

(P. 842) 3/28/94 Senate - Referred back to  
Communications

FILED FEB 22 1994  
SENATE FILE 2184  
BY COMMITTEE ON COMMUNICATIONS  
AND INFORMATION POLICY

(SUCCESSOR TO SSB 2179)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the procurement and installation of Part III  
2 of the Iowa communications network.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2184

1 Section 1. Section 18.133, subsection 2, Code Supplement  
2 1993, is amended to read as follows:

3 2. "Private agency" means an accredited nonpublic schools  
4 and school, a nonprofit institutions institution of higher  
5 education eligible for tuition grants, or a hospital licensed  
6 pursuant to chapter 135B or a physician clinic to the extent  
7 provided in section 18.136, subsection 13A.

8 Sec. 2. Section 18.136, subsections 1 and 2, Code  
9 Supplement 1993, are amended to read as follows:

10 1. Moneys in the state communications network fund are  
11 appropriated to the Iowa public broadcasting board for  
12 purposes of providing financing for the procurement,  
13 operation, and maintenance of a state communications network  
14 with sufficient capacity to serve the video, data, and voice  
15 requirements of state agencies and the educational  
16 telecommunications system. The state Iowa communications  
17 network consists of Part I, Part II, and Part III ~~of the~~  
18 ~~system.~~

19 2. For purposes of this section, unless the context  
20 otherwise requires:

21 a. "~~Part I of the system~~" means the communications  
22 connections between central switching and the regional  
23 switching centers for the remainder of the network.

24 b. "~~Part II of the system~~" means the communications  
25 connections between the regional switching centers and the  
26 secondary switching centers.

27 c. "~~Part III of the system~~" means the communications  
28 connection between the secondary switching centers and the  
29 agencies defined in section 18.133, subsections 3 2 and 4 3.

30 Sec. 3. Section 18.136, subsection 4, Code Supplement  
31 1993, is amended to read as follows:

32 4. a. The department of general services shall develop  
33 the requests for proposals that are needed for a state  
34 communications network with sufficient capacity to serve the  
35 video, data, and voice requirements of state agencies and the

1 educational telecommunications applications required by the  
2 Iowa public broadcasting board. The department shall develop  
3 a request for proposals for each of the systems that will make  
4 up the network. The department may develop a request for  
5 proposals for each definitive component of Part I, Part II,  
6 and Part III of the system or the department may provide in  
7 the request for proposals for each such system that separate  
8 contracts may be entered into for each definitive component  
9 covered by the request for proposals. The requests for  
10 proposals may be for the purchase, lease-purchase, or lease of  
11 the component parts of the system, may require maintenance  
12 costs to be identified, and the resulting contract may provide  
13 for maintenance for parts of the system. The master contract  
14 may provide for electronic classrooms, satellite equipment,  
15 receiving equipment, studio and production equipment, and  
16 other associated equipment as required.

17 b. Notwithstanding paragraph "a", the department shall  
18 develop the following:

19 (1) A request for proposals for the purchase, lease-  
20 purchase, or lease of the codecs and fiber optic terminals  
21 necessary for Part III.

22 (2) A request for proposals for the installation of the  
23 equipment necessary for Part III procured pursuant to  
24 subparagraph (1).

25 (3) A request for proposals for the lease of dark fiber  
26 for Part III connections. A request for proposals developed  
27 pursuant to this subparagraph may permit proposals for leased  
28 connections that include both the dark fiber and codecs and  
29 fiber optic terminals necessary for Part III and the  
30 installation of such equipment. The board may accept a  
31 proposal that includes both the dark fiber and the codecs and  
32 fiber optic terminals and the installation of such equipment  
33 that is lower than other dark fiber proposals for the same  
34 connection plus the costs associated with such connection as  
35 determined through the requests for proposals under

1 subparagraphs (1) and (2). If the lowest proposed lease rate  
2 for any Part III connection exceeds the average cost of the  
3 lowest lease rates for other Part III connections, the board  
4 may refuse the proposals for such connection and institute a  
5 new bidding procedure pursuant to this subparagraph related to  
6 such connection for the lease of dark fiber or for  
7 construction of dark fiber to be owned and operated by the  
8 state. In determining the average cost of the lowest lease  
9 rates, the board shall use low bids received in the initial  
10 request for proposals on a cost-per-mile basis. The low bids  
11 may be weighted to reflect readily identifiable differences in  
12 the type of construction and right-of-way acquisition costs.

