

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1649

By: Deutschendorf

COMMITTEE SUBSTITUTE

An Act relating to telecommunications; amending Section 9, Chapter 408, O.S.L. 1997 (17 O.S. Supp. 1998, Section 139.109), which relates to special universal services; creating the Oklahoma School Technology Fund; providing for annual contribution to the Fund; providing total contribution amount of the Fund; stating basis for contributions; providing for distribution of Fund; stating purpose of the Fund; requiring school districts to make application for certain reimbursement before eligible for funding; limiting expenditures; deleting requirement for certain type of access line offered to schools and libraries; providing for certain digital circuits for schools and libraries at a certain cost; providing for credit for applications to other services; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 9, Chapter 408, O.S.L. 1997 (17 O.S. Supp. 1998, Section 139.109), is amended to read as follows:

Section 139.109 A. There is hereby created within the Oklahoma Corporation Commission the "Oklahoma E911 Emergency Service Fund". Beginning September 1, 1997, each local exchange telecommunications service provider shall annually contribute fifty cents (\$.50) per retail local exchange access line to the Oklahoma E911 Emergency Service Fund until the total amount contributed by all providers to the Fund equals Five Million Dollars (\$5,000,000.00). The contribution amount for each service provider shall be based upon the number of retail local exchange access lines of that service

provider in service on July 1 of each applicable year. The Oklahoma E911 Emergency Service Fund shall be administered by the Oklahoma Corporation Commission and used to defray the cost of purchasing and installing equipment for enhanced 911 emergency systems across the state. Preference for funding shall be given first to those systems established in areas of the state which do not have access to 911 emergency service before July 1, 1997, and second to areas of the state which do not have access to enhanced 911 emergency services. Funding from the E911 Emergency Service Fund shall not be used for ongoing operating costs of any emergency telephone service system. To qualify for funding, the emergency telephone service system shall have been or be in the process of being approved as provided for in the Nine-One-One Emergency Number Act. Local exchange telecommunications service providers serving fifteen percent (15%) or more of the access lines in the state may not apply for recovery of the contributions made to the E911 Emergency Service Fund from the Oklahoma Universal Service Fund created in Section ~~6~~ 139.106 of this ~~act~~ title. All monies in the Oklahoma E911 Emergency Service Fund shall be expended only for the purposes set forth in this subsection.

B. There is hereby created within the Oklahoma Department of Vocational and Technical Education the "Oklahoma Telecommunications Technology Training Fund". Beginning September 1, 1997, each local exchange telecommunications service provider shall annually contribute seventy-five cents (\$.75) per retail local exchange access line to the Oklahoma Telecommunications Technology Training Fund until the total amount contributed by all providers to the Fund equals Seven Million Dollars (\$7,000,000.00). The contribution amount for each service provider shall be based upon the number of retail local exchange access lines of that service provider in service on July 1 of each applicable year. The Oklahoma Telecommunications Technology Training Fund shall be administered by

the Oklahoma Department of Vocational and Technical Education working in conjunction with OneNet, and shall be used to provide statewide teacher training in the most effective use of telecommunications and distance learning technology for the enhancement of education throughout the state. Local exchange telecommunications service providers serving fifteen percent (15%) or more of the access lines in the state may not apply for recovery of the contributions made to the Oklahoma Telecommunications Technology Training Fund from the Oklahoma Universal Service Fund created in Section ~~6~~ 139.106 of this ~~act~~ title. All monies in the Oklahoma Telecommunications Technology Training Fund shall be expended only for the purposes set forth in this subsection.

C. There is hereby created within the State Department of Education the "Oklahoma School Technology Fund". Beginning September 1, 1999, each local exchange telecommunications service provider shall annually contribute Two Dollars (\$2.00) per retail local exchange access line to the Oklahoma Telecommunications Technology Training Fund until the total amount contributed by all providers to the Fund equals Twelve Million Dollars (\$12,000,000.00). The contribution amount for each service provider shall be based upon the number of retail local exchange access lines of that service provider in service on July 1 of each applicable year. The Oklahoma School Technology Fund shall be administered by the State Department of Education. The Fund shall be distributed as follows:

1. Four Million Dollars (\$4,000,000.00) shall be distributed to public schools in the state to be used to implement a web-based software for schools which utilizes an object-oriented data base management system and which will function to create an integrated system that provides relationships between data on student testing and assessment, accreditation, teacher certification, student

demographics, curriculum validation and alignment, and financial reporting modules;

2. Five Million Dollars (\$5,000,000.00) shall be distributed to the telecommunications network known as OneNet to be used to upgrade existing equipment and purchase new equipment at OneNet facilities, which will enable interactive video conferencing capabilities for every public school site in the state through the OneNet network;
and

3. Three Million Dollars (\$3,000,000.00) shall be distributed on a per capita student basis to every school district in the state and shall be used to provide telecommunications end-line equipment to public schools in the state, including but not limited to wiring, routers, switches, hubs, network servers and csu/dsu.

No school district shall receive funds from the Oklahoma School Technology Fund until the district has made application for reimbursement for telecommunications services submitted pursuant to subsection (h) of Section 254 of the Communications Act of 1934, as amended, commonly known as the E-rate. All monies in the Oklahoma Telecommunications Technology Training Fund shall be expended only for the purposes set forth in this subsection.

D. The following services are hereby declared to be Special Universal Services and such services shall be provided only after funding for the Oklahoma Universal Service Fund is implemented as set forth in this act:

1. Each not-for-profit hospital in the state shall, upon written request, receive one incoming, toll-free phone number and up to a total of five access lines, free of charge, to allow incoming, toll-free calls from any location within the geographic area served by the hospital;

2. Each public school building wherein classrooms are contained and each public library in the state shall, upon written request, receive one incoming, toll-free phone number and up to a total of

five access lines, free of charge, to allow incoming, toll-free calls from any location within the geographic area served by the school or the public library;

3. Each public school building wherein classrooms are contained and each public library in the state shall, upon written request, receive one access line, free of charge, with the ability to connect to an Internet service provider at 56 kbps, in the most economically efficient manner for the carrier T-1 (1.544Mbps) digital circuit at a cost which is not greater than the state tariff discount rate for educational entities, or an equivalent dollar credit to be applied by the public school or public library toward similar or greater services ~~provided by the same carrier, for the purpose of accessing the Internet~~. In no case shall the Oklahoma Universal Service Fund reimburse an entity for an Internet subscriber fee or charges incurred as a result of services accessed via the Internet; and

4. Each county seat in the state shall, upon written request of the board of county commissioners, receive one incoming, toll-free phone number and up to a total of five access lines, free of charge, to allow incoming, toll-free calls from any location within the geographic area served by the county seat.

~~D.~~ E. To the extent Special Universal Services are purchased from a telecommunications service provider by another carrier, the Special Universal Services are for the exclusive use of the not-for-profit hospital, public school, public library or county government. Under no circumstances shall the not-for-profit hospital, public school, public library or county government sell, repackage or share Special Universal Services with any other entity.

SECTION 2. This act shall become effective July 1, 1999.

SECTION 3. 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.

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