

CHAPTER 1209

IOWA COMMUNICATIONS NETWORK APPROPRIATIONS

S.F. 2195

AN ACT relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is appropriated from the general fund of the state to the Iowa communications network fund created in section 8D.14 for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For debt service:

..... \$ 12,754,000

Upon the appropriation of the funds in this section to the Iowa communications network fund, the Iowa telecommunications and technology commission shall immediately transfer \$12,754,000 of the appropriated amount to a separate fund established in the office of the treasurer of state, to be used solely for debt service for the Iowa communications network. The commission shall certify to the treasurer of state when a debt service payment is due, and upon receipt of the certification the treasurer shall make the payment. The commission shall pay any additional amount due from funds deposited in the Iowa communications network fund.

Sec. 2. PART III RELATED APPROPRIATIONS.

1. PART III AUTHORIZED USERS.

a. There is appropriated from the rebuild Iowa infrastructure fund of the state created in section 8.57, subsection 5, to the Iowa communications network fund under the control of the Iowa telecommunications and technology commission for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the connection of a minimum of 110 Part III authorized users as determined by the commission and communicated to the general assembly:

..... \$ 19,600,095

b. It is the intent of the general assembly that the connection of the authorized user sites pursuant to this subsection be awarded based upon the Part III contracts executed in 1995.

c. It is also the intent of the general assembly that the commission lease DS-1 or T-1 circuits for Part III connections currently using analog technology.

d. Notwithstanding the fact that funds appropriated pursuant to this subsection will not be made available prior to July 1, 1996, the Iowa telecommunications and technology commission is authorized to negotiate and enter into contracts for ordering necessary equipment related to the completion of the connections authorized in paragraph "a" as deemed appropriate by the commission upon the effective date of this paragraph.

2. PART III NETWORK COSTS – SUBSIDIZATION FUND. There is appropriated from the general fund of the state to the Iowa communications network fund created in section 8D.14 for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection:

For the subsidization of video rates for authorized users as determined by the commission and consistent with chapter 8D:

..... \$ 2,400,000

..... FTEs 57.00

3. PART III NETWORK COSTS – MAINTENANCE AND LEASE COSTS.

a. There is appropriated from the rebuild Iowa infrastructure fund of the state created in section 8.57, subsection 5, to the Iowa communications network fund under the control

of the Iowa telecommunications and technology commission for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance costs and recurring lease costs as provided in this subsection:

..... \$ 1,199,905

b. As a condition of the appropriation in this subsection, \$209,298 of the amount appropriated shall be expended by the Iowa telecommunications and technology commission for maintenance costs associated with Part III connections of the network.

c. As a further condition of the appropriation in this subsection, \$990,607 of the amount appropriated shall be expended by the Iowa telecommunications and technology commission for recurring lease costs associated with Part III connections of the network.

4. SUPPORT SERVICES. There is appropriated from the general fund of the state to the Iowa communications network fund created in section 8D.14 for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes designated in paragraphs "a" and "b", and for not more than the following full-time equivalent positions:

..... \$ 1,950,000

..... FTEs 10.00

a. As a condition of the appropriation in this subsection, \$450,000 of the amount appropriated shall be expended by the public broadcasting division of the department of education to provide support for functions related to the network, including but not limited to the following functions: scheduling for video classrooms; development of distance learning applications; development of a central information source on the Internet relating to educational uses of the network; second-line technical support for network sites; testing and initializing sites onto the network; and coordinating the work of the education telecommunications council. The division is authorized an additional 5.00 FTEs for a total of 10.00 FTEs for the purpose of providing such support.

b. As a further condition of the appropriation in this subsection, \$1,500,000 of the amount appropriated shall be allocated by the public broadcasting division of the department of education to the regional telecommunications councils established in section 8D.5. The regional telecommunications councils shall use the funds to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.

*5. SPARE PARTS. There is appropriated from the rebuild Iowa infrastructure fund of the state created in section 8.57, subsection 5, to the Iowa communications network fund created in section 8D.14, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For establishing and maintaining a spare parts depot related to the network:

..... \$ 220,000

6. COMPUTERS, INTERNET CONNECTION, AND RELATED COSTS. There is appropriated from the rebuild Iowa infrastructure fund of the state created in section 8.57, subsection 5, to the Iowa communications network fund created in section 8D.14, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purchase of computer equipment to be used in connection with the network, providing for connections to the Internet through the use of the network, and for maintaining the regional scheduling system:

..... \$ 110,000*

Sec. 3. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the center for educational technology at the university of northern Iowa to coordinate staff development for educators using educational technology in this state:

*Item veto; see message at end of the Act

..... \$ 500,000

Sec. 4. LEGISLATIVE INTENT.