13 Sec. 4. Section 18.136, Code Supplement 1993, is amended  
14 by adding the following new subsection:

15 NEW SUBSECTION. 13A. Access shall be offered to hospitals  
16 licensed pursuant to chapter 135B and physician clinics. A  
17 hospital or physician clinic shall be responsible for all  
18 costs associated with becoming a part of the network.

19 EXPLANATION

20 This bill amends provisions related to the Iowa  
21 communications network. The bill amends the definition of  
22 "private agency" to include a physician clinic or hospital  
23 licensed under chapter 135B. The bill also directs the  
24 department of general services to develop three separate  
25 requests for proposals including one for the purchase, lease-  
26 purchase, or lease of codecs and fiber optic terminals  
27 necessary for the installation of Part III; one for the  
28 installation of such electronic equipment necessary for Part  
29 III; and one for the lease costs for Part III dark fiber which  
30 will enable an authorized user to become a part of the  
31 network. The bill also provides for rebidding or purchasing  
32 the dark fiber if estimated lease costs exceed certain  
33 amounts.

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SENATE FILE 2184  
FISCAL NOTE

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A fiscal note for Senate File 2184 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 2184 changes various provisions related to the Iowa Communications Network (ICN). The bill adds hospitals and physician clinics to the list of authorized users of the ICN. The Hospitals and physician clinics are responsible for all costs associated with becoming part of the ICN. The bill also directs the Department of General Services to develop 3 separate requests for proposals.

FISCAL EFFECT

Information is not available to accurately estimate the fiscal impact of SF 2184. The additional revenue to the ICN Operating Fund by allowing access to hospitals and physician clinics is unknown. The fiscal impact of requiring 3 separate requests for proposals is minimal.

(LSB 4128SV, JAS)

FILED MARCH 4, 1994

BY DENNIS PROUTY, FISCAL DIRECTOR

## SENATE FILE 2184

S-5126

1 Amend Senate File 2184 as follows:

2 1. Page 1, line 8, by striking the word and  
3 figure "and 2" and inserting the following: ", 2, and  
4 3".

5 2. Page 1, by inserting after line 29 the follow-  
6 ing:

7 "3. The financing for the procurement costs for  
8 the entirety of Part I ~~of the system~~, and the video,  
9 data, and voice capacity for state agencies for Part  
10 II and Part III ~~of the system~~, shall be provided by  
11 the state. The financing for the procurement costs  
12 for Part II ~~of the system~~ shall be provided from the  
13 state. The financing for the procurement and  
14 maintenance costs for Part III ~~of the system~~ shall be  
15 provided eighty percent from the state and twenty  
16 percent from the ~~local~~ school boards ~~of the areas~~ and  
17 corporations which receive transmissions from the  
18 system. A local school board or corporation may elect  
19 to provide one hundred percent of the financing for  
20 the procurement and maintenance costs for Part III to  
21 ~~become part of the system~~. The ~~local~~ school boards  
22 and corporations may meet all or part of the match  
23 requirements of Part III of the system through a  
24 cooperative arrangement with community colleges. The  
25 basis for the state match is eighty percent of a  
26 single interactive audio and one-way video for Part  
27 III ~~of the system~~, and such data and voice capacity as  
28 is necessary. The ~~local~~ school boards, corporations,  
29 and community colleges may meet the match requirements  
30 for Part III ~~of the system~~ from funds they have  
31 already spent for their systems, from funds available  
32 in the school board, corporation, or college budget,  
33 or from funds received from other nonstate sources.  
34 In the case of existing systems, in order to upgrade  
35 facilities to the specifications of the state Iowa  
36 communications network, the ~~local~~ school boards,  
37 corporations, and community colleges, in lieu of a  
38 cash match, may meet the match requirements from funds  
39 they have already spent for their systems provided  
40 that the state match does not exceed the lesser of  
41 eighty percent of the total cost of the upgraded  
42 system or eighty percent of the replacement cost of  
43 the system. The communications equipment funds used  
44 as a match by a community college shall be calculated  
45 based on verified expenditures for capital, equipment,  
46 hardware, and software for long-distance learning  
47 technologies, including both audio and visual  
48 transmission. The communications equipment used as a  
49 match shall not subsequently be used as a match by  
50 another educational entity or for another part of the

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1 system network. A local school board may request the  
 2 school budget review committee to adjust the allowable  
 3 growth for the school district so that the resulting  
 4 increase in budget could be used for the match. A  
 5 ~~local~~ school board or corporation may also elect not  
 6 to become part of the system network. Such election  
 7 shall be made on an annual basis. State matching  
 8 funds shall not be provided for Part III ~~of-the-system~~  
 9 until Part I and Part II ~~of-the-system~~ have been  
 10 completed. Construction of Part III ~~of-the-system~~ may  
 11 proceed before Part I and Part II ~~of-the-system~~ have  
 12 been completed."

