

Bill No. HB 2123, 2nd Eng.

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Lee moved the following amendment:		
12			
13	<b>Senate Amendment (with title amendment)</b>		
14	Delete everything after the enacting clause,		
15			
16	and insert:		
17	Section 1. Section 364.025, Florida Statutes, 1998		
18	Supplement, is amended to read:		
19	364.025 Universal service.--		
20	(1) For the purposes of this section, the term		
21	"universal service" means an evolving level of access to		
22	telecommunications services that, taking into account advances		
23	in technologies, services, and market demand for essential		
24	services, the commission determines should be provided at		
25	just, reasonable, and affordable <u>flat rates for the first</u>		
26	<u>access line of residential and single-line business to</u>		
27	customers, including those in rural, economically		
28	disadvantaged, and high-cost areas. It is the intent of the		
29	Legislature that universal service objectives <u>of providing</u>		
30	<u>affordable basic local telecommunications service to</u>		
31	<u>low-income customers and customers located in high-cost areas</u>		

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1 ~~be maintained after the local exchange market is opened to~~  
2 ~~competitively provided services.~~ It is also the intent of the  
3 Legislature that the interim mechanism for maintaining the  
4 universal service objectives established by the commission in  
5 Docket No. 950696-TP remain in effect until January 1, 2001,  
6 and during this transition period the ubiquitous nature of the  
7 local exchange telecommunications companies be used to satisfy  
8 these objectives. Until January 1, 2001 ~~For a period of 4~~  
9 ~~years after January 1, 1996,~~ each local exchange  
10 telecommunications company shall be required to furnish basic  
11 local exchange telecommunications service within a reasonable  
12 time period to any person requesting such service within the  
13 company's service territory. Each local exchange  
14 telecommunications company shall be relieved of its  
15 obligations as a carrier of last resort, effective January 1,  
16 2001, if in full compliance with s. 214(e)(4) of the  
17 Communications Act of 1934, as amended by the  
18 Telecommunications Act of 1996, 47 U.S.C. 214.

19 (2) The Legislature finds that each telecommunications  
20 company should contribute its fair share to the support of the  
21 universal service objectives and carrier-of-last-resort  
22 obligations. ~~For a transitional period not to exceed January~~  
23 ~~1, 2000, an interim mechanism for maintaining universal~~  
24 ~~service objectives and funding carrier-of-last-resort~~  
25 ~~obligations shall be established by the commission, pending~~  
26 ~~the implementation of a permanent mechanism. The interim~~  
27 ~~mechanism shall be applied in a manner that ensures that each~~  
28 ~~alternative local exchange telecommunications company~~  
29 ~~contributes its fair share to the support of universal service~~  
30 ~~and carrier-of-last-resort obligations. The interim mechanism~~  
31 ~~applied to each alternative local exchange telecommunications~~

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1 ~~company shall reflect a fair share of the local exchange~~  
2 ~~telecommunications company's recovery of investments made in~~  
3 ~~fulfilling its carrier-of-last-resort obligations, and the~~  
4 ~~maintenance of universal service objectives. The commission~~  
5 ~~shall ensure that the interim mechanism does not impede the~~  
6 ~~development of residential consumer choice or create an~~  
7 ~~unreasonable barrier to competition. In reaching its~~  
8 ~~determination, the commission shall not inquire into or~~  
9 ~~consider any factor that is inconsistent with s.~~  
10 ~~364.051(1)(c). The costs and expenses of any government~~  
11 ~~program or project required in part II of this chapter shall~~  
12 ~~not be recovered under this section.~~

13 (3) If in the event any local exchange  
14 telecommunications company party, prior to January 1, 2001  
15 2000, believes that circumstances have changed substantially  
16 to warrant a change in the interim mechanism, that local  
17 exchange telecommunications company party may petition the  
18 commission for a change, but the commission shall grant such  
19 petition only after an opportunity for a hearing and a  
20 compelling showing of changed circumstances, including that  
21 the provider's customer population includes as many  
22 residential as business customers. The commission shall act  
23 on any such petition within 120 days. The costs and expenses  
24 of any government program or project required in part II of  
25 this chapter shall not be recovered under this subsection.

