

FEB 14 2001
STATE GOVERNMENT

HOUSE FILE 263
BY QUIRK

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing internet access through the Iowa communications
2 network for rural communities meeting specified criteria.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 263

1 Section 1. Section 8D.2, subsection 5, Code 2001, is
2 amended to read as follows:

3 5. "Public agency" means a state agency, an institution
4 under the control of the board of regents, the judicial branch
5 as provided in section 8D.13, subsection 17, a school
6 corporation, a city library, a regional library as provided in
7 chapter 256, a county library as provided in chapter 336, or a
8 judicial district department of correctional services
9 established in section 905.2, to the extent provided in
10 section 8D.13, subsection 15, an agency of the federal
11 government, ~~or~~ a United States post office which receives a
12 federal grant for pilot and demonstration projects, or a
13 community participating in the rural communities internet
14 access program pursuant to section 15.372.

15 Sec. 2. Section 8D.3, subsection 3, paragraph i, Code
16 2001, is amended to read as follows:

17 i. Evaluate existing and projected rates for use of the
18 system and ensure that rates are sufficient to pay for the
19 operation of the system excluding the cost of construction and
20 lease costs for Parts I, II, and III. The commission shall
21 establish all hourly rates to be charged to all authorized
22 users for the use of the network. A fee established by the
23 commission to be charged to a hospital licensed pursuant to
24 chapter 135B, a physician clinic, ~~or~~ the federal government,
25 or a community participating in the rural communities internet
26 access program pursuant to section 15.372 shall be at an
27 appropriate rate so that, at a minimum, there is no state
28 subsidy related to the costs of the connection or use of the
29 network related to such user.

30 Sec. 3. Section 8D.11, subsection 4, Code 2001, is amended
31 to read as follows:

32 4. A political subdivision receiving communications
33 services from the state as of April 1, 1986, may continue to
34 do so but communications services shall not be provided or
35 resold to additional political subdivisions other than a

1 school corporation, a city library, a regional library as
2 provided in chapter 256, and a county library as provided in
3 chapter 336, or a community participating in the rural
4 communities internet access program pursuant to section
5 15.372. The rates charged to the political subdivision shall
6 be the same as the rates charged to state agencies.

7 Sec. 4. Section 8D.13, subsection 2, paragraph c, Code
8 2001, is amended to read as follows:

9 c. "Part III" means the communications connection between
10 the secondary switching centers and the agencies defined in
11 section 8D.2, subsections 4 and 5, excluding state agencies,
12 institutions under the control of the board of regents,
13 nonprofit institutions of higher education eligible for
14 tuition grants, and the judicial branch, judicial district
15 departments of correctional services, hospitals and physician
16 clinics, agencies of the federal government, and post offices,
17 or a community participating in the rural communities internet
18 access program pursuant to section 15.372.

19 Sec. 5. Section 8D.13, Code 2001, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 20. Access shall be offered to qualifying
22 communities pursuant to the rural communities internet access
23 program established in section 15.372. A community
24 participating in the program shall be responsible for all
25 costs associated with becoming a part of the network.

26 Sec. 6. NEW SECTION. 15.371 SHORT TITLE.

27 This part shall be known and may be cited as the "Rural
28 Communities Internet Access Program".

29 Sec. 7. NEW SECTION. 15.372 RURAL COMMUNITIES INTERNET
30 ACCESS PROGRAM.

31 1. The department shall establish a program to provide
32 internet access to the Iowa communications network for
33 businesses in communities lacking affordable, high-speed
34 broadband internet access. For purposes of this section,
35 "community" means a city, unincorporated area, or township.

1 To participate in the program, a community shall:

2 a. Have a population of twenty thousand or fewer
3 individuals.

4 b. Possess less than a T2 capability. For purposes of
5 this section, "T2" means a telecommunications transmission
6 system operating at a bandwidth capacity of three and one-
7 hundred-fifty-two thousandths megabits per second.

8 c. Agree to utilize the Iowa communications network for
9 internet access strictly by community businesses for economic
10 development purposes.

11 2. A community meeting the requirements of subsection 1
12 may submit an application to the board. Each application
13 shall include an assessment of the length of time anticipated
14 before the community will have high-speed broadband internet
15 access, efforts by the community to acquire such access, and a
16 plan specifying the economic development activities for which
17 community businesses envision utilizing the IOWA
18 COMMUNICATIONS NETWORK for internet access. If granted, an
19 application shall provide for nonsubsidized access to the Iowa
20 communications network until such time as it is determined by
21 the board that the community either possesses or is capable of
22 acquiring high-speed broadband internet access. All
23 communities participating in the program shall annually submit
24 to the board a report detailing progress made regarding the
25 economic development activities specified in the plan
26 originally submitted with their application, and an updated
27 assessment of the length of time anticipated before the
28 community will have high-speed broadband internet access and
29 efforts by the community to acquire such access.

30 3. The department shall adopt rules pursuant to section
31 17A to administer this section.

32 EXPLANATION

33 This bill provides for the establishment of a rural
34 community internet access program for businesses in
35 communities lacking affordable, high-speed broadband internet

1 access. The bill provides that to participate in the program,
2 a community, defined as a city, unincorporated area, or
3 township, shall have a population of 20,000 or fewer
4 individuals, possess less than a T2 capability, and agree to
5 utilize the Iowa communications network for internet access
6 strictly for economic development activities by community
7 businesses. The bill defines "T2" as a telecommunications
8 transmission system operating at a bandwidth capacity of 3.152
9 megabits per second. The bill provides that to participate in
10 the program, a community shall submit an application to the
11 Iowa economic development board. The bill provides that an
12 application shall include an assessment of the length of time
13 anticipated before the community will have high-speed
14 broadband internet access, efforts by the community to acquire
15 such access, and a plan specifying the economic development
16 activities for which community businesses envision utilizing
17 the Iowa communications network for internet access. The bill
18 also provides that if granted, an application shall provide
19 for nonsubsidized access to the Iowa communications network
20 until it is determined by the board that the community either
21 possesses or is capable of acquiring high-speed broadband
22 internet access. The bill provides that a community
23 participating in the program shall annually submit to the
24 board a report detailing progress made regarding the economic
25 development activities accomplished and an updated time
26 estimate for acquiring high-speed broadband internet access.
27 The bill provides for conforming changes to Code chapter 8D
28 regarding access to the Iowa communications network on a
29 nonsubsidized basis by a community participating in the
30 program.

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