
By: Chairman, Finance Committee (Departmental - General Services)

Requested: October 12, 1995

Introduced and read first time: January 10, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Telecommunications Devices for Disabled Individuals**

3 FOR the purpose of specifying that the Universal Service Trust Fund shall underwrite the
4 expenses of a certain program to assist in the purchase of specialized
5 communications devices for disabled individuals; making technical corrections; and
6 generally relating to the Universal Service Trust Fund and the provision of
7 telecommunications devices to disabled individuals.

8 BY repealing and reenacting, with amendments,
9 Article - State Finance and Procurement
10 Section 4-1007, 4-1101, and 4-1103(a)
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1995 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Finance and Procurement**

16 4-1007.

17 (a) The [program] PROGRAMS UNDER § 4-1103(A) OF THIS TITLE shall be
18 funded as provided in the State budget.

19 (b) There is a Universal Service Trust Fund created for the purpose of paying the
20 costs of maintaining and operating the [program] PROGRAMS UNDER § 4-1103(A) OF
21 THIS TITLE subject to the limitations and controls provided in [this subtitle] § 4-1103(A).
22 Moneys in the Universal Service Trust Fund shall be held in the State Treasury.

23 (c) (1) The costs of the [program] PROGRAMS UNDER § 4-1103(A) OF THIS
24 TITLE shall be funded by revenues generated by a surcharge to be paid by the subscribers
25 to switched local exchange access service and by other funds as the budget may provide.

26 (2) The surcharge may not exceed 45 cents per month and shall be applied
27 to all current bills rendered for switched local exchange access service in the State. The
28 surcharge is payable at the time the bills for telephone service are due.

1 (d) (1) The Secretary of the Department of General Services shall annually
2 certify to the Public Service Commission the costs of the [program] PROGRAMS UNDER
3 § 4-1103(A) OF THIS TITLE to be paid by the Universal Service Trust Fund.

4 (2) The Public Service Commission shall determine the surchargenecessary
5 to fund the [program] PROGRAMS UNDER § 4-1103(A) OF THIS TITLE and shall, on 60
6 days' notice, direct the affected telephone companies to add the surcharge to all current
7 bills rendered for switched local exchange access service in the State.

8 (e) The affected telephone companies shall act as collection agents for the
9 Universal Service Trust Fund and shall remit all proceeds monthly to the Comptroller for
10 deposit to the Universal Service Trust Fund. The telephone companies shall be entitled to
11 credit against these proceeds an amount equal to 1 1/2 percent of theseproceeds to cover
12 the expenses of billing, collecting, and remitting the surcharge and any additional charges.

13 (f) The Secretary of General Services shall administer the UniversalService Trust
14 Fund subject to the provisions for financial management and budgeting established by the
15 Department of Budget and Fiscal Planning. The income derived from investment of
16 money in the Fund shall accrue to the Fund.

17 (g) The Legislative Auditor shall conduct postaudits of a fiscal andcompliance
18 nature of the Universal Service Trust Fund and of the expenditures madefor purposes of
19 [this subtitle] § 4-1103(A) OF THIS TITLE. The cost of the fiscal portion of the postaudit
20 examination shall be paid from the Universal Service Trust Fund as an administrative
21 cost.

22 4-1101.

23 (a) In this subtitle the following words have the meanings indicated.

24 (b) "Board" means the Governor's Advisory Board for Telecommunications Relay
25 as defined under § 4-1004 of this article.

26 (c) "Department" means the Department of General Services.

27 (d) "Program" means the program developed and administered by the
28 Department in consultation with the Board and the Governor's Office for
29 [Handicapped] Individuals WITH DISABILITIES to provide financial assistance for the
30 purchase of specialized customer premises equipment (SCPE) by eligible program
31 participants.

32 (e) "Program participant" means a person who:

33 (1) is a resident of the State;

34 (2) is certified by a licensed professional as having a disability which
35 seriously limits or prohibits the use of the basic telephone network without specialized
36 customer premises equipment;

37 (3) is certified by a licensed professional as being able to use specialized
38 customer premises equipment for which application is made;

39 (4) meets the financial eligibility requirements established bythe
40 Governor's Office for [Handicapped] Individuals WITH DISABILITIES; and

3

1 (5) at the time of application is not receiving similar services which are
2 available and can be provided in a timely manner through another program.

3 (f) "Specialized customer premises equipment" or "equipment" means any
4 communications devices designed to assist program participants in using the basic
5 telephone network.

6 (g) "System" means the method which the Department shall use to provide
7 financial assistance to eligible program participants for the purchase of the equipment.

8 4-1103.

9 (a) The Department of General Services in consultation with the Board and the
10 Governor's Office for [Handicapped] Individuals WITH DISABILITIES shall establish
11 and administer a program to assist eligible program participants to purchase specialized
12 customer premises equipment in accordance with § 4-1007 OF THIS TITLE AND the State
13 budget.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 1996.