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By: Senator Bromwell Senators Bromwell, Dorman, Astle, DeGrange, Della, Exum, Hafer, Hooper, Rosser, Teitelbaum, and Kelley Introduced and read first time: February 16, 2001 Assigned to: Rules Re-referred to: Finance, February 22, 2001				
			Committee Report: Favorable with amendments	
			Senate action: Adopted with floor amendments	
			Read second time: March 21, 2001	
CHAPTER				
1 AN ACT concerning				
2 Universal Service Program Fund - Retention				
FOR the purpose of authorizing the Public Service Commission to retain certain funds in the universal service program fund at the end of a certain date and make the funds available for disbursement through a certain date; requiring the Commission and the Department of Human Resources to report to certain persons on certain matters pertaining to the universal service program and fund by a certain date; providing for the effective date and termination of this Act; and generally relating to the universal service fund.				
10 BY repealing and reenacting, with amendments, 11 Article - Public Utility Companies 12 Section 7-512.1(h) 13 Annotated Code of Maryland 14 (1998 Volume and 2000 Supplement)				
15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 16 MARYLAND, That the Laws of Maryland read as follows:				
17 Article - Public Utility Companies				
18 7-512.1.				
19 (h) (1) In this subsection, "fund" means the universal service program fund.				
20 (2) There is a universal service program fund.				

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	(3) (i) 1. The Comptroller shall collect the revenue collected by electric companies under subsection (b) of this section and place the revenue into the fund.
4 5	2. The General Assembly may appropriate funds supplemental to the funds collected under sub-subparagraph 1 of this subparagraph.
6 7	(ii) The fund is a continuing, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
8 9	(iii) The purpose of the fund is to assist electric customers as provided in subsection $(a)(1)$ of this section.
	(4) The Department of Human Resources, with oversight by the Commission, shall disburse the funds in accordance with the provisions of this section.
	(5) In any year when there are unexpended funds, those funds shall be returned to the customer classes proportionate to how the customer classes paid into the fund.
18	(6) NOTWITHSTANDING PARAGRAPH (5) OF THIS SUBSECTION, THE COMMISSION MAY RETAIN ANY UNEXPENDED FUNDS IN THE FUND AT THE END OF JUNE 30, 2001 AND MAKE THE FUNDS AVAILABLE FOR DISBURSEMENT UNDER THIS SECTION THROUGH JUNE 30, 2002 TO ELECTRIC CUSTOMERS WHO:
20 21	YEAR 2001; AND QUALIFY FOR ASSISTANCE FROM THE FUND DURING FISCAL
22	(II) APPLY FOR ASSISTANCE FROM THE FUND BEFORE JULY 1, 2001.
25 26	SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1, 2001, the Public Service Commission and the Department of Human Resources shall study and report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly, the Senate Finance Committee, and the House Environmental Matters Committee on:
28 29	(1) the level of participation in the universal service program during fiscal year 2001;
30	(2) the projected needs of the program for fiscal years 2002 and 2003;
31 32	(3) the amounts expended from the universal service program fund during fiscal year 2001;
33 34	(4) the amounts of surplus carried over in the universal service program fund from fiscal year 2001 to fiscal year 2002 under this Act;
35 36	<ul><li>(5) any difficulties that the Commission expects in complying with §</li><li>7-512.1(h) of the Public Utility Companies Article at the end of fiscal year 2002; and</li></ul>

- recommendations for simplifying the process of reducing the universal 1 (6)
- 2 service charge for customers when there are unexpended funds in the universal
- 3 service program fund at the end of a fiscal year.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 5 June 1, 2001. It shall remain effective for a period of 1 year and 1 month and, at the
- 6 end of June 30, 2002, with no further action required by the General Assembly, this 7 Act shall be abrogated and of no further force and effect.