

SHORT TITLE: Telecommunications; OneNet; legislative intent;
noncodification; emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 829

By: Robinson

AS INTRODUCED

An Act relating to telecommunications; amending Section 8, Chapter 408, O.S.L. 1997 (17 O.S. Supp. 1997, Section 139.108), which relates to OneNet and the Oklahoma Government Telecommunications Network; expanding certain prohibition; clarifying certain role of OneNet; providing for certain reimbursement; providing for certain status of certain schools; stating legislative intent; providing for noncodification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 8, Chapter 408, O.S.L. 1997 (17 O.S. Supp. 1997, Section 139.108), is amended to read as follows:

Section 139.108 A. Except for the provisions of this section, nothing in ~~this act~~ the Oklahoma Telecommunications Act of 1997 shall be construed as applicable to the telecommunications network known as OneNet or to any other component of the Oklahoma Government Telecommunications Network. Neither OneNet nor any other component of the Oklahoma Government Telecommunications Network shall be assessed any fee or other charge for the support of universal service.

B. No provider of Internet service or any company providing telecommunications services or its affiliate or subsidiary, may price such Internet service in an anticompetitive, discriminatory, or predatory manner or subsidize the price of Internet service with revenues received from other services. No governmental agency or entity using or being eligible to use OneNet facilities may price such Internet services in an anticompetitive or predatory manner.

Any governmental agency or entity using OneNet facilities is hereby prohibited from reselling OneNet access directly to the general public at any nonpublic site. Any company or individual damaged from a violation of this subsection by a private company or individual shall be entitled to treble damages. The Attorney General shall be responsible for bringing an action for violation of this section against a private company or individual.

C. The Neither the Corporation Commission nor any other agency nor any school, library, or rural health care provider shall not approve, endorse, forward or file any application for reimbursement submitted pursuant to subsection (h) of Section 254 of the Communications Act of 1934, as amended, for transmission services requiring a circuit of T-1 or greater capacity unless OneNet is shown as the circuit provider aggregator and as the entity regarded by this state as eligible for reimbursement. A telecommunications provider receiving reimbursement from the government of the United States for the provision of circuits described herein shall pay the reimbursement to OneNet. For purposes of this subsection, "T-1" means a digital, one-million-five-hundred-forty-four-thousand-bit (1.544 Mbit) circuit with capacity sufficient to simultaneously transmit twenty-four voice or data channels at sixty-four thousand bits per second (64 Kbits/sec).

D. In all matters related to the provisions of subsection C of this section, state agencies, including the Corporation Commission, shall regard the Oklahoma School for the Blind and the Oklahoma School for the Deaf as eligible schools.

SECTION 2. It is the intent of the Legislature that Section 1 of this act be an amendment to, and alteration of, Sections 18 through 34, inclusive, of Article IX of the Constitution of the State of Oklahoma, as authorized by Section 35 of Article IX of the Constitution of the State of Oklahoma.

SECTION 3. The provisions of Section 2 of this act shall not be codified in the Oklahoma Statutes.

SECTION 4. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-1792

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