

# House File 551 - Introduced

HOUSE FILE \_\_\_\_\_  
BY FORD

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

## A BILL FOR

1 An Act relating to the operation of the Iowa communications  
2 network by providing for expansion of the network to  
3 facilitate statewide wireless network access, eliminating a  
4 provision relating to the lease of specified network  
5 components, and making appropriations.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 2548YH 83  
8 rn/nh/14

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1 1 Section 1. Section 8D.13, subsection 5, Code 2009, is  
1 2 amended by striking the subsection.

1 3 Sec. 2. NEW SECTION. 8D.15 STATEWIDE WIRELESS NETWORK  
1 4 ACCESS == APPROPRIATION.

1 5 1. a. For the fiscal period beginning July 1, 2009, and  
1 6 ending June 30, 2013, notwithstanding section 8.57, subsection  
1 7 6, there is appropriated each fiscal year from the rebuild  
1 8 Iowa infrastructure fund created in section 8.57 to the  
1 9 commission the sum of twenty=five million dollars.

1 10 b. Notwithstanding section 8.33, moneys appropriated in  
1 11 this subsection that remain unencumbered or unobligated at the  
1 12 close of the fiscal year for which they were appropriated  
1 13 shall not revert but shall remain available for expenditure  
1 14 for the purposes designated until the earlier of the fiscal  
1 15 year beginning July 1, 2016, or completion of the project.

1 16 2. The moneys appropriated in subsection 1 shall be used  
1 17 by the commission to promote the availability of wireless  
1 18 broadband access to all areas of the state with a goal of  
1 19 achieving ninety=nine and ninety=five=hundredths percent  
1 20 accessibility by no later than the end of calendar year 2014.  
1 21 The commission shall utilize the moneys appropriated to  
1 22 encourage participation and investment by the private sector  
1 23 either through the establishment of public=private  
1 24 partnerships or the establishment of incentives designed to  
1 25 attract private sector investment for the purpose of providing  
1 26 wireless broadband access. The commission's efforts may  
1 27 include the use of the state's own fiberoptic cable  
1 28 facilities.

1 29 3. Of the moneys appropriated in subsection 1 for the  
1 30 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
1 31 the commission may use no more than three million dollars for  
1 32 the purpose of entering into agreements pursuant to section  
1 33 8D.13 for the purchase of existing leased Part III connections  
1 34 and any other existing dark fiber. For purposes of this  
1 35 section, "dark fiber" means strands of glass or plastic  
2 1 designed to guide light along their length by total internal  
2 2 reflection, but which are not lit with optical equipment or  
2 3 are lit solely for use by a specific user as of May 1, 2009.  
2 4 Dark fiber may be colocated such that the use of the cable and  
2 5 its sheathing is for a specific entity, or such that multiple  
2 6 entities may share a common cable sheath but not cause  
2 7 interference among those entities.

2 8 EXPLANATION

2 9 This bill appropriates a total of \$100 million from the  
2 10 rebuild Iowa infrastructure fund to the Iowa  
2 11 telecommunications and technology commission to achieve the  
2 12 goal of 99.95 percent accessibility in all areas of the state  
2 13 to wireless broadband access. Twenty=five million dollars is  
2 14 appropriated for each fiscal year in the fiscal period  
2 15 beginning July 1, 2009, and ending June 30, 2013, and the  
2 16 moneys shall not revert to the general fund until the earlier  
2 17 of July 1, 2016, or completion of the project. The bill

2 18 provides that the commission shall utilize the moneys to  
2 19 encourage participation and investment by the private sector  
2 20 either through the establishment of public-private  
2 21 partnerships or the establishment of incentives designed to  
2 22 attract private sector investment for the purpose of providing  
2 23 wireless broadband access, and that these efforts may include  
2 24 the use of the state's own fiberoptic cable facilities.  
2 25 The bill specifies that out of the moneys appropriated for  
2 26 the fiscal year, beginning July 1, 2009, and ending June 30,  
2 27 2010, the commission may use no more than \$3 million for the  
2 28 purpose of entering into agreements pursuant to Code section  
2 29 8D.13 for the purchase of existing leased Part III connections  
2 30 and any other existing dark fiber, as defined in the bill.  
2 31 Additionally, the bill strikes Code section 8D.13,  
2 32 subsection 5, which requires the lease by the state of all  
2 33 fiberoptic cable facilities or facilities with DS=3 capacity  
2 34 for Part III connections for which state funding is provided.  
2 35 LSB 2548YH 83  
3 1 rn/nh/14