversight committee to examine and evaluate the status of electric customer choice and competition in the State. The companion bill, [HB 1440](#), remains in a House committee.

A proposal clarifying the Public Service Commission's (PSC) authority to adopt policies and regulations relating to competition in the telecommunications services market has passed the House. As amended, [HB 1164](#) sets a limit of 180 days or sooner for the PSC to resolve complaints between 2 public service companies. The measure also clarifies that any rules the PSC adopts must be in compliance with federal telecommunications laws.

Other measures have also passed in the original chamber. [HB 135](#) creates the Public Service Commission (PSC) and Office of People's Counsel (OPC) Fund for the purpose of providing funding for the PSC and OPC. The bill establishes the special fund as the holding account for funds currently collected to pay for all operational expenses of PSC and OPC. [HB 62](#) requires the PSC to adopt regulations to enhance enrollment in the Telephone Lifeline Service by marketing the program with other State programs.

Several bills that deal with the telecommunications industry were not successful this session. They include:

- [HB 12](#), which would have expanded the complaint process and set deadlines for resolutions by the PSC of complaints;
- [HB 13](#), which would have allowed a new customer of wireless telecommunications services to terminate a contract without penalty within 30 days after executing the contract, if the customer believed the service plan did not meet the standards that were advertised;
- [HB 61](#), which would have required an intrastate long-distance telecommunications carrier to provide prior written notice before issuing a rate increase or changing the terms or conditions of its service in a manner that resulted in an increased cost for a customer;

- [HB 63](#), which would have required the PSC to adopt regulations to ensure that every telecommunications carrier met minimum service quality standards in providing basic local exchange service;
- [HB 109](#), which would have amended current law to authorize the PSC to adopt alternative forms of regulations for telephone companies only if the PSC concluded that a local telephone market was fully and irreversibly open to competition; and
- [HB 110](#), which would have prohibited a carrier from impeding the development of competition in any telecommunications service market.