

# House Amendment 1552

## Amendment Text

PAG LIN

1 1 Amend [Senate File 519](#), as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 7, by striking the word  
1 4 "strictly".  
1 5 #2. Page 1, line 27, by inserting after the word  
1 6 "assembly." the following: "The commission shall  
1 7 strictly construe and administer this subsection to  
1 8 effectuate the intent of the general assembly to limit  
1 9 the expansion of the user base in a manner which is  
1 10 consistent with this chapter and limited to the  
1 11 authorized users identified and authorized by the  
1 12 general assembly."  
1 13 #3. Page 2, line 24, by striking the words  
1 14 "eligible for tuition grants".  
1 15 #4. Page 2, by inserting after line 31 the  
1 16 following:  
1 17 NEW SUBSECTION. 3A. "Nonprofit institution of  
1 18 higher education" means a private educational  
1 19 institution which is accredited by the north central  
1 20 association of colleges and secondary schools  
1 21 accrediting agency based on the agency's  
1 22 requirements."  
1 23 #5. Page 3, by inserting after line 8 the  
1 24 following:  
1 25 "Sec. \_\_\_\_\_. Section [8D.2](#), subsection 4, Code 1997,  
1 26 is amended to read as follows:  
1 27 4. "Private agency" means an accredited nonpublic  
1 28 school, a nonprofit institution of higher education  
1 29

~~eligible for tuition grants~~

~~-, or a hospital licensed~~  
1 30 pursuant to chapter 135B or a physician clinic to the  
1 31 extent provided in section 8D.13, subsection 16."  
1 32 #6. Page 3, by striking lines 22 through 29 and  
1 33 inserting the following:  
1 34 "Sec. \_\_\_\_\_. Section [8D.13](#), subsections 2 and 3,  
1 35 Code 1997, are amended to read as follows:  
1 36 2. For purposes of this section, unless the  
1 37 context otherwise requires:  
1 38 a. "Part I" means the communications connections  
1 39 between central switching and institutions under the  
1 40 control of the board of regents, nonprofit  
1 41 institutions of higher education

~~eligible for tuition~~

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1 42

~~grants~~

~~-, and the regional switching centers for the~~  
1 43 remainder of the network.  
1 44 b. "Part II" means the communications connections  
1 45 between the regional switching centers and the  
1 46 secondary switching centers.  
1 47 c. "Part III" means the communications connection  
1 48 between the secondary switching centers and the

1 49 agencies defined in section 8D.2, subsections 4 and 5,  
1 50 excluding state agencies, institutions under the  
2 1 control of the board of regents, nonprofit  
2 2 institutions of higher education

~~eligible for tuition~~

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-, and the judicial department, judicial district  
2 4 departments of correctional services, hospitals and  
2 5 physician clinics, agencies of the federal government,  
2 6 and post offices.  
2 7 3. The financing for the procurement costs for the  
2 8 entirety of Part I except for the communications  
2 9 connections between central switching and institutions  
2 10 under the control of the board of regents, and  
2 11 nonprofit institutions of higher education

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~~for tuition grants~~

-, and for the video, data, and voice  
2 13 capacity for state agencies and for Part II and Part  
2 14 III, shall be provided by the state. The financing  
2 15 for the procurement and maintenance costs for Part III  
2 16 shall be provided by the state. A local school board,  
2 17 governing authority of a nonpublic school, or an area  
2 18 education agency board may elect to provide one  
2 19 hundred percent of the financing for the procurement  
2 20 and maintenance costs for Part III to become part of  
2 21 the network. The basis for the amount of state  
2 22 financing is one hundred percent of a single  
2 23 interactive audio and interactive video connection for  
2 24 Part III, and such data and voice capacity as is  
2 25 necessary. If a school board, governing authority of  
2 26 a nonpublic school, or area education agency board  
2 27 elects to provide one hundred percent of the financing  
2 28 for the leasing costs for Part III, the school  
2 29 district or area education agency may become part of  
2 30 the network as soon as the network can reasonably  
2 31 connect the district or agency. A local school board,  
2 32 governing authority of a nonpublic school, or an area  
2 33 education agency board may also elect not to become  
2 34 part of the network. Construction of Part III,  
2 35 related to a school board, governing authority of a  
2 36 nonpublic school, or area education agency board which  
2 37 provides one hundred percent of the financing for the  
2 38 leasing costs for Part III, may proceed as determined  
2 39 by the commission and consistent with the purpose of  
2 40 this chapter."

2 41 #7. Page 5, line 18, by inserting after the word  
2 42 "user" the following: ", except for the resale of  
2 43 services as permitted by rule of the commission by a  
2 44 nonprofit institution of higher education to students  
2 45 attending the institution and residing at a residence  
2 46 facility maintained and operated by the institution;  
2 47 an institution under the control of the board of  
2 48 regents to students attending the institution and  
2 49 residing at a residence facility maintained and  
2 50 operated by the institution; or an institution under  
3 1 the control of the board of regents to private  
3 2 businesses which have entered into an agreement with  
3 3 the university for such services and which are

3 4 receiving assistance of limited duration under a  
3 5 state-funded program directly related to the  
3 6 relationship between the business and the institution,  
3 7 but only during the time the business is qualified to  
3 8 receive such assistance".

3 9 #8. Page 5, by striking lines 21 through 23 and  
3 10 inserting the following:

3 11 "3. Use of the network, or any network services,  
3 12 to transmit an unauthorized personal or private  
3 13 business communication, except as specifically  
3 14 authorized in this chapter, or an incidental personal  
3 15 or private business communication by an authorized  
3 16 user from an authorized site."

3 17 #9. Page 5, by inserting after line 35 the  
3 18 following:

3 19 "Sec. \_\_\_\_.

3 20 1. Notwithstanding the provisions of this Act, an  
3 21 authorized user providing dial-up internet access with  
3 22 the approval of the commission on April 1, 1997, which  
3 23 would be prohibited by this Act, shall be permitted by  
3 24 the commission to continue to provide such access  
3 25 until no later than January 1, 1998. An authorized  
3 26 user providing dial-up internet access pursuant to  
3 27 this section shall discontinue providing such service  
3 28 on or before January 1, 1998.

3 29 2. Notwithstanding subsection 1, an authorized  
3 30 user providing dial-up internet access with the  
3 31 approval of the commission on April 1, 1997, which  
3 32 would be prohibited by this Act, and which would be  
3 33 required to discontinue providing such service on or  
3 34 before January 1, 1998, may continue to provide such  
3 35 access after January 1, 1998, if nontoll internet  
3 36 service is not available in the local exchange area in  
3 37 which the authorized user is located. The authorized  
3 38 user shall discontinue providing dial-up internet  
3 39 access within sixty days of the availability of  
3 40 nontoll internet service in the local exchange area."

3 41 #10. By renumbering as necessary.

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3 45 COMMITTEE ON [COMMERCE](#)

3 46 AND REGULATION

3 47 METCALF of Polk, Chairperson

3 48 [SF 519.702](#) 77

3 49 mj/sc/28