13 2. Renumber as necessary.

By JOE WELSH

S-5126 FILED MARCH 9, 1994

SENATE FILE 2184

S-5180

1 Amend the amendment, S-5084, to Senate File 2184 as  
 2 follows:

- 3 1. Page 1, line 14, by inserting after the figure  
 4 "135B" the following: "or a physician clinic".  
 5 2. Page 3, line 45, by inserting after the figure  
 6 "135B" the following: ", physician clinics,".  
 7 3. Page 3, line 46, by inserting after the word  
 8 "hospital" the following: ", physician clinic,".  
 9 4. Page 3, line 49, by inserting after the word  
 10 "hospital" the following: ", physician clinic,".  
 11 5. Page 4, line 3, by inserting after the figure  
 12 "135B" the following: "and physician clinics".

By MARY E. KRAMER

ELAINE SZYMONIAK

MICHAEL E. GRONSTAL

ROBERT E. DVORSKY

RICHARD F. DRAKE

TOM VILSACK

JEAN LLOYD-JONES

JIM KERSTEN

MAGGIE TINSMAN

S-5180 FILED MARCH 14, 1994

## SENATE FILE 2184

S-5084

Amend Senate File 2184 as follows:

1. By striking everything after the enacting clause and inserting the following:

4 "Section 1. Section 18.133, subsections 1, 2, and  
5 3, Code Supplement 1993, are amended to read as  
6 follows:

7 1. "Director" means the executive director of the  
8 department of general services or the director's  
9 designee appointed pursuant to section 18.133B.

10 2. "Private agency" means an accredited nonpublic  
11 schools and school, a nonprofit institutions  
12 institution of higher education eligible for tuition  
13 grants, or a hospital licensed pursuant to chapter  
14 135B to the extent provided in section 18.136,  
15 subsection 13A.

16 3. "Public agency" means a state agency, a school  
17 corporation, a city library, a regional library as  
18 provided in chapter 256, and a county library as  
19 provided in chapter 336, or an agency of the federal  
20 government, not including the United States postal  
21 service or a United States post office.

22 Sec. 2. Section 18.136, subsections 1 and 2, Code  
23 Supplement 1993, are amended to read as follows:

24 1. Moneys in the state communications network fund  
25 are appropriated to the Iowa public broadcasting board  
26 for purposes of providing financing for the  
27 procurement, operation, and maintenance of a state  
28 communications network with sufficient capacity to  
29 serve the video, data, and voice requirements of state  
30 agencies and the educational telecommunications  
31 system. The state Iowa communications network  
32 consists of Part I, Part II, and Part III of the  
33 system.

34 2. For purposes of this section, unless the  
35 context otherwise requires:

36 a. "Part I of the system" means the communications  
37 connections between central switching and the regional  
38 switching centers for the remainder of the network.

39 b. "Part II of the system" means the  
40 communications connections between the regional  
41 switching centers and the secondary switching centers.

42 c. "Part III of the system" means the  
43 communications connection between the secondary  
44 switching centers and the agencies defined in section  
45 18.133, subsections 3 2 and 4 3, including, but not  
46 limited to, all network connections constructed on or  
47 after January 1, 1994.