1. It is the intent of the general assembly that the Iowa telecommunications and technology commission develop recommendations concerning the expenses which should be recovered in the rates established by the commission for use of the network, and any necessary subsidies. The commission shall file a written report concerning these recommendations with the senate committee on communications and information policy and the house of representatives committee on technology by no later than January 13, 1997.

2. It is also the intent of the general assembly that the education telecommunications council and the regional telecommunications councils give priority to network video usage during the normal school hours for grades prekindergarten through twelve at those video sites which are located within school district facilities. The commission, in consultation with the education telecommunications council, shall establish a policy for flexibility of use for educational video classrooms during normal school hours for events unrelated to network use.

Sec. 5. CONTRACT MODIFICATION. Notwithstanding section 8D.13, the commission is authorized to negotiate a contract with Sooland Cable involving the connection of five Part III sites, to provide for a lump-sum payment at the time of installation and activation of the circuit which will result in a real savings within a range of \$23,400 up to \$27,000 per site when compared to the original contract price.

Sec. 6. ADDITIONAL CONNECTIONS.

1. LEWIS CENTRAL HIGH SCHOOL. Notwithstanding section 8D.13, subsection 5, the state may own and the Iowa telecommunications and technology commission shall provide for the construction and connection to the Iowa communications network of the Lewis Central high school, located in Council Bluffs and contiguous to the school for the deaf established under chapter 270.

2. ADDITIONS TO PART III. The Iowa telecommunications and technology commission may contract for construction relating to connections to the Iowa communications network for the following authorized users which were not identified in the original Part III request for proposals, but which meet the definition of a Part III user pursuant to section 8D.13, subsection 2, paragraph "c":

- a. Meservey-Thornton community school district, Thornton.
- b. Eldora state training school, Eldora.
- c. Iowa juvenile home, Toledo.
- d. Four oaks educational center, Cedar Rapids.
- e. Keystone area education agency, Dubuque.

Sec. 7. EFFECTIVE DATE.

1. Section 2, subsection 1, paragraph "d", of this Act, which authorizes the Iowa telecommunications and technology commission to begin negotiations for ordering necessary equipment prior to the availability of funding, being deemed of immediate importance, takes effect upon enactment.

2. Section 6, subsection 1, of this Act, which authorizes the state to construct and own the Iowa communications network connection to Lewis Central high school, being deemed of immediate importance, takes effect upon enactment.

Approved May 10, 1996, except the items which I hereby disapprove and which are designated as Section 2, subsections 5 and 6 in their entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 2195, an Act relating to the Iowa communications network by providing for state ownership of a Part III connection and for the connection and support of certain Part III users, making appropriations, and providing effective dates.

Approval of this bill means that work can immediately proceed on connecting an additional 110 video classroom sites. This work represents the second year of a four-year commitment to construct Part III of the network.

Senate File 2195 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 2, subsection 5, in its entirety. This item appropriates \$220,000 for a spare parts depot. This amount exceeds the \$450,000 recommended in my budget and approved by the General Assembly which includes funding for the same purpose. The funding otherwise provided in the bill is sufficient.

I am unable to approve the item designated as Section 2, subsection 6, in its entirety. This item would provide for the purchase of new computers for a regional scheduling system. I support the concept of a regional scheduling system, however, I do not believe that new computers are needed for every new application. This effort can proceed without the additional \$110,000 in funding.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2195 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, Governor

CHAPTER 1210
FEDERAL BLOCK GRANT APPROPRIATIONS
H.F. 2486

AN ACT appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. SUBSTANCE ABUSE APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the Iowa department of public health for the federal fiscal year beginning October 1, 1996, and ending September 30, 1997, the following amount:

..... \$ 11,190,416

Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated federal fiscal year under 42 U.S.C., chapter 6A, subchapter XVII, which provides for the substance abuse prevention and treatment block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

Of the funds appropriated in this subsection, an amount not exceeding 5 percent shall be used by the department for administrative expenses.