

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 697

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Underserved Areas” and substitute “Task Force on Broadband Communications Deployment in Underserved Rural Areas”; strike beginning with “altering” in line 3 down through “requiring” in line 10 and substitute “establishing a Task Force on Broadband Communications Deployment in Underserved Rural Areas; providing for the membership and duties of the Task Force; providing for staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; providing for a panel of advisors; requiring the Task Force to report to the Governor and the General Assembly on or before certain dates; encouraging”; strike beginning with “by” in line 12 down through “date” in line 13; in line 13, after the semicolon insert “providing for the termination of this Act;”; in line 15, strike “underserved areas” and substitute “the Task Force on Broadband Communications Deployment in Underserved Rural Areas”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On page 1, in line 22, strike “the Laws of Maryland read as follows”; after line 22 insert:

“(a) There is a Task Force on Broadband Communications Deployment in Underserved Rural Areas.

(b) The Task Force consists of the following 20 members:

(1) three members of the Maryland House of Delegates, one each from Western Maryland, Southern Maryland, and the Eastern Shore, appointed by the Speaker of the House;

(2) three members of the Senate of Maryland, one each from Western Maryland, Southern Maryland, and the Eastern Shore, appointed by the President of the Senate;

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(3) three technical experts representing public sector agencies and universities appointed jointly by the Chairmen of the Southern Maryland, Western Maryland, and Eastern Shore delegations to the General Assembly;

(4) the Secretary of Budget and Management, or the Secretary's designee;

(5) the Secretary of Business and Economic Development, or the Secretary's designee;

(6) the Chairman of the Public Service Commission, or the Chairman's designee;
and

(7) the following members appointed by the Governor:

(i) a representative of the Maryland Technology Development Corporation;

(ii) a representative of the Forum for Rural Maryland;

(iii) a representative of the Tri-County Council for Western Maryland;

(iv) a representative of the Tri-County Council for Southern Maryland;

(v) a representative of the Tri-County Council for the Lower Eastern Shore of Maryland;

(vi) a representative of the Mid-Shore Regional Council;

(vii) a local government representative from Carroll County or Frederick County; and

(viii) a local government representative from Harford County, Cecil County, Kent County, or Queen Anne's County.

(c) The Governor shall designate the Chairman of the Task Force.

(d) The Chairman of the Task Force may establish subcommittees of the Task Force to assist in the work of the Task Force.

(e) A member of the Task Force may not receive compensation for serving on the Task Force, but is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Chairman of the Task Force may convene a panel of advisors to solicit comments and recommendations on broadband communications in rural areas and other issues defined by the Task Force.

(2) The panel of advisors may assist the Task Force in its work as determined by the Chairman of the Task Force.

(g) The panel of advisors may include representatives of:

- (1) local telephone service providers;
- (2) long distance telephone service providers;
- (3) cable service providers;
- (4) wireless service providers;
- (5) satellite service providers;
- (6) investor-owned electric utility providers;
- (7) rural electric cooperatives;
- (8) municipal electric utilities;
- (9) Internet service providers;
- (10) the Network Maryland Advisory Group;

(11) the Network Maryland Engineering Committee;

(12) the Governor's Technology Commission;

(13) the Information Technology Board;

(14) the Maryland Chamber of Commerce;

(15) the Maryland Municipal League;

(16) the Maryland Association of Counties;

(17) the Maryland Rural Health Association;

(18) organizations representing schools, libraries, colleges, universities, and high technology councils; and

(19) any other group, organization, or person, as determined by the Chairman of the Task Force.

