

January 20, 2003

## Education Telecommunications Act

A bill for an act relating to telecommunications; creating an education telecommunications fund; providing support for K-12 schools and public library telecommunications networks; providing for an access fee; appropriating money.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

### Section 1. [EDUCATION TELECOMMUNICATIONS FUND.]

Subdivision 1. [FUND ESTABLISHED] An education telecommunications fund is established as an account in the state treasury. Earnings, such as interest, dividends, and any other earnings arising from fund assets, must be credited to the account.

#### Subd. 2 [ACCESS FEE.]

A surcharge of \$ 0.25 per month will be added to end-user bills by communications providers for each customer wireline or wireless access line for voice or data telecommunications services, as defined in Minnesota Statutes, Chapter 403, Section 02, SUBD. 20 and 21.

The commissioner of revenue shall deposit the revenues, including the interest and penalties, derived from the fee imposed under this subdivision in the education telecommunications fund account.

Subd. 3 [LEARNING NETWORK.] Commencing in fiscal year 2004, the account shall fund the K-12 schools and public library portions of the learning network of Minnesota formerly funded through the department of children, families and learning.

Eligible expenditures include: telecommunication access fees, wide-area network maintenance and support costs, non-recurring installation costs, and other costs as defined by the Minnesota education telecommunications council.

Subd. 4 [MINNESOTA EDUCATION TELECOMMUNICATIONS COUNCIL.] The Minnesota education telecommunications council has oversight responsibility for the operation of the network, and would develop a funding plan consistent with the regional distribution method recommended by the 2002 permanent funding report. The METC would also establish standards for interoperability and minimum bandwidth.

Subd. 5 [E-RATES.] All K-12 schools and public libraries receiving telecommunications funds from the state of Minnesota must apply for erate discounts through the appropriate region or cluster. Region and clusters denied erate discounts will be fully funded through the education telecommunications account. Funds approved through the erate appeals process are deposited to the fund.

Subd. 6 [FISCAL AGENT.] The Department of Children, Families, and Learning is the fiscal agent for funding programs under this section and is not authorized to, nor responsible for, the management or operation of those programs.

Subd. 7 [ADMINISTRATION.] Not more than \$200,000 each fiscal year may be expended from the account for paying the expenses of the Department of Children, Families, and Learning for administering this section.

Sub. 8 [APPROPRIATION.] Money in the fund is appropriated to the Commissioner of Children, Families, and Learning for the purposes described in this section. Money in the fund is carried forward between fiscal years and biennial budget cycles.

