

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H4/5/01

A Bill

Act 1771 of 2001
HOUSE BILL 2570

5 By: Representative Hathorn
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7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH A GRANT PROGRAM TO ELIGIBLE
10 TELECOMMUNICATIONS CARRIERS FOR EXTENSION OF
11 FACILITIES TO UNSERVED CITIZENS; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO ESTABLISH A GRANT PROGRAM TO
15 ELIGIBLE TELECOMMUNICATIONS CARRIERS FOR
16 EXTENSION OF FACILITIES TO UNSERVED
17 CITIZENS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1 Arkansas Code 23-17-404(e), concerning the Arkansas Universal
24 Service Fund, is amended by adding an additional subdivision to read as
25 follows:

26 (8)(A)(i) The Arkansas Public Service Commission shall establish
27 by regulation a grant program to makes grants available to eligible
28 telecommunications carriers for the extension of facilities to citizens
29 unserved by wire line services of an eligible telecommunications carrier.
30 Grants may be requested by an eligible telecommunications carrier, unserved
31 citizens, or both.

32 (ii) The commission shall delegate to a trustee the
33 administration, collection, and distribution of the Extension of Facilities
34 Fund in accordance with the rules and procedures established by the
35 commission. The trustee shall enforce and implement all rules and directives
36 governing the funding, collection, and eligibility for the Extension of

1 Facilities Fund.

2 (B)(i) In establishing regulations for the grant program
3 the commission shall consider demonstrated need, the length of time the
4 citizens have been unserved, the households affected, the best use of the
5 funds, and the overall need for extensions throughout the state.

6 (ii) The commission may require each potential
7 customer to be served by the extension of facilities to pay up to two hundred
8 fifty dollars (\$250) of the cost of extending facilities.

9 (C) The plan shall be funded by customer contributions and
10 by the Arkansas Calling Plan Fund established by the act of the 2001 Regular
11 Session of the Arkansas General Assembly which was introduced as Senate Bill
12 935.

13 (D)(i) The commission shall provide quarterly reports to
14 the Legislative Council. The reports shall include, but shall not be limited
15 to, the number of requests for grants, the number of grants awarded, the
16 amount awarded, and the number of additional customers served.

17 (ii) The commission shall notify members of the
18 General Assembly of grants made in their districts.

19 (D) In order to allow time for potential applicants to
20 request grants, no grants shall be awarded for three (3) months after the
21 effective date of the rules establishing the program.

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23 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly that some areas of the state are not served by wire line services of
25 an eligible telecommunications carrier; that extension of facilities in order
26 to make service available to unserved citizens is a vital health and safety
27 issue; that it is immediately necessary to establish a grant program for
28 extension of facilities. Therefore, an emergency is declared to exist and
29 this act being immediately necessary for the preservation of the public peace,
30 health and safety shall become effective on the date of its approval by the
31 Governor. If the bill is neither approved nor vetoed by the Governor, it
32 shall become effective on the expiration of the period of time during which
33 the Governor may veto the bill. If the bill is vetoed by the Governor and the
34 veto is overridden, it shall become effective on the date the last house
35 overrides the veto.

36 /s/ Hathorn

APPROVED: 4/18/2001