26 (4)(a) On or before July 1, 2000 ~~Prior to the~~  
27 ~~expiration of this 4-year period, the Legislature shall~~  
28 ~~establish a specific, predictable, and sufficient permanent~~  
29 ~~universal service mechanism that operates in a competitively~~  
30 ~~neutral manner. The mechanism shall take effect on or before~~  
31 ~~January 1, 2001 upon the effective date of which any interim~~

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1 ~~recovery mechanism for universal service objectives or~~  
2 ~~carrier-of-last-resort obligations imposed on alternative~~  
3 ~~local exchange telecommunications companies shall terminate.~~

4 ~~(b) To assist the Legislature in establishing a~~  
5 ~~permanent universal service mechanism, the commission, by~~  
6 ~~February 15, 1999, shall determine and report to the President~~  
7 ~~of the Senate and the Speaker of the House of Representatives~~  
8 ~~the total forward-looking cost, based upon the most recent~~  
9 ~~commercially available technology and equipment and generally~~  
10 ~~accepted design and placement principles, of providing basic~~  
11 ~~local telecommunications service on a basis no greater than a~~  
12 ~~wire center basis using a cost proxy model to be selected by~~  
13 ~~the commission after notice and opportunity for hearing.~~

14 ~~(c) In determining the cost of providing basic local~~  
15 ~~telecommunications service for small local exchange~~  
16 ~~telecommunications companies, which serve less than 100,000~~  
17 ~~access lines, the commission shall not be required to use the~~  
18 ~~cost proxy model selected pursuant to paragraph (b) until a~~  
19 ~~mechanism is implemented by the Federal Government for small~~  
20 ~~companies, but no sooner than January 1, 2001. The commission~~  
21 ~~shall calculate a small local exchange telecommunications~~  
22 ~~company's cost of providing basic local telecommunications~~  
23 ~~services based on one of the following options:~~

24 ~~1. A different proxy model; or~~  
25 ~~2. A fully distributed allocation of embedded costs,~~  
26 ~~identifying high-cost areas within the local exchange area the~~  
27 ~~company serves and including all embedded investments and~~  
28 ~~expenses incurred by the company in the provision of universal~~  
29 ~~service. Such calculations may be made using fully distributed~~  
30 ~~costs consistent with 47 C.F.R. ss. 32, 36, and 64. The~~  
31 ~~geographic basis for the calculations shall be no smaller than~~

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1 ~~a census block group.~~

2 ~~(d) The commission, by February 15, 1999, shall~~  
3 ~~determine and report to the President of the Senate and the~~  
4 ~~Speaker of the House of Representatives the amount of support~~  
5 ~~necessary to provide residential basic local~~  
6 ~~telecommunications service to low-income customers. For~~  
7 ~~purposes of this section, low-income customers are customers~~  
8 ~~who qualify for Lifeline service as defined in s. 364.10(2).~~

9 (5) There shall be no increase in basic local  
10 telecommunications service rates except as provided by this  
11 chapter. Local exchange telecommunications companies may not  
12 recover universal service fund contributions through an  
13 explicit end-user or line-item surcharge.

14 ~~(6)(5) After January 1, 2001, January 1, 2000, an~~  
15 ~~alternative local exchange telecommunications company may~~  
16 ~~petition the commission to become a the universal service~~  
17 ~~provider and carrier of last resort in areas requested to be~~  
18 ~~served by that alternative local exchange telecommunications~~  
19 ~~company. Upon petition of an alternative local exchange~~  
20 ~~telecommunications company, the commission shall have 120 days~~  
21 ~~to vote on granting in whole or in part or denying the~~  
22 ~~petition of the alternative local exchange company. The~~  
23 ~~commission may establish the alternative local exchange~~  
24 ~~telecommunications company as a the universal service provider~~  
25 ~~and carrier of last resort, provided that the commission first~~  
26 ~~determines that the alternative local exchange~~  
27 ~~telecommunications company will provide high-quality, reliable~~  
28 ~~service. In the order establishing the alternative local~~  
29 ~~exchange telecommunications company as a the universal service~~  
30 ~~provider and carrier of last resort, the commission shall set~~  
31 ~~the period of time in which such company must meet those~~