48 Sec. 3. Section 18.136, subsections 4 and 12, Code  
49 Supplement 1993, are amended to read as follows:

50 4. The department of general services Iowa

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Page 2

1 communications network board shall develop and adopt  
2 by rule pursuant to chapter 17A, minimum standards for  
3 a Part III connection and develop the requests for  
4 proposals that are needed for a state an Iowa  
5 communications network with sufficient capacity to  
6 serve the video, data, and voice requirements of state  
7 agencies and the educational telecommunications  
8 applications required by the Iowa public-broadcasting  
9 communications network board. The department shall  
10 develop a request for proposals for each of the  
11 systems that will make up the network. Rules adopted  
12 establishing the minimum standards for a Part III  
13 connection shall not be adopted pursuant to the  
14 emergency rulemaking procedures under section 17A.4,  
15 subsection 2, and section 17A.5, subsection 2,  
16 paragraph "b". The department may Iowa communications  
17 network board shall develop a request for proposals  
18 for each definitive component of Part I, Part II, and  
19 Part III of the system or the department board may  
20 provide in the request for proposals for each such  
21 system that separate contracts may shall be entered  
22 into for each definitive component covered by the  
23 request for proposals. The requests for proposals for  
24 components of Parts I and II may be for the purchase,  
25 lease-purchase, or lease of the component parts of the  
26 system network, may require maintenance costs to be  
27 identified, and the resulting contract may provide for  
28 maintenance for parts of the system network. The  
29 master contract may provide for electronic classrooms,  
30 satellite equipment, receiving equipment, studio and  
31 production equipment, and other associated equipment  
32 as required. The requests for proposals for all  
33 component parts for Part III for which state funding  
34 is provided shall be for the lease of the component  
35 parts. A request for proposals shall be issued for  
36 each authorized user, or for a group of authorized  
37 users who wish to receive proposals which include the  
38 connections for all members of such group, for which a  
39 Part III connection is to be leased by the state  
40 pursuant to this section. A request for proposals for  
41 such connection of the authorized user shall be issued  
42 by such authorized user, or by the board upon the  
43 request of the authorized user. The board may review  
44 any lease entered into relating to Part III.

45 12. a. The Iowa public-broadcasting  
46 communications network board, in consultation with its  
47 narrowcast-system advisory committee, shall determine  
48 the fee fees to be charged per course or credit hour  
49 by the state for Parts I, II, and III to the  
50 originating institution, and the public and private

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Page 3

1 agencies authorized to use the network. The fees  
2 shall be substantially the same for comparable courses  
3 uses and authorized users.

4 b. An hourly fee established by the board pursuant  
5 to paragraph "a" for a user authorized by the general  
6 assembly to be offered access on or after January 1,  
7 1994, shall be established at an appropriate  
8 commercial rate so that, at a minimum, there is no  
9 state subsidy related to the costs of the connection  
10 or use of the network related to such user.

11 c. An authorized user of the network may request a  
12 hearing on a fee approved by the Iowa communications  
13 network board.

14 Sec. 4. Section 18.136, Code Supplement 1993, is  
15 amended by adding the following new subsections:

16 NEW SUBSECTION. 4A. The board of a school  
17 corporation shall determine the type of classroom  
18 facility and equipment to be provided and the type of  
19 facility or equipment to be used in providing the  
20 network connection to the school corporation, or the  
21 classroom of the school corporation. If the type of  
22 facility or equipment to be used in providing the  
23 network connection to the school corporation, or the  
24 classroom of the school corporation, which the school  
25 corporation board determines it would like to use,  
26 does not meet the minimum standards as developed by  
27 the Iowa communications network board pursuant to  
28 subsection 4, the school corporation board may  
29 petition the network board for a waiver of compliance  
30 with the minimum standards. The network board shall  
31 approve a plan which is consistent with the goals and  
32 objectives of the network. A plan which is approved  
33 by the network board is eligible to receive state  
34 funding in the same manner as a plan which meets the  
35 minimum standards.

36 NEW SUBSECTION. 4B. The state shall lease all  
37 component parts for Part III connections from  
38 qualified providers and the state shall not own a  
39 component part of Part III, except for those component  
40 parts owned by the state as of January 1, 1994, or  
41 those component parts related to a facility under the  
42 control of the armory board appointed pursuant to  
43 section 29A.57.

