

SENATE BILL 832

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C5

2002 Regular Session  
(2r2843)

**ENROLLED BILL**  
-- Finance/Environmental Matters --

Introduced by **Senator Bromwell**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Universal Service Program Fund - Retention of Funds**

3 FOR the purpose of authorizing the Public Service Commission to retain certain  
4 funds in the universal service program fund at the end of ~~any given fiscal year~~ a  
5 certain date and make the funds available for disbursement ~~during the next~~  
6 ~~fiscal year~~ through a certain date; requiring the Commission and the  
7 Department of Human Resources to report to certain persons on certain matters  
8 pertaining to the universal service program fund by a certain date; providing for  
9 the effective date and termination of this Act; ~~extending the provisions relating~~  
10 ~~to retention of certain funds in the universal service program fund;~~ and  
11 generally relating to the universal service program fund.

12 BY repealing and reenacting, with amendments,  
13 Article - Public Utility Companies  
14 Section 7-512.1(h)  
15 Annotated Code of Maryland  
16 (1998 Volume and 2001 Supplement)

1 ~~BY repealing and reenacting, with amendments,~~  
 2 ~~Chapter 433 of the Acts of the General Assembly of 2001~~  
 3 ~~Section 3~~

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

6 **Article - Public Utility Companies**

7 7-512.1.

8 (h) (1) In this subsection, "fund" means the universal service program fund.

9 (2) There is a universal service program fund.

10 (3) (i) 1. The Comptroller shall collect the revenue collected by  
 11 electric companies under subsection (b) of this section and place the revenue into the  
 12 fund.

13 2. The General Assembly may appropriate funds  
 14 supplemental to the funds collected under sub-subparagraph 1 of this subparagraph.

15 (ii) The fund is a continuing, nonlapsing fund that is not subject to  
 16 § 7-302 of the State Finance and Procurement Article.

17 (iii) The purpose of the fund is to assist electric customers as  
 18 provided in subsection (a)(1) of this section.

19 (4) The Department of Human Resources, with oversight by the  
 20 Commission, shall disburse the funds in accordance with the provisions of this  
 21 section.

22 (5) In any year when there are unexpended funds, those funds shall be  
 23 returned to the customer classes proportionate to how the customer classes paid into  
 24 the fund.

25 (6) Notwithstanding paragraph (5) of this subsection, the Commission  
 26 may retain any unexpended funds in the fund at the end of ~~{June 30, 2001}~~ ~~ANY~~  
 27 ~~GIVEN FISCAL YEAR 2002~~ and make the funds available for disbursement through  
 28 ~~{June 30, 2002}~~ ~~THE END OF THE NEXT FISCAL YEAR 2003~~ to electric customers who:

29 (i) ~~{qualify}~~ ~~QUALIFIED~~ for assistance from the fund during ~~THE~~  
 30 ~~GIVEN~~ fiscal year 2002 [2001]; and

31 (ii) ~~{apply}~~ ~~APPLIED~~ for assistance from the fund ~~{before July 1,~~  
 32 ~~2001}~~ ~~DURING THE GIVEN FISCAL YEAR, 2002.~~

**Chapter 433 of the Acts of 2001**

1  
2 ~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
3 ~~June 1, 2001. It shall remain effective for a period of [1 year] 2 YEARS and 1 month~~  
4 ~~and, at the end of June 30, [2002] 2003, with no further action required by the~~  
5 ~~General Assembly, this Act shall be abrogated and of no further force and effect.~~

6 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
7 ~~June 1, 2002.~~

8 SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1,  
9 2002, the Public Service Commission and the Department of Human Resources shall  
10 study and report to the Governor and, subject to § 2-1246 of the State Government  
11 Article, to the General Assembly, the Senate Finance Committee, and the House  
12 Environmental Matters Committee on:

13 (1) the level of participation in the universal service program during fiscal year  
14 2002;

15 (2) the projected needs of the program for fiscal years 2003 and 2004;

16 (3) the amounts expended from the universal service program fund during  
17 fiscal year 2002;

18 (4) the amounts of surplus carried over in the universal service program fund  
19 from fiscal year 2002 to fiscal year 2003 under this Act;

20 (5) any difficulties that the Commission expects in complying with § 7-512.1(h)  
21 of the Public Utility Companies Article at the end of fiscal year 2003; and

22 (6) recommendations for simplifying the process of reducing the universal  
23 service charge for customers when there are unexpended funds in the universal service  
24 program fund at the end of a fiscal year.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 June 30, 2002. It shall remain effective for a period of 1 year and 1 day and, at the end  
27 of June 30, 2003, with no further action required by the General Assembly, this Act  
28 shall be abrogated and of no further force and effect.