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1 objectives and obligations and shall set up any mechanism  
2 needed to aid such company in carrying out these duties.  
3       Section 2. To assist the Legislature in establishing a  
4 permanent universal service mechanism, the Florida Public  
5 Service Commission, by February 15, 2000, shall recommend to  
6 the President of the Senate and the Speaker of the House of  
7 Representatives what the commission determines, after notice  
8 and opportunity for hearing, to be a specific, predictable,  
9 and sufficient mechanism for providing universal service. In  
10 making its recommendation, the commission shall consider the  
11 following items listed in subsections (1) through (10) and  
12 make a specific finding as to whether an item should be  
13 included in a universal service mechanism or make a specific  
14 finding as to the manner in which an item should be included.  
15 If the commission determines that an item should be included  
16 as a component of a mechanism, it shall state with specificity  
17 the basis for its recommendation and the manner in which the  
18 component should be included. If the commission determines  
19 that an item should not be included as a component of a  
20 mechanism, it shall state with specificity the basis for its  
21 rejection of the item. Any finding by the commission as to  
22 the manner in which an item should be included in a mechanism  
23 must be detailed and comprehensive. These items to be  
24 considered are:  
25       (1) The requirements of the federal Telecommunications  
26 Act of 1996 and any universal service support mechanism  
27 established by the Federal Communications Commission.  
28       (2) Whether the universal service support mechanism  
29 shall be based upon the costs determined by the commission in  
30 Docket No. 980696-TP and whether the cost determination shall  
31 be updated, as necessary, to reflect changes in cost inputs.

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1           (3) Whether there shall be a revenue benchmark and how  
2 such revenue benchmark shall be defined.

3           (4) Whether the low-income support amount shall be  
4 determined by multiplying the number of customers subscribing  
5 to Lifeline service by the intrastate matching fund amount by  
6 12.

7           (5) The manner in which each telecommunications  
8 company shall be assessed its share of the universal service  
9 support.

10          (6) Whether, and to what extent, the mechanism shall  
11 include special provisions that address the service areas,  
12 market conditions, information resources, or other  
13 circumstances of small local exchange companies serving fewer  
14 than 100,000 access lines.

15          (7) The manner in which the local exchange company's  
16 nonbasic service prices and access charges shall be changed to  
17 reflect any explicit universal service support net of its  
18 contributions to any universal service support mechanism.

19          (8) How any explicit universal service mechanism shall  
20 be administered and how any third-party administrator shall be  
21 selected.

22          (9) How a telecommunications company shall qualify to  
23 receive any explicit universal service support.

24          (10) Whether the status of competition based upon the  
25 directives developed by the Federal Communications Commission  
26 to open the local market to competition, which include  
27 interconnection, network access, and resale, expedites the  
28 need for the universal service fund.

29  
30 In making its recommendation, the commission may include an  
31 item not listed in subsections (1) through (10) if the

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1 commission first determines that it is a necessary component  
2 of a universal service mechanism as that mechanism is  
3 described in section 346.025(4), Florida Statutes. If the  
4 commission does recommend such an item, it shall state with  
5 specificity the basis for its determination and the manner in  
6 which it should be included in the mechanism.

7 Section 3. Subsection (10) is added to section  
8 337.401, Florida Statutes, 1998 Supplement, to read:

9 337.401 Use of right-of-way for utilities subject to  
10 regulation; permit; fees.--

11 (10) This section, except subsections (1), (2), and  
12 (6), does not apply to the provision of pay telephone service  
13 on public or municipal roads or rights-of-way.

14 Section 4. A contract in effect on the effective date  
15 of this act shall not be impaired.

16 Section 5. Effective July 1, 1999, section 364.0252,  
17 Florida Statutes, 1998 Supplement, is amended to read:

18 364.0252 Expansion of consumer information programs;  
19 customer assistance; rulemaking authority.--~~By January 1,~~  
20 ~~1999,~~The Florida Public Service Commission shall expand its  
21 current consumer information program to inform consumers of  
22 their rights as customers of competitive telecommunications  
23 services and shall assist customers in resolving any billing  
24 and service disputes that customers are unable to resolve  
25 directly with the company. The commission may, pursuant to  
26 this program, require all telecommunications companies  
27 providing local or long distance telecommunications services  
28 to develop and provide information to customers. The  
29 commission may specify by rule the types of information to be  
30 developed and the manner by which the information will be  
31 provided to the customers. The Florida Public Service



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1 Commission shall undertake a comprehensive and ongoing effort  
 2 to inform consumers regarding how to protect themselves in a  
 3 competitive telecommunications market. Of specific concern  
 4 are informing consumers concerning the availability of the  
 5 Lifeline and Link-Up Programs for low-income households and  
 6 alerting consumers to how they can avoid having their service  
 7 changed or unauthorized charges added to their telephone  
 8 bills.

