

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL NO. 753

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with “transferring” in line 21 down through “circumstances;” in line 23.

On pages 1 and 2, strike beginning with “providing” in line 26 on page 1 down through “circumstances;” in line 1 on page 2.

On page 2, in line 3, after “infrastructure” insert “provided by certain telecommunications services providers”; in the same line, after “charge;” insert “providing that the cost of any relocation of broadband communication infrastructure due to certain road improvements shall be the responsibility of certain persons; providing for the construction of certain provisions of this Act;”; and strike in their entirety lines 29 through 33, inclusive.

AMENDMENT NO. 2

On page 3, in line 19, strike “§ 5-1903” and substitute “§ 5-1902”.

On page 4, in line 33, after “BOARD” insert “ESTABLISHED”; and in the same line, strike “TITLE 21” and substitute “§ 21-102 OF THE CODE”.

On page 5, in line 2, strike “§ 5-1903” and substitute “§ 5-1902”.

On page 6, strike beginning with “TRANSFERRED” in line 16 down through “ARTICLE” in line 17 and substitute “APPROPRIATED IN THE STATE BUDGET TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY AND FUND FOR THE PURPOSE OF ASSISTING IN THE ESTABLISHMENT OF BROADBAND COMMUNICATION SERVICES IN RURAL AND UNDERSERVED AREAS OF THE STATE”.

(Over)

On pages 8 through 10, strike in their entirety the lines beginning with line 30 on page 8 through line 16 on page 10, inclusive.

On page 10, in line 18, before "THE" insert "(A)"; in line 19, after "INFRASTRUCTURE" insert "PROVIDED BY NONPROFIT TELECOMMUNICATIONS SERVICES PROVIDERS"; after line 21, insert:

"(B) THE COST OF ANY RELOCATION OF BROADBAND COMMUNICATION INFRASTRUCTURE DUE TO FUTURE ROAD IMPROVEMENTS SHALL BE THE RESPONSIBILITY OF THE APPROPRIATE TELECOMMUNICATIONS SERVICES PROVIDER.

(C) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT OR OTHERWISE AFFECT ANY RIGHT GRANTED TO THE STATE OR A UNIT OF THE STATE UNDER § 253 OF THE FEDERAL TELECOMMUNICATIONS ACT OF 1996 WITH REGARD TO FOR PROFIT TELECOMMUNICATIONS SERVICES PROVIDERS.";

after line 31, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, for fiscal years 2008 and 2009, the Governor shall include in the annual budget bill a general fund appropriation to the Rural Broadband Assistance Fund established under Article 83A, § 5-1902 of the Code, as enacted by Section 1 of this Act, of at least \$4,000,000 in each fiscal year, of which at least \$2,000,000 in each fiscal year shall be from the Maryland Economic Development Assistance Authority and Fund.

(b) If the Rural Broadband Assistance Fund receives more than \$2,000,000 from the Maryland Economic Development Assistance Authority and Fund in fiscal year 2007, then, for fiscal year 2009 only, the funding specified in subsection (a) of this section may be reduced by the amount by which the 2007 fiscal year funding from the Maryland Economic Development Assistance Authority and Fund exceeds \$2,000,000.";

and in line 32, strike "2." and substitute "3.".