

Enrolled Senate Bill 15

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Legislative Committee on Information Management and Technology for Oregon Telecommunications Coordinating Council)

CHAPTER

AN ACT

Relating to Oregon Telecommunications Coordinating Council; creating new provisions; amending sections 1 and 2, chapter 699, Oregon Laws 2001; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 1, chapter 699, Oregon Laws 2001, as amended by section 3, chapter 775, Oregon Laws 2003, is amended to read:

Sec. 1. (1) There is established the Oregon Telecommunications Coordinating Council consisting of 20 members.

(2) The Governor shall appoint one member to represent each of the following entities, and in making the appointments under this subsection shall give consideration to recommendations made by the entity the member is to represent:

- (a) The Central Oregon Telecommunications Task Force.
- (b) CoastNet.
- (c) The Eastern Oregon Telecommunications Consortium.
- (d) The Fiber South Consortium.
- (e) Frontier Telenet.
- (f) The Gorge Teleconsortium.
- (g) The Regional Fiber Consortium (Lane and Klamath Counties).
- (h) The North Coast Telecommunications Consortium.
- (i) The South Coast Telecommunications Consortium.
- (j) The Southern Oregon Telecommunications and Technology Council.

(3) The Governor shall appoint two members of the Oregon Telecommunications Coordinating Council to represent the counties of this state. The Governor shall give consideration to recommendations made by the Association of Oregon Counties in making the appointments under this subsection.

(4) The Governor shall appoint two members of the Oregon Telecommunications Coordinating Council to represent the cities of this state. The Governor shall give consideration to recommendations made by the League of Oregon Cities in making the appointments under this subsection.

(5) The Governor shall appoint two members of the Oregon Telecommunications Coordinating Council to represent telecommunication utilities and Internet service providers in this state. The Governor shall give consideration to recommendations made by the Oregon Telecommunications Association in making the appointments under this subsection.

(6) The Governor shall appoint one member of the Oregon Telecommunications Coordinating Council to represent Oregon tribes. The Governor shall give consideration to recommendations made by the Commission on Indian Services in making the appointment under this subsection.

(7) The Governor shall appoint one member of the Oregon Telecommunications Coordinating Council to represent elementary and secondary schools. The Governor shall give consideration to recommendations made by the Oregon School Boards Association in making the appointment under this subsection.

(8) The Governor shall appoint one member of the Oregon Telecommunications Coordinating Council to represent community colleges. The Governor shall give consideration to recommendations made by the Oregon Community College Association in making the appointment under this subsection.

(9) The Governor shall appoint one member of the Oregon Telecommunications Coordinating Council to represent the Oregon University System. The Governor shall give consideration to recommendations made by the Chancellor of the Oregon University System in making the appointment under this subsection.

(10) The Oregon Telecommunications Coordinating Council may by a majority vote of the council add members to the council to represent telecommunication consortia coming into existence after January 1, 2003, or to represent citizen groups recognized by the council.

(11) If no additional funds are required, the Economic and Community Development Department, the Oregon Department of Administrative Services, the League of Oregon Cities and the Association of Oregon Counties may provide staff to the Oregon Telecommunications Coordinating Council.

(12) Members of the Oregon Telecommunications Coordinating Council are not entitled to compensation [*and expenses and shall serve on the council on a volunteer basis*], **but may be paid expenses if funding is available from contributions under subsection (15) of this section.**

(13) The Oregon Telecommunications Coordinating Council shall study alternative approaches to providing coordinated statewide, regional and local telecommunication services, including providing services to unserved or underserved areas of the state. In addition, the council shall study the manner in which telecommunication investments can be coordinated to facilitate partnerships between the public sector and the private sector and between state and local governments. The council shall report its findings and recommendations to the Governor and to the Joint Legislative Committee on Information Management and Technology before each legislative session.

(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the Oregon Telecommunications Coordinating Council in the performance of its functions and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the council consider necessary to perform their functions.

(15) The Oregon Telecommunications Coordinating Council may accept contributions of funds and assistance from the United States or its agencies or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the council. All such funds are to aid in financing the functions of the council and [*may*] **shall** be deposited in the General Fund of the State Treasury to the credit of separate accounts for the council to disburse for the purpose for which contributed in the same manner as funds appropriated for the council.

(16) Official action by the Oregon Telecommunications Coordinating Council requires the approval of a majority of the members. The council may recommend legislation, and all legislation recommended by the council must indicate that it is introduced at the request of the council. Legislation recommended by the council must be submitted to the Joint Legislative Committee on Information Management and Technology. The legislation shall be prepared in time for pre-session filing at regular sessions of the Legislative Assembly.

(17) The Oregon Telecommunications Coordinating Council shall:

(a) Encourage the work of regional telecommunications consortia that have emerged throughout the state.

(b) Encourage state agencies to utilize telecommunications.

(c) Encourage efforts to provide cost-effective, quality workforce development training using telecommunications infrastructure and facilities to access distance learning opportunities.

(d) Encourage schools, education service districts and local education agencies in unserved areas to promote broadband access for the surrounding community.

(e) Encourage public and private entities to seek opportunities for partnership with educational institutions that will stimulate the use of broadband technologies through community projects and public education.

(f) Recommend ways for the State of Oregon to support innovative efforts that build effective and cost-efficient delivery of distance education supported by telecommunications.

(g) Encourage the Oregon Telehealth Alliance to continue the work of the council's Telehealth Committee.

(h) Facilitate public and private organizations working together in partnership to promote the use of telecommunications infrastructure and new technology.

SECTION 2. Section 2, chapter 699, Oregon Laws 2001, as amended by section 6, chapter 775, Oregon Laws 2003, is amended to read:

Sec. 2. Section 1, chapter 699, Oregon Laws 2001, is repealed on January 2, [2006] 2010.

SECTION 3. (1) The Oregon Telecommunications Coordinating Council shall report to the Seventy-fourth Legislative Assembly, in the manner provided by ORS 192.245, no later than February 1, 2007. The report shall include information on the implementation of the plan described in section 4, chapter 775, Oregon Laws 2003.

(2) The Oregon Telecommunications Coordinating Council shall report to the Seventy-fifth Legislative Assembly, in the manner provided by ORS 192.245, no later than February 1, 2009. The report shall include information on the implementation of the plan described in section 4, chapter 775, Oregon Laws 2003.

SECTION 4. This 2005 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect on its passage.

Passed by Senate April 13, 2005

Received by Governor:

Repassed by Senate June 16, 2005

.....M.,....., 2005

Approved:

.....
Secretary of Senate

.....M.,....., 2005

.....
President of Senate

.....
Governor

Passed by House June 13, 2005

Filed in Office of Secretary of State:

.....M.,....., 2005

.....
Speaker of House

.....
Secretary of State