9 Section 6. Subsection (2) of section 364.24, Florida  
 10 Statutes, is amended to read:

11 364.24 Penalty for making telephone message or  
 12 customer account information known.--

13 (2) Any officer or person in the employ of any  
 14 telecommunications company shall not intentionally disclose  
 15 customer account records except as authorized by the customer  
 16 or as necessary for billing purposes, or required by subpoena,  
 17 court order, other process of court, or as otherwise allowed  
 18 by law. Any person who violates any provision of this section  
 19 commits a misdemeanor of the second degree, punishable as  
 20 provided in s. 775.082 or s. 775.083. Nothing herein precludes  
 21 disclosure of customers' names, addresses, or telephone  
 22 numbers to the extent they are otherwise publicly available.  
 23 Nothing herein precludes a telecommunications company from  
 24 making available to its customers a customer's own customer  
 25 account record through telephonic means.

26 Section 7. Subsection (8) is added to section 240.311,  
 27 Florida Statutes, 1998 Supplement, to read:

28 240.311 State Board of Community Colleges; powers and  
 29 duties.--

30 (8)(a) The State Board of Community Colleges is  
 31 authorized to develop and produce work products which relate

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1 to mechanisms to provide for consolidated and coordinated  
2 program development and educational endeavors to support  
3 distance learning instruction which are subject to trademark,  
4 copyright, or patent statutes. To this end, the board shall  
5 consider the relative contribution by the personnel employed  
6 in the development of such work products and shall enter into  
7 binding agreements with such personnel, organizations,  
8 corporations, or government entities, which agreements shall  
9 establish the percentage of ownership of such trademarks,  
10 copyrights, or patents. Any other law to the contrary  
11 notwithstanding, the board is authorized in its own name to:

12 1. Perform all things necessary to secure letters of  
13 patent, copyrights, and trademarks on any such work products  
14 and to enforce its rights therein.

15 2. License, lease, assign, or otherwise give written  
16 consent to any person, firm, or corporation for the  
17 manufacture or use thereof on a royalty basis or for such  
18 other consideration as the board deems proper.

19 3. Take any action necessary, including legal action,  
20 to protect the same against improper or unlawful use or  
21 infringement.

22 4. Enforce the collection of any sums due the board  
23 for the manufacture or use thereof by any other party.

24 5. Sell any such work products and execute all  
25 instruments necessary to consummate any such sale.

26 6. Perform all other acts necessary and proper for the  
27 execution of powers and duties provided by this paragraph.

28

29 Any proceeds therefrom shall be deposited and expended by a  
30 Florida not-for-profit corporation, incorporated under the  
31 provisions of chapter 617 and approved by the Department of

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1 State, to be used as directed by the board to pay the cost of  
2 producing and disseminating educational materials and products  
3 to carry out the intent of this act. Any action taken by the  
4 board in securing or exploiting such trademarks, copyrights,  
5 or patents shall, within 30 days, be reported by the board to  
6 the Department of State.

7 (b) The board is authorized to publish, produce, or  
8 have produced materials and products and shall make them  
9 readily available for appropriate use in the state system of  
10 education. The board is authorized to charge an amount  
11 adequate to cover the essential cost of producing and  
12 disseminating such materials and products in the state system  
13 of education and is authorized to sell copies for educational  
14 use to nonpublic schools in the state and to the public.

15 (c) Any Florida not-for-profit corporation receiving  
16 funds pursuant to this section shall make provisions for an  
17 annual postaudit of its financial accounts to be conducted by  
18 an independent certified public accountant in accordance with  
19 rules to be adopted by the board. The annual audit report  
20 shall be submitted to the Auditor General and the board for  
21 review. The board and the Auditor General shall have the  
22 authority to require and receive from the organization or from  
23 its independent auditor any detail or supplemental data  
24 relative to the operation of the organization.

25 Section 8. Section 241.001, Florida Statutes, is  
26 created to read:

27 241.001 Definitions.--As used in ss. 241.001-241.004,  
28 the term:

29 (1) "Advanced telecommunications services" means  
30 network-based or wireless services that provide additional  
31 communications capabilities enabling the use of applications

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1 such as distance learning, video conferencing, data  
2 communications, and access to Internet.

3 (2) "Department" means the Department of Education.