(h) The Task Force shall:

(1) shall consider developments and best practices in regions of the country where broadband communications are being deployed in rural communities, the broadband networking infrastructure in those areas, and the direct and indirect benefits and costs associated with the networks;

(2) after considering existing State and regional broadband communications assessments and information that may become available during the deliberations of the Task Force, shall evaluate:

(i) the resources, infrastructure, and cost structures now in place or available in the various rural regions of the State for developing or obtaining access to broadband communications;

(ii) the feasibility of using existing or alternative legal mechanisms and infrastructure to support the economical development of broadband communications in rural areas of the State;

(iii) the utility of several applications where broadband communications would benefit rural areas, such as applications relating to agriculture, medicine, and education; and

(iv) any other matters that the Task Force considers pertinent to establishing effective broadband communications in the rural areas of the State;

(3) shall encourage the development of specific goals for the State in the deployment of broadband communications in rural areas, including:

(i) the development of economically competitive access to broadband communications by the public and private sectors in each rural area of the State;

(ii) the availability of broadband communications access throughout the rural areas of the State to address issues of universal service in unserved and underserved communities;

(iii) the development and expansion of practical applications for the enhancement of economic development, and other public benefits;

(iv) the development of affinities and interconnection among the governmental units in the State, educational institutions, and private industry; and

(v) any other goals that the Task Force determines to be in the public interest;

(4) shall develop proposals and recommendations for the establishment and enhancement of broadband communications in rural areas by:

(i) reviewing government policies for the promotion, development, and economically competitive use of broadband communications;

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(ii) identifying sources of funding and support, including leveraging of State and federal resources;

(iii) encouraging private and public participation in the development and use of broadband communications in rural areas, including demand aggregation and resource leveraging to enhance economic and technological development; and

(iv) examining any other pertinent issues; and

(5) shall oversee the implementation of the Task Force's recommendations made under item (4) of this subsection, and as the Task Force may determine, offer any recommendations pertaining to:

(i) legislation for possible introduction in the 2004 or 2005 session of the General Assembly to implement the recommendations of the Task Force;

(ii) budget provisions and amendments for inclusion in the State budgets for fiscal years 2005, 2006, and beyond; and

(iii) programmatic changes in State procurement or other areas that might be implemented by regulation.

(1) In accordance with § 2-1246 of the State Government Article, the Task Force shall report to the Governor and to the President of the Senate of Maryland, the Speaker of the House of Delegates, the Senate Finance Committee, the House Economic Matters Committee, and the chairmen of the General Assembly's rural delegations, as provided in paragraph (2) of this subsection.

(2) The Task Force shall issue:

(i) on or before December 1, 2003, a preliminary report and draft statewide rural development plan focusing on public and private broadband communications access;

(ii) on or before January 15, 2004, an interim report and recommendations for a statewide broadband communications plan focusing on private sector access;

(iii) on or before December 1, 2004, a progress report on the implementation of the plans for public and private broadband communications access, together with any follow-up recommendations; and

(iv) on or before June 30, 2005, a final report of the Task Force.

(j) The Maryland Technology Development Corporation shall provide staff support to the Task Force, with the assistance of the Forvm for Rural Maryland, the Department of Budget and Management, and the Department of Business and Economic Development, and other appropriate State, regional, and local agencies.”.

On pages 1 through 4, strike in their entirety the lines beginning with line 23 on page 1 down through line 22 on page 4, inclusive.

On page 4, in line 24, strike “On or before July 1, 2004, the” and substitute “The”; in line 25, after “Development” insert “, in assisting the Task Force on Broadband Communications Deployment in Underserved Rural Areas,”; in lines 25 and 31, in each instance, strike “shall” and substitute “is strongly encouraged to”; in line 29, strike the semicolon and substitute a period; in line 30, strike “On or before July 1, 2004, the” and substitute “The”; in the same line, after “Management” insert “, in assisting the Task Force on Broadband Communications Deployment in Underserved Rural Areas,”; in line 39, strike “shall also” and substitute “is also strongly encouraged to”; and in line 40, strike the semicolon and substitute a period.

On page 5, in line 1, strike “On or before January 1, 2005, the” and substitute “The”; in line 2, after “Management” insert “and in coordination with recommendations of the Task Force on Broadband Communications Deployment in Underserved Rural Areas”; in the same line, strike “shall” and substitute “is strongly encouraged to”; and strike beginning with “; and” in line 6 down through “section” in line 10.

AMENDMENT NO. 3

On page 5, in line 12, strike “July” and substitute “June”; and in the same line, after “2003.”

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insert "It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2005, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".