

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 780

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “authorizing” and substitute “requiring”; strike beginning with “authorizing” in line 5 down through “Board;” in line 12; in line 13, after “develop” insert “, with input from counties,”; strike beginning with “requiring” in line 14 down through “providers;” in line 17; strike beginning with “providing” in line 21 down through “account” in line 24 and substitute “altering a certain fee for 9-1-1 telephone service; requiring the Board to adopt certain procedures for a certain audit; increasing a certain additional charge a county may impose”; strike beginning with “providing” in line 26 down through “Act” in line 28 and substitute “restricting the use of 9-1-1 trust funds by counties to certain purposes; requiring the Department to submit a certain report; requiring the Board to investigate the availability of certain funds, to submit a certain report, and to make certain recommendations; requiring the Governor to provide a certain plan; making certain provisions of this Act subject to a certain contingency”; and strike in their entirety lines 30 through 34, inclusive.

On page 2, in line 3, strike “1-311” and substitute “1-312”.

AMENDMENT NO. 2

On pages 2 through 12, strike in their entirety the lines beginning with line 9 on page 2 through line 26 on page 12, inclusive.

AMENDMENT NO. 3

On page 13, in line 1, after “INTERCONNECTED” insert “, TWO-WAY VOICE”.

On page 14, strike in their entirety lines 18 through 23, inclusive; in lines 24 and 29, strike “(R)” and “(S)”, respectively, and substitute “(P)”, and “(Q)”, respectively.

On page 15, in lines 3 and 5, strike “(T)” and “(U)”, respectively, and substitute “(R)” and

(Over)

“(S)”, respectively.

On page 16, in line 13, strike “AND”; after line 13, insert:

“(XII) ONE MEMBER SHALL REPRESENT THE MARYLAND CHAPTER OF THE NATIONAL EMERGENCY NUMBERS ASSOCIATION; AND”;

in line 14, strike “(XII)” and substitute “(XIII)”; and in the same line, strike “three” and substitute “two”.

On page 17, in line 24, after “DEVELOPING” insert “, WITH INPUT FROM COUNTIES, AND PUBLISHING ON OR BEFORE JULY 1, 2004”; and in line 35, strike the brackets.

On page 18, in lines 8, 9, and 11, in each instance, strike the bracket; in line 10, strike “[:”]; in line 11, strike “1.”; and strike beginning with “; OR” in line 12 down through “MADE” in line 30.

On page 19, strike in their entirety lines 3 through 15, inclusive; and in line 20, strike “AND CMRS PROVIDERS”.

On page 20, strike in their entirety lines 8 through 11, inclusive; and in line 27, strike “AND CMRS PROVIDERS”.

On page 21, in line 4, strike “AND CMRS PROVIDERS”.

On page 22, strike in their entirety lines 4 through 21, inclusive, and substitute:

“(A) EACH SUBSCRIBER TO SWITCHED LOCAL EXCHANGE ACCESS SERVICE OR CMRS SHALL PAY A 9-1-1 FEE.

(B) THE 9-1-1 FEE IS 25 CENTS PER MONTH, PAYABLE WHEN THE BILL FOR THE TELEPHONE OR CMRS SERVICE IS DUE.”.

On page 23, strike beginning with “THE” in line 14 down through “REMITTANCES.” in line 16 and substitute “THE BOARD SHALL ADOPT PROCEDURES FOR AUDITING SURCHARGE COLLECTION AND REMITTANCE BY CMRS PROVIDERS.”

(5) ON REQUEST OF A CMRS PROVIDER, AND EXCEPT AS OTHERWISE REQUIRED BY LAW, THE INFORMATION THAT THE CMRS PROVIDER REPORTS TO THE BOARD SHALL BE CONFIDENTIAL, PRIVILEGED, AND PROPRIETARY AND MAY

NOT BE DISCLOSED TO ANY PERSON OTHER THAN THE CMRS PROVIDER.”;

in line 29, in each instance, strike the bracket; strike beginning with “SUBSCRIBER” in line 29 down through “NUMBERS” in line 30; and in line 32, strike “50” and substitute “75”.

AMENDMENT NO. 4

On page 24, after line 19, insert:

“1-312.

(a) During each county’s fiscal year, the county may spend the amounts distributed to it from 9-1-1 fee collections for the installation, enhancement, maintenance, and operation of a county or multicounty 9-1-1 system.

(b) [Maintenance] SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, MAINTENANCE and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years.

(C) A COUNTY:

(1) MAY USE 9-1-1 TRUST FUNDS ONLY TO SUPPLEMENT LEVELS OF SPENDING BY THE COUNTY FOR 9-1-1 MAINTENANCE OR OPERATIONS; AND

(2) MAY NOT USE 9-1-1 TRUST FUNDS TO SUPPLANT SPENDING BY THE COUNTY FOR 9-1-1 MAINTENANCE OR OPERATIONS.

[(c)] (D) The Board shall provide for an audit of each county’s expenditures for the maintenance and operation of the county’s 9-1-1 system.”;

AMENDMENT NO. 5

On page 24, in line 20, strike “3.” and substitute “2.”; after line 27, insert:

(Over)

“SECTION 3. AND BE IT FURTHER ENACTED, That the Emergency Number Systems Board shall investigate the availability of federal funds under Homeland Security measures and shall report to the General Assembly on or before December 1, 2003, in accordance with § 2-1246 of the State Government Article, on the availability of such funds and on the procedures adopted to ensure proper and accurate collections and accounting of the 9-1-1 fees and additional charges authorized under State law. The report shall detail measures in place to address variances in remittances by telephone companies and CMRS providers, the effects of audit capabilities provided under this Act, and shall make recommendations with regard to the fair and effective administration of the 9-1-1 fees and charges authorized under State law.

SECTION 4. AND BE IT FURTHER ENACTED, That, if Chapter _____ (S.B. 657/H.B. 935 the “Budget Reconciliation and Financing Act of 2003”) of the Acts of the General Assembly of 2003 transfers monies from the 9-1-1 Trust Fund originally established under Article 41, § 18-105 of the Annotated Code of Maryland, the changes made to § 1-310 of the Public Safety Article, as amended by Section 1 of this Act, are null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That, for State operating budgets beginning with fiscal 2005, the Governor shall provide a plan for repayment to the 9-1-1 Trust Fund any monies transferred from the 9-1-1 Trust Fund under budget reconciliation and financing legislation or by other means that would result in the use of the monies for a purpose other than the original intended use.”;

in line 28, strike “4.” and substitute “6.”; strike in their entirety lines 33 through 36, inclusive; in line 37, strike “6.” and substitute “7.”; and in line 38, strike “July” and substitute “October”.