

SENATE BILL REPORT

ESB 5789

As Passed Senate, March 9, 1999

Title: An act relating to the governance of the K-20 telecommunications network.

Brief Description: Creating the K-20 educational network board.

Sponsors: Senators Bauer, West, Kohl-Welles, McAuliffe, Eide, Sheahan, Rossi, Rasmussen, Honeyford, Franklin, Patterson, Wojahn, Thibaudeau, Prentice, Jacobsen and Fraser.

Brief History:

Committee Activity: Higher Education: 2/17/99, 2/19/99 [DP].
Passed Senate, 3/9/99, 48-0.

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Shin, Vice Chair; Bauer, McAuliffe, Sheahan, B. Sheldon, West.

Staff: Jean Six (786-7423)

Background: In 1996, the Legislature created the K-20 Network, a kindergarten-to-college telecommunications network, to provide access to educational opportunities that are enhanced by maximum use of a common telecommunications backbone network.

The Telecommunications Oversight and Policy Committee (TOPC), established to ensure coordinated policy and planning, program quality, interoperability, and efficient service delivery, has overseen the design, development, and deployment of the network.

Summary of Bill: The K-20 Educational Network Board is created as the successor to the Telecommunications Oversight and Policy Committee. Board membership is 11 voting members and seven nonvoting members with the Director of the Department of Information Services (or designee) serving as chair. A majority of voting members must constitute a quorum.

The board ensures that the broad public interest is served above the interest of any network user. No statutory responsibilities of the participants are duplicated. The board authorizes release of funds from the K-20 technology account and has rule-making authority over acceptable use and conditions of use policies.

The Department of Information Systems charges all current and future users an annual copayment per unit of transport connection deposited into the revolving fund. The revolving fund is not used for local telecommunications infrastructure, or maintenance, or depreciation of on-premises video equipment. The Legislature must appropriate to the revolving fund money for the remainder of the costs.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: DIS and all the education groups have worked collaboratively to design this new structure. We must maintain a close working relationship so that education and technology together will attain the goals of the network. The TOPC model has worked but a new organization will provide leadership into the future. The HECB proposal from three years ago is also a good model. TOPC was never meant to lead the project into the 21st century. The new board provides a transition between build out responsibilities and operational responsibilities. Decisions ought to be made at the lowest possible level. A lot has been accomplished in three years. Governance has been our most difficult issue. The significance of policy issues will decrease as decisions become more about operations. The K-20 Network Board continues a process that has worked. It is important for legislative participation to continue in the K-20 network. WSU is concerned about potential impact on their current facilities.

Testimony Against: None.

Testified: PRO: Senator Bauer, prime sponsor; Bruce Botka, HECB; Steve Kolodney, Director, DIS; David Danner, counsel, DIS; Len McComb, ESD 112; Larry Ganders, WSU.

House Amendment(s): The K-20 network technical steering committee is established under the ISB with general operational and technical oversight over the K-20 network. Network connections for independent nonprofit higher education institutions are subject to conditions requiring agreements to ensure against constitutional violation and to determination that such connections will not jeopardize the network's eligibility for federal e-rate funds. The requirements that DIS charge network users a copayment and that the Legislature appropriate funds to the revolving fund for transport, maintenance, and depreciation costs are removed.