

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:

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13 **Senate Amendment (with title amendment)**

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 flat rates for the first  
26 access line of residential and single-line business to  
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 of providing  
30 affordable basic local telecommunications service to  
31 low-income customers and customers located in high-cost areas

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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 (d) By December 31, 1999, and annually thereafter, the  
26 State Board of Community Colleges shall report on the  
27 implementation of this section to the Speaker of the House of  
28 Representatives and the President of the Senate.

29 Section 8. Section 241.001, Florida Statutes, is  
30 created to read:

31 241.001 Definitions.--As used in ss. 241.001-241.004,

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1 the term:

2 (1) "Advanced telecommunications services" means  
3 network-based or wireless services that provide additional  
4 communications capabilities enabling the use of applications  
5 such as distance learning, video conferencing, data  
6 communications, and access to Internet.

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

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

19 Section 9. Section 241.002, Florida Statutes, is  
20 created to read:

21 241.002 Duties of the Department of Education.--The  
22 duties of the Department of Education concerning distance  
23 learning include, but are not limited to, the duty to:

24 (1) Facilitate the implementation of a statewide  
25 coordinated system and resource system for cost-efficient  
26 advanced telecommunications services and distance education  
27 which will increase overall student access to education.

28 (2) Coordinate the use of existing resources,  
29 including, but not limited to, the state's satellite  
30 transponders on the education satellites, the SUNCOM Network,  
31 the Florida Information Resource Network (FIRN), the

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1 Department of Management Services, the Department of  
2 Corrections, and the Department of Children and Family  
3 Services' satellite communication facilities to support a  
4 statewide advanced telecommunications services and distance  
5 learning network.

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

11 (4) Seek the assistance and cooperation of Florida's  
12 cable television providers in the implementation of the  
13 statewide advanced telecommunications services and distance  
14 learning network.

15 (5) Seek the assistance and cooperation of Florida's  
16 telecommunications carriers to provide affordable student  
17 access to advanced telecommunications services and to distance  
18 learning.

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

21 (7) Secure and administer funding for programs and  
22 activities for distance learning from federal, state, local,  
23 and private sources and from fees derived from services and  
24 materials.

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

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1 Department of Education, one-third to the State Board of  
2 Community Colleges, and one-third to the State University  
3 System.

4 (9) Hire appropriate staff which may include a  
5 position that shall be exempt from part II of chapter 110 and  
6 is included in the Senior Management Service in accordance  
7 with s. 110.205.

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

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

16 241.003 The Florida Distance Learning Network Advisory  
17 Council; creation; membership; organization; meetings.--

18 (1) The Florida Distance Learning Network Advisory  
19 Council is created in the Department of Education to advise  
20 and assist the department in carrying out its duties relating  
21 to distance learning.

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

30 (b) Representation.--The organizations represented on  
31 the advisory council may include, but are not limited to,

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1 public and private elementary and secondary schools; public  
2 and private postsecondary institutions, including vocational  
3 and technical centers; state agencies; libraries; the health  
4 care community, including urban, rural, and teaching  
5 hospitals; the cable telecommunications industry; the local  
6 exchange telecommunications industry; and the interexchange  
7 industry. Two members shall be the Chancellor of the State  
8 University System or the chancellor's designee and the  
9 Executive Director of the Florida Community College System or  
10 the executive director's designee. One member may be a lay  
11 citizen.

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

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

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

17 3. The advisory council shall meet at the call of its  
18 chair, at the request of the majority of its membership, the  
19 commissioner, or at such times as its membership prescribes.

20 (2) The advisory council may study and recommend to  
21 the department concerning:

22 (a) A marketing program statewide, nationally, and  
23 internationally, as deemed appropriate.

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

26 (c) Suggested legislation concerning distance  
27 learning.

28 (d) Any other issue regarding distance learning that  
29 the council deems appropriate.

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

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1           Section 11. Section 241.004, Florida Statutes, is  
2 created to read:

3           241.004 Educational Technology Grant Program.--

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

12           (a) Information which describes the educational  
13 significance of the program or service in addressing state  
14 educational priorities.

15           (b) The target population for the program.

16           (c) The program content to be transmitted.

