

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2390** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2390, as amended by Senate Committee of the Whole, as follows:

On page 2, in line 2, after "(e)" by inserting "(1)"; by striking all in lines 22 through 24; in line 25, by striking all before "Upon" and inserting:

"(2) Subject to the provisions of appropriations acts, for fiscal year 2013, the KUSF administrator may transfer moneys from the KUSF to the state treasurer.";

Also on page 2, also in line 25, by striking the last "the" and inserting "any";

On page 4, in line 32, by striking all after the period; by striking all in line 33;

On page 5, by striking all in lines 37 through 39;

And by redesignating remaining subparagraphs accordingly;

On page 7, in line 14, by striking the second "or"; in line 20, before "use" by inserting "state ownership or construction of any network facilities other than those owned or being constructed by the state on the effective date of this act; (3) switched voice access, except to the extent switched access is being provided by state-owned, leased or operated facilities as of the effective date of this act; (4) transmission of voice over internet or voice over internet protocol, except to the extent necessary to facilitate interactive two-way video; (5) content; or (6)";

Also on page 7, by striking all in lines 41 through 43;

On page 8, by striking all in lines 1 through 22 and inserting:

"(2) transition schools, libraries and hospitals that have a direct KAN-ED connection as of January 1, 2012, to a commercially provided broadband internet connection no later than June 30, 2013. At the time a school, library or hospital has been transitioned off a KAN-ED connection, the board shall pay up to \$350 per month to such school, library or hospital for the cost of broadband service until June 30, 2013;

(3) provide the secretary of commerce any information necessary to conduct the needs assessment described in subsection (b);";

Also on page 8, in line 33, after "(b)" by inserting:

"(1) The secretary of commerce shall facilitate the execution of the needs assessment and the creation of the report. The secretary shall contract with a third party that has expertise in telecommunications services for educational institutions to conduct such needs assessment and create such report.

(2) The needs assessment shall include, for each school, library and hospital connected to the network as of January 1, 2012: Current and future broadband service and quality needs and a determination of all KAN-ED expenses for shared services or infrastructure, including any costs deferred by federal moneys, that are providing services and network connections. Based on the results of the needs assessment, the secretary of commerce, in coordination with the third party contractor, shall create a report that: (A)

Compares the utilization, efficiency and effectiveness of KAN-ED to other similar programs in other states for schools, libraries and hospitals; (B) determines if the KAN-ED program, as of the effective date of this act, is worth its cost in terms of price, service, quality, needed network upgrades and increased utilization of broadband by schools, libraries and hospitals; (C) determines if there are alternative models or opportunities for broadband procurement by schools, libraries and hospitals; (D) determines if the services and applications offered by KAN-ED lead to full utilization of broadband technology by schools, libraries, hospitals and their surrounding communities; and (E) recommends any cost-effective broadband services that are available.

(3) The board shall reimburse the cost of conducting such needs assessment and report described in paragraph (2), not to exceed \$250,000.

(4) The results of such needs assessment and the report shall be submitted to the board on or before January 1, 2013.

(c)";

Also on page 8, in line 37, by striking "plan and establish such standards and priorities" and inserting "program";

On page 9, in line 27, by striking all after "connection"; by striking all in line 28 and 29; in line 30, by striking all before the period and inserting "no later than June 30, 2013";

On page 10, by striking all in lines 2 through 4;

And by redesignating remaining subsections accordingly;

Also on page 10, in line 15, after "act" by inserting "at no cost to such agencies";
in line 38, by striking all before the semicolon;

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House