

CERTIFICATION OF ENROLLMENT

HOUSE JOINT MEMORIAL 4039

55th Legislature
1998 Regular Session

Passed by the House February 13, 1998
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 6, 1998
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE JOINT MEMORIAL 4039** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE JOINT MEMORIAL 4039

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1998 Regular Session

By Representatives Huff, Carlson, H. Sommers, Kenney and Wolfe

Read first time 02/09/98. Referred to Committee on Appropriations.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE MEMBERS OF THE
5 COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION OF THE UNITED STATES
6 SENATE, AND TO MEMBERS OF THE SUBCOMMITTEE ON TELECOMMUNICATIONS, TRADE
7 AND CONSUMER PROTECTION, COMMITTEE ON COMMERCE, UNITED STATES HOUSE OF
8 REPRESENTATIVES:

9 We, your Memorialists, the Senate and House of Representatives of
10 the State of Washington, in legislative session assembled, respectfully
11 represent and petition as follows:

12 WHEREAS, Washington state has sought to leverage the state's
13 purchasing power in its procurements of telecommunications and
14 information services; obtain the lowest prices for telecommunications
15 services for state agencies, local governments, and schools and
16 libraries, and avoid unnecessary duplication of resources; and

17 WHEREAS, The Legislature created the Department of Information
18 Services and directed it to aggregate the demand for telecommunications
19 services purchased from the private sector, add value, and make such
20 services available to public entities at significantly reduced costs;
21 and

1 WHEREAS, Through such efforts the Department of Information
2 Services has saved the taxpayers of Washington millions of dollars each
3 year; and

4 WHEREAS, The Washington Legislature in 1996 authorized and funded
5 the development of the K-20 Educational Telecommunications Network, a
6 fifty-four and one-half million dollar state-wide backbone network
7 linking K-12 school districts, educational service districts,
8 baccalaureate institutions, public libraries, and community and
9 technical colleges; and

10 WHEREAS, This network will provide schools and libraries with
11 enhanced function and increased efficiencies in their use of
12 telecommunications services; and

13 WHEREAS, The Federal Communications Commission, pursuant to the
14 Telecommunications Act of 1996, has begun implementation of a two and
15 one-quarter billion dollar universal service fund program to discount
16 the cost of telecommunications and information services to schools and
17 libraries; and

18 WHEREAS, On December 30, 1997, the Federal Communications
19 Commission ruled that state networks, such as the K-20 educational
20 network, may not recover directly from the fund for telecommunications
21 services, other than Internet services and internal connections,
22 provided and billed to schools and libraries; and

23 WHEREAS, By its order, the Commission also determined that schools
24 and libraries served by state telecommunications networks will not be
25 able to obtain discounts on the value added by the state to these
26 telecommunications services procured from the private sector; and

27 WHEREAS, This ruling potentially creates incentives for Washington
28 schools and libraries to forego the less costly state-provided
29 services, and instead buy more expensive services directly from private
30 providers in order to be assured of federal subsidies; and

31 WHEREAS, This ruling creates a severe administrative burden on
32 Washington state government, and will contravene longstanding
33 Legislative policy; and

34 WHEREAS, This ruling could increase the costs to the universal
35 service fund since discounts will be based on higher costs negotiated
36 one-by-one between individual schools and libraries and private
37 telecommunications companies;

38 NOW, THEREFORE, Your Memorialists respectfully pray that the
39 members of the Committee on Commerce, Science and Transportation of the

1 United States Senate; and members of the Subcommittee on
2 Telecommunications, Trade and Consumer Protection, Committee on
3 Commerce, United States House of Representatives urge the Federal
4 Communications Commission to review and amend its ruling barring direct
5 reimbursement to state agencies that provide telecommunications
6 services.

7 BE IT RESOLVED, That copies of this Memorial be transmitted
8 immediately to the Honorable William J. Clinton, President of the
9 United States, the members of the Committee on Commerce, Science and
10 Transportation of the United States Senate, the members of the
11 Subcommittee on Telecommunications, Trade and Consumer Protection,
12 Committee on Commerce, United States House of Representatives, the
13 President of the United States Senate, the Speaker of the House of
14 Representatives, each member of Congress from the State of Washington,
15 and the members of the Federal Communications Commission.

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