

3-8-95 *Approved*

FILED MAR 2 1995

SENATE FILE 248
BY COMMITTEE ON COMMUNICATIONS
AND INFORMATION POLICY

(SUCCESSOR TO SSB 190)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the Iowa communications network and
2 authorizing the state to own certain Part III user connections
3 defined as spur connections and providing an appropriation and
4 an effective date.

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

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S.F. 248

1 Section 1. Section 8D.13, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5A. Notwithstanding subsection 5, the
4 state may own fiber optic cable facilities or facilities with
5 DS-3 capacity for a Part III connection which is a spur
6 connection. For purposes of this subsection, "spur
7 connection" means a connection which is associated with a Part
8 III authorized user, described in subsection 2, paragraph "c",
9 which is located no more than one and one-half miles from a
10 fiber optic cable route used or to be used for connecting a
11 facility, identified in the Iowa national guard request for
12 proposals dated October 10, 1994, and any subsequent addendum,
13 to the network, or no more than one and one-half miles from an
14 Iowa national guard facility which is or is to be connected to
15 the network. The spur connection shall be no more than one
16 and one-half miles long and shall be connected to such fiber
17 optic cable route or national guard facility.

18 Sec. 2.

19 1. There is appropriated from the general fund of the
20 state to the Iowa telecommunications network fund under the
21 control of the Iowa telecommunications and technology com-
22 mission for the fiscal year beginning July 1, 1994, and ending
23 June 30, 1995, the following amount, or so much thereof as may
24 be necessary, to be deposited in a separate account and to be
25 used, notwithstanding section 8D.13, for costs associated with
26 spur connections to the network as defined in section 8D.13,
27 subsection 5A, which extend from a connection to an Iowa
28 national guard facility:

29 \$ 2,000,000

30 2. Upon a determination by the commission that the amount
31 appropriated in this section is sufficient to connect all of
32 the sites identified pursuant to this section, the commission
33 shall enter into the necessary agreements to begin completing
34 the connections as soon as possible. The agreements shall
35 provide that no additional cost will be incurred by the state

1 or the user in excess of the amount identified for each spur
2 connection and provided for in the amount appropriated in this
3 section. If the commission, upon negotiating the agreements
4 for the spur connections, determines that the amount necessary
5 for all connections is less than the amount appropriated in
6 this section, the commission may expend any remaining funds
7 for connecting additional spur connections which result from
8 the alternative routing of the connections to the national
9 guard facilities located in Council Bluffs, Davenport, and
10 Fort Dodge.

11 3. The commission shall provide in any agreements entered
12 into for the purpose of completing the spur connections for
13 which the appropriation in this section is made, that the
14 person with which such agreement is made shall not, at the
15 time such spur connection is completed, include or install any
16 other fiber optic cable facility or other similar facility
17 which is not owned by the state at the time the fiber optic
18 cable facility related to the spur connection is installed.

19 4. If the amount appropriated by this section is
20 insufficient to connect all sites as identified pursuant to
21 this section, the commission shall not connect any of the
22 sites identified pursuant to this section and the amount
23 appropriated in this section shall revert to the general fund
24 of the state on June 30, 1995.

25 5. The commission shall file a written report with the
26 general assembly on or before January 8, 1996, concerning the
27 actions of the commission related to this section and the
28 connections which have been completed, if any.

29 Sec. 3. This Act, being deemed of immediate importance,
30 takes effect upon enactment.

31 EXPLANATION

32 This bill provides that the state may own fiber optic cable
33 facilities or facilities with DS-3 capacity for a connection
34 associated with a Part III authorized user which is located no
35 more than one and one-half miles from a fiber optic cable

1 route used or to be used for connecting a facility, identified
2 in the Iowa national guard request for proposals dated October
3 10, 1994, and any subsequent addendum, to the network, or no
4 more than one and one-half miles from an Iowa national guard
5 facility which is or is to be connected to the network. These
6 connections are defined as spur connections.

7 The bill appropriates \$2 million for the purpose of
8 connecting spur connections as defined in the bill. The bill
9 provides that if the commission determines that the amount
10 appropriated is not sufficient to connect all sites identified
11 in the bill, none of the identified sites are to be connected
12 and the appropriated moneys are to revert to the state general
13 fund. Agreements entered into by the commission for
14 completing the spur connections are to provide that the person
15 with which the agreement is made shall not install any other
16 fiber optic cable facility or other similar facility which is
17 not owned by the state at the time the fiber optic cable
18 facility related to the spur connection is installed. The
19 commission is to file a written report with the general
20 assembly on or before January 8, 1996, concerning the action
21 of the commission related to the spur connections.

22 The bill takes effect upon enactment.

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Dvorsky
DeLuhery
McLaren

SSB-190

Communications &
Information Policy

SENATE FILE 248

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

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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