

SENATE BILL No. 225

By Committee on Assessment and Taxation

2-27

1 AN ACT concerning telecommunications; relating to KAN-ED; amending
2 K.S.A. 2012 Supp. 75-7224 and repealing the existing section.
3

4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2012 Supp. 75-7224 is hereby amended to read as
6 follows: 75-7224. (a) The board shall:

7 (1) Provide a program to facilitate the use of broadband technology-
8 based video communication for distance learning and telemedicine by
9 schools, libraries and hospitals;

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

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

18 (4) assist schools, libraries and hospitals to apply for federal grants to
19 be used for purposes consistent with this act; and

20 (5) collect data regarding:

21 (A) Distance learning and telemedicine usage; and

22 (B) the volume of data accessed.

23 The board shall develop a methodology for updating and validating any
24 data collected for periodic revisions of the program, standards and
25 priorities.

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

31 (2) The needs assessment shall include, for each school, library and
32 hospital connected to the network as of January 1, 2012: Current and
33 future broadband service and quality needs and a determination of all
34 KAN-ED expenses for shared services or infrastructure, including any
35 costs deferred by federal moneys, that are providing services and network
36 connections. Based on the results of the needs assessment, the secretary of

1 commerce, in coordination with the third party contractor, shall create a
2 report that: (A) Compares the utilization, efficiency and effectiveness of
3 KAN-ED to other similar programs in other states for schools, libraries
4 and hospitals; (B) determines if the KAN-ED program, as of the effective
5 date of this act, is worth its cost in terms of price, service, quality, needed
6 network upgrades and increased utilization of broadband by schools,
7 libraries and hospitals; (C) determines if there are alternative models or
8 opportunities for broadband procurement by schools, libraries and
9 hospitals; (D) determines if the services and applications offered by KAN-
10 ED lead to full utilization of broadband technology by schools, libraries,
11 hospitals and their surrounding communities; and (E) recommends any
12 cost-effective broadband services that are available.

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

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

17 (c) The board may request and receive assistance from any school,
18 any library, any hospital, the state corporation commission, any other
19 agency of the state or any telecommunications, cable or other
20 communications services provider to gather necessary data to implement
21 such program.

22 (d) The board shall establish: (1) Technical standards for operation
23 and maintenance of the program; (2) the method of monitoring operations
24 of the program; and (3) the method or methods of adjusting the program to
25 reflect the needs of schools, libraries and hospitals as determined by the
26 needs assessment or ongoing data collection for each such entity. Such
27 standards and methods shall be included in the board's report to the
28 legislature pursuant to K.S.A. 2012 Supp. 75-7226, and amendments
29 thereto.

30 (e) Based on the findings of the needs assessments or collected data,
31 the board shall develop a plan to: (1) Facilitate the use of broadband
32 technology-based video communication for distance learning and
33 telemedicine by schools, libraries and hospitals; (2) transition schools,
34 libraries and hospitals that have a direct KAN-ED connection as of
35 January 1, 2012, to a commercially provided broadband internet
36 connection no later than June 30, 2013. The plan may require users of the
37 program to bear part of its cost. Such plan shall be included in the board's
38 report to the legislature pursuant to K.S.A. 2012 Supp. 75-7226, and
39 amendments thereto.

40 (f) The board may appoint such advisory committees as the board
41 determines necessary to carry out the purposes of this act. The membership
42 of advisory committees may include both members of the board and
43 persons who are not board members. Such advisory committees, to the

1 extent appropriate, shall include both communications services providers
2 and participants knowledgeable about topics such as network facilities and
3 services, distance learning and telemedicine, user training and such other
4 topics as may be necessary or useful. Members of advisory committees
5 appointed by the board shall receive amounts provided for in subsection
6 (e) of K.S.A. 75-3223, and amendments thereto.

7 (g) The board shall have all other powers necessary to achieve the
8 purposes of this act, including, but not limited to, the power to: *(1) Fix,*
9 *charge and collect user fees for services provided by the KAN-ED*
10 *program in accordance with the plan developed pursuant to subsection*
11 *(e); and (2) receive any appropriations, fees ,donations, grants, bequests*
12 *and devises, conditional and otherwise, of money, property, services or*
13 *other things of value for the purposes of this act.*

14 (h) The state department of education, the office of information
15 technology services of the department of administration, the state
16 corporation commission and all other state agencies shall cooperate with
17 the board in providing information and other assistance requested by the
18 board for the performance of its duties pursuant to this act at no cost to
19 such agencies.

20 Sec. 2. K.S.A. 2012 Supp. 75-7224 is hereby repealed.

21 Sec. 3. This act shall take effect and be in force from and after its
22 publication in the statute book.