4 (3) "Eligible facilities" includes all approved  
5 campuses and instructional centers of all public universities,  
6 public community colleges, area technical centers, public  
7 elementary schools, middle schools, and high schools,  
8 including school administrative offices, public libraries,  
9 teaching hospitals, the research institute described in s.  
10 240.512, and rural public hospitals as defined in s. 395.602.  
11 If no rural public hospital exists in a community, the public  
12 health clinic that is responsible for individuals before they  
13 can be transferred to a regional hospital shall be considered  
14 eligible.

15 Section 9. Section 241.002, Florida Statutes, is  
16 created to read:

17 241.002 Duties of the Department of Education.--The  
18 duties of the Department of Education concerning distance  
19 learning include, but are not limited to, the duty to:

20 (1) Facilitate the implementation of a statewide  
21 coordinated system and resource system for cost-efficient  
22 advanced telecommunications services and distance education  
23 which will increase overall student access to education.

24 (2) Coordinate the use of existing resources,  
25 including, but not limited to, the state's satellite  
26 transponders on the education satellites, the SUNCOM Network,  
27 the Florida Information Resource Network (FIRN), the  
28 Department of Management Services, the Department of  
29 Corrections, and the Department of Children and Family  
30 Services' satellite communication facilities to support a  
31 statewide advanced telecommunications services and distance

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1 learning network.

2 (3) Assist in the coordination of the utilization of  
3 the production and uplink capabilities available through  
4 Florida's public television stations, eligible facilities,  
5 independent colleges and universities, private firms, and  
6 others as needed.

7 (4) Seek the assistance and cooperation of Florida's  
8 cable television providers in the implementation of the  
9 statewide advanced telecommunications services and distance  
10 learning network.

11 (5) Seek the assistance and cooperation of Florida's  
12 telecommunications carriers to provide affordable student  
13 access to advanced telecommunications services and to distance  
14 learning.

15 (6) Coordinate partnerships for development,  
16 acquisition, use, and distribution of distance learning.

17 (7) Secure and administer funding for programs and  
18 activities for distance learning from federal, state, local,  
19 and private sources and from fees derived from services and  
20 materials.

21 (8) Manage the state's satellite transponder resources  
22 and enter into lease agreements to maximize the use of  
23 available transponder time. All net revenue realized through  
24 the leasing of available transponder time, after deducting the  
25 costs of performing the management function, shall be recycled  
26 to support the public education distance learning in this  
27 state based upon an allocation formula of one-third to the  
28 Department of Education, one-third to the State Board of  
29 Community Colleges, and one-third to the State University  
30 System.

31 (9) Hire appropriate staff which may include a

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1 position that shall be exempt from part II of chapter 110 and  
2 is included in the Senior Management Service in accordance  
3 with s. 110.205.

4  
5 Nothing in ss. 241.001-241.004 shall be construed to abrogate,  
6 supersede, alter, or amend the powers and duties of any state  
7 agency, district school board, community college board of  
8 trustees, the State Board of Community Colleges, or the Board  
9 of Regents.

10 Section 10. Section 241.003, Florida Statutes, is  
11 created to read:

12 241.003 The Florida Distance Learning Network Advisory  
13 Council; creation; membership; organization; meetings.--

14 (1) The Florida Distance Learning Network Advisory  
15 Council is created in the Department of Education to advise  
16 and assist the department in carrying out its duties relating  
17 to distance learning.

18 (a) Composition.--The advisory council, to be  
19 appointed by and serve at the pleasure of the Commissioner of  
20 Education, shall not exceed 13 members, selected from the  
21 various entities who have interests in distance learning, and  
22 who are, when possible, leading members of statewide or  
23 regional organizations representing institutional consumers  
24 and providers so as to establish a broadly based and  
25 representative distance learning advisory council.

26 (b) Representation.--The organizations represented on  
27 the advisory council may include, but are not limited to,  
28 public and private elementary and secondary schools; public  
29 and private postsecondary institutions, including vocational  
30 and technical centers; state agencies; libraries; the health  
31 care community, including urban, rural, and teaching

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1 hospitals; the cable telecommunications industry; the local  
2 exchange telecommunications industry; and the interexchange  
3 industry. Two members shall be the Chancellor of the State  
4 University System or the chancellor's designee and the  
5 Executive Director of the Florida Community College System or  
6 the executive director's designee. One member may be a lay  
7 citizen.