17           (d) The support services to be provided.

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

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

29           (3) The department shall identify state educational  
30 priorities and issue a request for proposals by June 1 in  
31 every year in which funds are available for grants. The



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1 department shall ensure the quality of the programs and  
2 courses produced through the grants and produce an annual  
3 status report by March 1 describing the projects funded and  
4 accounting for any proceeds.

5 Section 12. Sections 364.509, 364.510, 364.511,  
6 364.512, 364.513, and 364.514, Florida Statutes, are repealed.

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

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

27 (b) The President of the Senate shall appoint one  
28 member from each of the following categories: a  
29 facilities-based interexchange telecommunications company, a  
30 wireless telecommunications company, an alternative local  
31 exchange telecommunications company, an internet service

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1 provider with more than one million customers, the  
2 entertainment industry, a computer or telecommunications  
3 manufacturing company, and one member of the Florida Senate.

4 (c) The Speaker of the House of Representatives shall  
5 appoint one member from each of the following categories: a  
6 cable television provider, a computer software company, the  
7 banking industry, an internet search engine company, a local  
8 exchange telecommunications company, the tourist industry, and  
9 one member of the House of Representatives.

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

18 (e) The minority leader of the House of  
19 Representatives shall appoint one member of the House of  
20 Representatives.

21 (f) The minority leader of the Senate shall appoint  
22 one member of the Senate.

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

29 (3) The task force shall develop overarching  
30 principles to guide state policy decisions with respect to the  
31 free-market development and beneficial use of advanced

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1 communications networks and information technologies, identify  
2 factors that will affect whether these technologies will  
3 flourish in Florida, and develop policy recommendations for  
4 each factor.

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

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

17 (6) The task force shall dissolve effective July 1,  
18 2001.

19 Section 14. Effective July 1, 1999, the sum of  
20 \$375,100 is appropriated from the General Revenue Fund to the  
21 State Technology Office in the Department of Management  
22 Services and four positions are created in the department for  
23 the purpose of carrying out section 13 of this act.

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

29 Section 16. Subsection (4) of section 59 of Senate  
30 Bill 2502, enacted in the 1999 Regular Session of the  
31 Legislature, is repealed.

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

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

6 And the title is amended as follows:

7           Delete everything before the enacting clause,

8

9 and insert:

10

A bill to be entitled

11

An act relating to telecommunications; amending

12

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

13

extending time for establishment of permanent

14

universal service mechanism; providing

15

limitations; deleting obsolete provisions;

16

providing for a study; amending s. 337.401,

17

F.S.; specifying that specified provisions do

18

not apply to the provision of pay telephone

19

service on public or municipal roads or

20

rights-of-way; providing for application;

21

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

22

Florida Public Service Commission to inform

23

consumers about specific matters in the

24

telecommunications services market; amending s.

25

364.24 F.S.; providing for telephonic customer

26

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

27

authorizing the State Board of Community

28

Colleges to develop and produce certain work

29

products related to distance learning;

30

authorizing fees for such materials for

31

purposes of educational use; requiring annual

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1           postaudits; requiring the adoption of rules;  
2           requiring the submission of reports; creating  
3           ss. 241.001-241.004, F.S.; defining terms;  
4           prescribing duties of the Department of  
5           Education with respect to distance learning;  
6           creating the Florida Distance Learning Network  
7           Advisory Council and providing for its  
8           membership, meetings, and responsibilities;  
9           creating a grant program to award grants to  
10          certain educational institutions; repealing ss.  
11          364.509, 364.510, 364.511, 364.512, 364.513,  
12          364.514, F.S., relating to the Education  
13          Facilities Infrastructure Improvement Act;  
14          establishing a task force in the Department of  
15          Management Services; providing for  
16          representation; providing responsibilities;  
17          providing for meetings of the task force;  
18          providing for support staff for the task force;  
19          requiring reports; providing for the  
20          dissolution of the task force; providing an  
21          appropriation; repealing s. 59(4) of SB 2502,  
22          enacted in the 1999 Regular Session of the  
23          Legislature, relating to performance measures  
24          for the Florida Public Service Commission;  
25          providing effective dates.

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