44 NEW SUBSECTION. 13A. Access shall be offered to  
45 hospitals licensed pursuant to chapter 135B and  
46 agencies of the federal government. A hospital or an  
47 agency of the federal government shall contribute, at  
48 a minimum, an amount consistent with its share of use  
49 for the part of the network in which the hospital or  
50 agency participates as determined by the Iowa

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Page 4

1 communications network board. Access to the network  
2 shall be offered to hospitals licensed pursuant to  
3 chapter 135B for diagnostic, clinical, consultative,  
4 and educational services which require the use of  
5 interactive video, the transmission of high quality  
6 images, or the combination of data, text, video,  
7 visual, or graphic information; the transmission of  
8 payments and claims information to and from the  
9 medicare program established under Title XVIII of the  
10 federal Social Security Act and the medical assistance  
11 program established pursuant to chapter 249A, the  
12 health data commission or its successor agency, the  
13 Iowa department of public health, and the community  
14 health management information system, where such  
15 information transmission assists in satisfying an  
16 information-gathering duty assigned by statute; and  
17 the transmission of government payments and claims  
18 information to hospitals."

19 2. Title page, line 1, by striking the words "the  
20 procurement" and inserting the following: "access to,  
21 procurement of,".

By JOHN W. JENSEN  
EUGENE FRAISE  
JIM KERSTEN

EMIL J. HUSAK  
DERRYL McLAREN  
WILLIAM W. DIELEMAN

S-5084 FILED MARCH 4, 1994

## SENATE FILE 2184

S-5059

1 Amend Senate file 2184 as follows:

2 1. Page 1, line 8, by striking the word and  
3 figure "and 2" and inserting the following: ", 2, and  
4 3".

5 2. Page 1, by inserting after line 29 the follow-  
6 ing:

7 "3. The financing for the procurement costs for  
8 the entirety of Part I of the system, and the video,  
9 data, and voice capacity for state agencies for Part  
10 II and Part III of the system, shall be provided by  
11 the state. The financing for the procurement costs  
12 for Part II of the system shall be provided from the  
13 state. The financing for the procurement and  
14 maintenance costs for Part III of the system shall be  
15 provided eighty percent from the state and twenty  
16 percent from the ~~local~~ school boards-of-the-areas  
17 corporations which receive transmissions from the  
18 system. A ~~local~~ school board corporation may elect to  
19 provide one hundred percent of the financing for the  
20 procurement and maintenance costs for Part III to  
21 become part of the system. The ~~local~~ school boards  
22 corporations may meet all or part of the match  
23 requirements of Part III of the system through a  
24 cooperative arrangement with community colleges. The  
25 basis for the state match is eighty percent of a  
26 single interactive audio and one-way video for Part  
27 III of the system, and such data and voice capacity as  
28 is necessary. The ~~local~~ school boards corporations  
29 and community colleges may meet the match requirements  
30 for Part III of the system from funds they have  
31 already spent for their systems, from funds available  
32 in the ~~school~~ corporation or college budget, or from  
33 funds received from other nonstate sources. In the  
34 case of existing systems, in order to upgrade  
35 facilities to the specifications of the state  
36 communications network, the ~~local~~ school boards  
37 corporations and community colleges, in lieu of a cash  
38 match, may meet the match requirements from funds they  
39 have already spent for their systems provided that the  
40 state match does not exceed the lesser of eighty  
41 percent of the total cost of the upgraded system or  
42 eighty percent of the replacement cost of the system.  
43 The communications equipment funds used as a match by  
44 a community college shall be calculated based on  
45 verified expenditures for capital, equipment,  
46 hardware, and software for long-distance learning  
47 technologies, including both audio and visual  
48 transmission. The communications equipment used as a  
49 match shall not subsequently be used as a match by  
50 another educational entity or for another part of the

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Page 2

1 system. A local school board may request the school  
2 budget review committee to adjust the allowable growth  
3 for the school district so that the resulting increase  
4 in budget could be used for the match. A local school  
5 board corporation may also elect not to become part of  
6 the system. Such election shall be made on an annual  
7 basis. State matching funds shall not be provided for  
8 Part III of the system until Part I and Part II of the  
9 system have been completed. Construction of Part III  
10 of the system may proceed before Part I and Part II of  
11 the system have been completed."

12 2. Renumber as necessary.

By JOE WELSH

S-5059 FILED MARCH 1, 1994

SSB-2179

Communications &  
Information Policy

SENATE FILE 2184

BY (PROPOSED COMMITTEE ON  
COMMUNICATIONS AND  
INFORMATION POLICY BILL  
BY CHAIRPERSON WELSH)

Welsh-Chasn  
Tensen  
Delaney

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the procurement and installation of Part III  
2 of the Iowa communications network.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 18.133, subsection 2, Code Supplement  
2 1993, is amended to read as follows:

3 2. "Private agency" means an accredited nonpublic schools  
4 and school, a nonprofit institutions institution of higher  
5 education eligible for tuition grants, or a hospital licensed  
6 pursuant to chapter 135B or a physician clinic to the extent  
7 provided in section 18.136, subsection 13A.

