

**HB0961/447172/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 961  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Department” in line 2 down through “Development –” in line 3; in line 3, after “Broadband” insert “Communication Services”; in the same line, strike “Service – Inventory and Mapping of Assets”; in line 4, after “of” insert “continuing the Maryland Rural Broadband Coordination Board and the Rural Broadband Assistance Fund; expanding the places where certain nonprofit telecommunications services providers are authorized to install certain broadband communication infrastructure without imposition of a certain charge; extending a requirement that the State Highway Administration allow certain nonprofit telecommunications services providers to install certain broadband communication infrastructure without imposition of a certain charge to certain other units of State government;”; in line 11, after “request;” insert “repealing a certain termination date;”; in the same line, strike “service” and substitute “communication services”; and after line 11, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 8–654

Annotated Code of Maryland

(2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Chapter 269 of the Acts of the General Assembly of 2006

Section 3

BY repealing and reenacting, with amendments,

Chapter 306 of the Acts of the General Assembly of 2008

(Over)

Section 22 through 25".

AMENDMENT NO. 2

On page 1, before line 12, insert:

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

Article – Transportation

8-654.

(a) The [Administration] FOLLOWING UNITS OF THE STATE shall allow the use of any right-of-way OR EASEMENT for the installation of broadband communication infrastructure provided by nonprofit telecommunications services providers in rural and underserved areas of the State without imposition of any charge for the use of the right-of-way OR THE EASEMENT:

(1) THE DEPARTMENT OF TRANSPORTATION, INCLUDING THE STATE HIGHWAY ADMINISTRATION, THE MARYLAND TRANSPORTATION AUTHORITY, AND THE MARYLAND TRANSIT ADMINISTRATION;

(2) THE BOARD OF PUBLIC WORKS;

(3) THE DEPARTMENT OF INFORMATION TECHNOLOGY;

(4) THE DEPARTMENT OF NATURAL RESOURCES; AND

(5) THE DEPARTMENT OF THE ENVIRONMENT.

(b) 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.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 269 of the Acts of 2006

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2006. [It shall remain effective for a period of 14 years and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

Chapter 306 of the Acts of 2008

SECTION 22. [AND BE IT FURTHER ENACTED, That Title 5, Subtitle 11 of the Economic Development Article, the subtitle “Subtitle 11. Rural Broadband Assistance Fund”, Title 13, Subtitle 5 of the Economic Development Article, and the subtitle “Subtitle 5. Rural Broadband Coordination Board”, as enacted by Section 2 of this Act, shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 269 of the Acts of the General Assembly of 2006. If that termination provision takes effect, Title 5, Subtitle 11 of the Economic Development Article, the subtitle “Subtitle 11. Rural Broadband Assistance Fund”, Title 13, Subtitle 5 of the Economic Development Article, and the subtitle “Subtitle 5. Rural Broadband Coordination Board”, as enacted by Section 2 of this Act, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

(Over)

SECTION 23.] AND BE IT FURTHER ENACTED, That Title 11, Subtitle 1 of the Economic Development Article and the subtitle “Subtitle 1. Base Realignment and Closure Subcabinet”, as enacted by Section 2 of this Act, shall remain effective until the taking effect of the termination provision specified in Section 2 of Chapter 6 of the Acts of the General Assembly of 2007. If that termination provision takes effect, Title 11, Subtitle 1 of the Economic Development Article and the subtitle “Subtitle 1. Base Realignment and Closure Subcabinet”, as enacted by Section 2 of this Act, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION [24.] 23. AND BE IT FURTHER ENACTED, That Title 11, Subtitle 2 of the Economic Development Article and the subtitle “Subtitle 2. Maryland Military Installation Council”, as enacted by Section 2 of this Act, shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 634 of the Acts of the General Assembly of 2006. If that termination provision takes effect, Title 11, Subtitle 2 of the Economic Development Article and the subtitle “Subtitle 2. Maryland Military Installation Council”, as enacted by Section 2 of this Act, shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION [25.] 24. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 19 through [24] 23 of this Act, this Act shall take effect October 1, 2008.”;

in line 12, strike “1.” and substitute “3. AND”; in the same line, after “IT” insert “FURTHER”; and in the same line, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

On page 2, in line 19, strike “2.” and substitute “4.”.