8 (c) Organization, procedure, and compensation.--

9 1. The advisory council shall meet at least annually.

10 2. The advisory council shall elect a chair, a  
11 vice-chair, and a secretary from its membership for 1-year  
12 terms. Officers may be reelected.

13 3. The advisory council shall meet at the call of its  
14 chair, at the request of the majority of its membership, the  
15 commissioner, or at such times as its membership prescribes.

16 (2) The advisory council may study and recommend to  
17 the department concerning:

18 (a) A marketing program statewide, nationally, and  
19 internationally, as deemed appropriate.

20 (b) The recipients of the Educational Technology Grant  
21 Program provided in s. 241.004.

22 (c) Suggested legislation concerning distance  
23 learning.

24 (d) Any other issue regarding distance learning that  
25 the council deems appropriate.

26 (3) The department shall provide administrative and  
27 support services to the advisory council.

28 Section 11. Section 241.004, Florida Statutes, is  
29 created to read:

30 241.004 Educational Technology Grant Program.--

31 (1) The Department of Education shall annually award

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1 grants to school districts, area technical centers, community  
2 colleges, state universities, and independent institutions  
3 eligible to participate in state student assistance programs  
4 established in part IV of chapter 240. The department shall  
5 give priority to cooperative proposals submitted by two or  
6 more institutions or delivery systems. The proposals shall  
7 include:

8 (a) Information which describes the educational  
9 significance of the program or service in addressing state  
10 educational priorities.

11 (b) The target population for the program.

12 (c) The program content to be transmitted.

13 (d) The support services to be provided.

14 (e) Provisions to use at least 20 percent of any funds  
15 awarded for training both faculty and student learners in the  
16 use and application of the products developed.

17 (2) Programs and courses developed through the grant  
18 program shall be marketed statewide and nationwide with a  
19 portion of any profits from the sale or use of such programs  
20 retained by the developing institutions or systems and a  
21 portion reinvested in the grant program for further program  
22 development. The distribution of any revenues received shall  
23 be determined by formal agreement between the department and  
24 the developing system or institution.

25 (3) The department shall identify state educational  
26 priorities and issue a request for proposals by June 1 in  
27 every year in which funds are available for grants. The  
28 department shall ensure the quality of the programs and  
29 courses produced through the grants and produce an annual  
30 status report by March 1 describing the projects funded and  
31 accounting for any proceeds.



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1           Section 12. Sections 364.509, 364.510, 364.511,  
2 364.512, 364.513, and 364.514, Florida Statutes, are repealed.

3           Section 13. (1) There is created the Information  
4 Service Technology Development Task Force which shall be  
5 located within the Department of Management Services for the  
6 purpose of developing policies that will benefit residents of  
7 this state by fostering the free-market development and  
8 beneficial use of advanced communications networks and  
9 information technologies within this state. The task force  
10 shall be composed of 34 members as follows:

11           (a) The Attorney General, the executive director of  
12 the Florida Department of Law Enforcement, the Chancellor of  
13 the State University System, the Commissioner of Education,  
14 the executive director of the State Board of Community  
15 Colleges, the director of the Office of Tourism, Trade, and  
16 Economic Development, the executive director of the Department  
17 of Revenue, a representative of the Florida Council of  
18 American Electronics Association, a representative of the  
19 Florida Internet Providers Association, a representative of  
20 the United States Internet Council, the chair of the State  
21 Technology Council, and the secretary of the Department of  
22 Management Services.

23           (b) The President of the Senate shall appoint one  
24 member from each of the following categories: a  
25 facilities-based interexchange telecommunications company, a  
26 wireless telecommunications company, an alternative local  
27 exchange telecommunications company, an internet service  
28 provider with more than one million customers, the  
29 entertainment industry, a computer or telecommunications  
30 manufacturing company, and one member of the Florida Senate.

31           (c) The Speaker of the House of Representatives shall

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1 appoint one member from each of the following categories: a  
2 cable television provider, a computer software company, the  
3 banking industry, an internet search engine company, a local  
4 exchange telecommunications company, the tourist industry, and  
5 one member of the House of Representatives.

6 (d) The Governor shall name the chair, and appoint  
7 members as follows: one college student who relies on the  
8 Internet for personal or academic use, a representative of a  
9 local government that is an alternative local exchange  
10 telecommunications company or an Internet service provider,  
11 and four members as determined by the Governor to  
12 appropriately represent technology providers, manufacturers,  
13 retailers, and users.