8 Sec. 2. Section 18.136, subsections 1 and 2, Code  
9 Supplement 1993, are amended to read as follows:

10 1. Moneys in the state communications network fund are  
11 appropriated to the Iowa public broadcasting board for  
12 purposes of providing financing for the procurement,  
13 operation, and maintenance of a state communications network  
14 with sufficient capacity to serve the video, data, and voice  
15 requirements of state agencies and the educational  
16 telecommunications system. The state Iowa communications  
17 network consists of Part I, Part II, and Part III of the  
18 system.

19 2. For purposes of this section, unless the context  
20 otherwise requires:

21 a. "Part I of-the-system" means the communications  
22 connections between central switching and the regional  
23 switching centers for the remainder of the network.

24 b. "Part II of-the-system" means the communications  
25 connections between the regional switching centers and the  
26 secondary switching centers.

27 c. "Part III of-the-system" means the communications  
28 connection between the secondary switching centers and the  
29 agencies defined in section 18.133, subsections 3 2 and 4 3.

30 Sec. 3. Section 18.136, subsection 4, Code Supplement  
31 1993, is amended to read as follows:

32 4. a. The department of general services shall develop  
33 the requests for proposals that are needed for a state  
34 communications network with sufficient capacity to serve the  
35 video, data, and voice requirements of state agencies and the

1 educational telecommunications applications required by the  
2 Iowa public broadcasting board. The department shall develop  
3 a request for proposals for each of the systems that will make  
4 up the network. The department may develop a request for  
5 proposals for each definitive component of Part I, Part II,  
6 and Part III of the system or the department may provide in  
7 the request for proposals for each such system that separate  
8 contracts may be entered into for each definitive component  
9 covered by the request for proposals. The requests for  
10 proposals may be for the purchase, lease-purchase, or lease of  
11 the component parts of the system, may require maintenance  
12 costs to be identified, and the resulting contract may provide  
13 for maintenance for parts of the system. The master contract  
14 may provide for electronic classrooms, satellite equipment,  
15 receiving equipment, studio and production equipment, and  
16 other associated equipment as required.

17 b. Notwithstanding paragraph "a", the department shall  
18 develop the following:

19 (1) A request for proposals for the purchase, lease-  
20 purchase, or lease of the codecs and fiber optic terminals  
21 necessary for Part III.

22 (2) A request for proposals for the installation of the  
23 equipment necessary for Part III procured pursuant to  
24 subparagraph (1).

25 (3) A request for proposals for the lease costs of the  
26 dark fiber for Part III which will enable an authorized user  
27 to become a part of the network. If the board determines that  
28 the lease costs provided in the proposal submitted for the  
29 dark fiber for an authorized user or group of authorized  
30 users, as identified in a request for proposals issued  
31 pursuant to this subparagraph, substantially exceed the  
32 average cost of providing such dark fiber, the board may  
33 refuse all bids and institute a new bidding procedure for the  
34 lease of such dark fiber or enter into a contract for the  
35 construction of the Part III dark fiber which shall be owned

1 and operated by the state.

2 Sec. 4. Section 18.136, Code Supplement 1993, is amended  
3 by adding the following new subsection:

4 NEW SUBSECTION. 13A. Access shall be offered to hospitals  
5 licensed pursuant to chapter 135B and physician clinics. A  
6 hospital or physician clinic shall be responsible for all  
7 costs associated with becoming a part of the network.

8 EXPLANATION

9 This bill amends provisions related to the Iowa  
10 communications network. The bill amends the definition of  
11 "private agency" to include a physician clinic or hospital  
12 licensed under chapter 135B. The bill also directs the  
13 department of general services to develop three separate  
14 requests for proposals including one for the purchase, lease-  
15 purchase, or lease of codecs and fiber optic terminals  
16 necessary for the installation of Part III; one for the  
17 installation of such electronic equipment necessary for Part  
18 III; and one for the lease costs for Part III dark fiber which  
19 will enable an authorized user to become a part of the  
20 network. The bill also provides for rebidding or purchasing  
21 the dark fiber if estimated lease costs exceed certain  
22 amounts.

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