

(PRE-FILED)

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

Requested: October 12, 1995

Introduced and read first time: January 10, 1996

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 31, 1996

CHAPTER ____

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; altering the eligibility
6 requirements to be a program participant; making technical corrections; and
7 generally relating to the Universal Service Trust Fund and the provision of
8 telecommunications devices to disabled individuals.

9 BY repealing and reenacting, with amendments,
10 Article - State Finance and Procurement
11 Section 4-1007, 4-1101, and 4-1103(a)
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1995 Supplement)

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

16 **Article - State Finance and Procurement**

17 4-1007.

18 (a) The [program] ~~PROGRAMS UNDER § 4-1103(A)~~ §§ 4-1003 AND 4-1103(A) OF
19 THIS TITLE shall be funded as provided in the State budget.

20 (b) There is a Universal Service Trust Fund created for the purpose of paying the
21 costs of maintaining and operating the [program] ~~PROGRAMS UNDER § 4-1103(A)~~
22 UNDER § 4-1003 OF THIS TITLE subject to the limitations and controls provided in [this
23 subtitle] ~~§ 4-1103(A)~~ SUBTITLE 10 OF THIS TITLE, AND THE PROGRAM UNDER §

1 4-1103(A) OF THIS TITLE SUBJECT TO THE LIMITATIONS AND CONTROLS PROVIDED
2 IN SUBTITLE 11 OF THIS TITLE. Moneys in the Universal Service Trust Fund shall be held
3 in the State Treasury.

4 (c) (1) The costs of the [program] PROGRAMS UNDER ~~§ 4-1103(A)~~ §§ 4-1003
5 AND 4-1103(A) OF THIS TITLE shall be funded by revenues generated by a surcharge to be
6 paid by the subscribers to switched local exchange access service and by other funds as the
7 budget may provide.

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

11 (d) (1) The Secretary of the Department of General Services shall annually
12 certify to the Public Service Commission the costs of the [program] PROGRAMS UNDER
13 ~~§ 4-1103(A)~~ §§ 4-1003 AND 4-1103(A) OF THIS TITLE to be paid by the Universal Service
14 Trust Fund.

15 (2) The Public Service Commission shall determine the surchargenecessary
16 to fund the [program] PROGRAMS UNDER ~~§ 4-1103(A)~~ §§ 4-1003 AND 4-1103(A) OF THIS
17 TITLE and shall, on 60 days' notice, direct the affected telephone companies to add the
18 surcharge to all current bills rendered for switched local exchange access service in the
19 State.

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

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

29 (g) The Legislative Auditor shall conduct postaudits of a fiscal andcompliance
30 nature of the Universal Service Trust Fund and of the expenditures madefor purposes of
31 [this subtitle] ~~§ 4-1103(A)~~ §§ 4-1003 AND 4-1103(A) OF THIS TITLE. The cost of the fiscal
32 portion of the postaudit examination shall be paid from the Universal Service Trust Fund
33 as an administrative cost.

34 4-1101.

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

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

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

39 (d) "Program" means the program developed and administered by the
40 Department in consultation with the Board and the Governor's Office for
41 [Handicapped] Individuals WITH DISABILITIES to provide financial assistance for the

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1 purchase of specialized customer premises equipment (SCPE) by eligible program
2 participants.

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

4 (1) is a resident of the State;

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

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

10 (4) meets the financial eligibility requirements established by the
11 Governor's Office for [Handicapped] Individuals WITH DISABILITIES AS A RECIPIENT
12 OF:

13 (I) TRANSITIONAL EMERGENCY MEDICAL AND HOUSING
14 ASSISTANCE (TEMHA);

15 (II) SUPPLEMENTAL SECURITY INCOME (SSI); OR

16 (III) AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC); and

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

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

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

24 4-1103.

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

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

