

## SENATE AMENDMENTS TO SENATE BILL 16

By COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

April 12

1 In line 2 of the printed bill, delete "759.016" and insert "759.445; and appropriating money".

2 Delete lines 4 through 21 and insert:

3 "**SECTION 1.** ORS 759.445 is amended to read:

4 "759.445. (1) There is established in the State Treasury, separate and distinct from the General  
5 Fund, the Connecting Oregon Communities Fund. Moneys in the fund shall consist of amounts de-  
6 posited in the fund under ORS 759.405 and any other moneys deposited by a telecommunications  
7 carrier that elects to be subject to ORS 759.405 and 759.410, including amounts deposited pursuant  
8 to a performance assurance plan implemented by a telecommunications carrier in connection with  
9 an application under 47 U.S.C. 271, as in effect on January 1, 2002. Interest earned on moneys in the  
10 fund shall accrue to the fund. Moneys in the fund may be invested as provided in ORS 293.701 to  
11 293.820. Moneys in the fund shall be used to provide access to advanced telecommunications tech-  
12 nology in elementary schools and high schools, colleges and universities, community colleges, public  
13 television corporations, rural health care providers, public libraries and other eligible persons.

14 "(2) Two dedicated accounts shall be established within the Connecting Oregon Communities  
15 Fund for purposes of supporting education and public access to advanced telecommunications ser-  
16 vices. The first \$25 million of the moneys deposited in the Connecting Oregon Communities Fund in  
17 both 2000 and 2001 shall be appropriated to the School Technology Account established under sub-  
18 section (3) of this section. Except as provided in subsection (8) of this section, any additional moneys  
19 available in the fund shall be appropriated to the Public Access Account established under sub-  
20 section (4) of this section.

21 "(3) There is established the School Technology Account within the Connecting Oregon Com-  
22 munities Fund. The purpose of the School Technology Account is to improve access to advanced  
23 telecommunications services for students attending public school in kindergarten through grade 12.  
24 **Except as provided in subsection (8) of this section,** moneys in the account shall be expended  
25 as provided in section 34, chapter 1093, Oregon Laws 1999.

26 "(4)(a) There is established the Public Access Account within the Connecting Oregon Commu-  
27 nities Fund. The purpose of the Public Access Account is to improve access to advanced telecom-  
28 munications services for community colleges, universities, public libraries and rural health care  
29 providers.

30 "(b) If funding has not been provided from other sources, the first \$3 million available in the  
31 Public Access Account shall be transferred to the Department of Higher Education for the purpose  
32 of funding the Oregon Wide Area Network project to provide and expand Internet access for the  
33 Oregon University System. The Department of Higher Education shall complete an audit of band-  
34 width utilization and report to the Joint Legislative Committee on Information Management and  
35 Technology during the Seventy-first Legislative Assembly in the manner provided in ORS 192.245.

1 “(c) Following the transfer of funds described in paragraph (b) of this subsection, the next \$1  
2 million available in the Public Access Account shall be transferred to the Department of Higher  
3 Education for Oregon State University for the purpose of providing virtual access to persons with  
4 disabilities.

5 “(d) Following the transfer of funds as described in paragraphs (b) and (c) of this subsection, the  
6 next \$2 million available in the Public Access Account shall be transferred to the Department of  
7 Community Colleges and Workforce Development for distribution to community colleges for the  
8 purpose of developing connectivity and distance education programs.

9 “(e) Following the transfer of funds described in paragraphs (b) to (d) of this subsection, the next  
10 \$4 million available in the Public Access Account shall be transferred to the Department of Higher  
11 Education for video transport and network management services for the Oregon University System.

12 “(f) Following the transfer of funds described in paragraphs (b) to (e) of this subsection, the next  
13 \$5.5 million available in the Public Access Account shall be transferred to the Oregon Public  
14 Broadcasting Corporation for the purpose of digitizing the state television network, using the  
15 Oregon Enterprise Network when possible.

16 “(g) Following the transfer of funds described in paragraphs (b) to (f) of this subsection, the next  
17 \$500,000 available in the Public Access Account shall be transferred to the Southern Oregon Public  
18 Television Corporation for the purpose of digitizing the state television network, using the Oregon  
19 Enterprise Network when possible.

20 “(h) Following the transfer of funds described in paragraphs (b) to (g) of this subsection, a state  
21 institution of higher education, including the Oregon Health and Science University, may apply for  
22 one-time matching funds up to \$1 million from the Public Access Account to endow a telecommuni-  
23 cations chair for the purpose of increasing research and development of advanced telecommuni-  
24 cations services applications. Only one chair may be endowed under this paragraph.

25 “(5)(a) The Oregon Economic and Community Development Commission shall approve expendi-  
26 ture of any remaining moneys in the Public Access Account consistent with this section and ORS  
27 759.430.

28 “(b) Community colleges, state institutions of higher education, public libraries, public television  
29 corporations and rural health care providers may apply to the Oregon Economic and Community  
30 Development Commission for funding from the Public Access Account under this subsection.

31 “(c) Funds received from the account shall be used for the purchase of advanced telecommuni-  
32 cations services, equipment or recurring costs of telecommunications connectivity. Priority shall be  
33 given to collaborative projects that improve access to advanced telecommunications services.

34 “(d) Funds available in the Public Access Account under this subsection are continuously ap-  
35 propriated to the Economic and Community Development Department for the purposes described in  
36 this subsection.

37 “(6) Public libraries and rural health care providers must apply for federal universal service  
38 support in order to be eligible for a grant from the Public Access Account.

39 “(7) The video transport and network management services purchased with funds made available  
40 under this section shall be purchased through the Oregon Department of Administrative Services.

41 “(8) Any moneys deposited in the Connecting Oregon Communities Fund under subsection (1)  
42 of this section pursuant to a performance assurance plan implemented by a telecommunications  
43 carrier in connection with an application under 47 U.S.C. 271, as in effect on January 1, 2002, shall  
44 be placed in the School Technology Account, **but shall not** [to] be expended as provided in section  
45 34, chapter 1093, Oregon Laws 1999. **Moneys placed in the School Technology Account under**

1 **this subsection are continuously appropriated to the Department of Education. Once each**  
2 **year, the Department of Education shall transfer amounts appropriated to the department**  
3 **under this subsection to the Oregon Public Education Network for the purpose of**  
4 **infrastructure development needed to increase access to broadband services by school dis-**  
5 **tricts. Transfers to the Oregon Public Education Network under this subsection must be**  
6 **made before March 1 of each calendar year.”.**

7

---