14 (e) The minority leader of the House of  
15 Representatives shall appoint one member of the House of  
16 Representatives.

17 (f) The minority leader of the Senate shall appoint  
18 one member of the Senate.

19 (2) The task force shall exist for 2 years and shall  
20 meet at least four times per year. Failure of a member to  
21 participate in three consecutive meetings shall result in the  
22 member's replacement by the Governor. The task force is  
23 encouraged to implement electronic bulletin boards and other  
24 means for the exchange of ideas throughout the year.

25 (3) The task force shall develop overarching  
26 principles to guide state policy decisions with respect to the  
27 free-market development and beneficial use of advanced  
28 communications networks and information technologies, identify  
29 factors that will affect whether these technologies will  
30 flourish in Florida, and develop policy recommendations for  
31 each factor.

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1           (4) By February 14 of calendar years 2000 and 2001,  
2 the task force shall submit a report to the Governor, the  
3 President of the Senate, and the Speaker of the House of  
4 Representatives outlining principles, policy recommendations,  
5 and any suggested legislation. The task force may develop and  
6 publish other documents throughout the year.

7           (5) The State Technology Office within the Department  
8 of Management Services shall provide support staff for the  
9 task force and promote public awareness of the development of  
10 principles and policy recommendations by the task force. The  
11 State University System shall assist the task force as  
12 necessary.

13           (6) The task force shall dissolve effective July 1,  
14 2001.

15           Section 14. Effective July 1, 1999, the sum of  
16 \$375,100 is appropriated from the General Revenue Fund to the  
17 State Technology Office in the Department of Management  
18 Services and four positions are created in the department for  
19 the purpose of carrying out section 13 of this act.

20           Section 15. Effective July 1, 1999, there is  
21 appropriated from the Florida Public Service Regulatory Trust  
22 Fund to the Public Service Commission the sum of \$1 million  
23 and two positions for the purpose of carrying out the  
24 provisions of section 5 of this act.

25           Section 16. Subsection (4) of section 59 of Senate  
26 Bill 2502, enacted in the 1999 Regular Session of the  
27 Legislature, is repealed.

28           Section 17. Except as otherwise provided in this act,  
29 this act shall take effect upon becoming a law.

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Amendment No. \_\_\_\_

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 Delete everything before the enacting clause,

4

5 and insert:

6 A bill to be entitled

7 An act relating to telecommunications; amending

8 s. 364.025, F.S.; revising legislative intent;

9 extending time for establishment of permanent

10 universal service mechanism; providing

11 limitations; deleting obsolete provisions;

12 providing for a study; amending s. 337.401,

13 F.S.; specifying that specified provisions do

14 not apply to the provision of pay telephone

15 service on public or municipal roads or

16 rights-of-way; providing for application;

17 amending s. 364.0252, F.S.; directing the

18 Florida Public Service Commission to inform

19 consumers about specific matters in the

20 telecommunications services market; amending s.

21 364.24 F.S.; providing for telephonic customer

22 account information; amending s. 240.311, F.S.;

23 authorizing the State Board of Community

24 Colleges to develop and produce certain work

25 products related to distance learning;

26 authorizing fees for such materials for

27 purposes of educational use; requiring annual

28 postaudits; requiring the adoption of rules;

29 requiring the submission of a report; creating

30 ss. 241.001-241.004, F.S.; defining terms;

31 prescribing duties of the Department of

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1 Education with respect to distance learning;  
2 creating the Florida Distance Learning Network  
3 Advisory Council and providing for its  
4 membership, meetings, and responsibilities;  
5 creating a grant program to award grants to  
6 certain educational institutions; repealing ss.  
7 364.509, 364.510, 364.511, 364.512, 364.513,  
8 364.514, F.S., relating to the Education  
9 Facilities Infrastructure Improvement Act;  
10 establishing a task force in the Department of  
11 Management Services; providing for  
12 representation; providing responsibilities;  
13 providing for meetings of the task force;  
14 providing for support staff for the task force;  
15 requiring reports; providing for the  
16 dissolution of the task force; providing an  
17 appropriation; repealing s. 59(4) of SB 2502,  
18 enacted in the 1999 Regular Session of the  
19 Legislature, relating to performance measures  
20 for the Florida Public Service Commission;  
21 providing effective dates.  
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