

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 550

BY APPROPRIATIONS COMMITTEE

AN ACT

1 APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE  
2 IDAHO EDUCATION NETWORK FOR FISCAL YEAR 2014; PROVIDING LEGISLATIVE IN-  
3 TENT; AND DECLARING AN EMERGENCY.  
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. In addition to the appropriation made in Section 2, Chap-  
7 ter 295, Laws of 2013, and any other appropriation provided for by law, there  
8 is hereby appropriated \$6,600,000 from the General Fund to the Department of  
9 Administration for the Information Technology Program for the Idaho Educa-  
10 tion Network, to be expended for operating expenditures, for the period July  
11 1, 2013, through June 30, 2014.

12 SECTION 2. LEGISLATIVE INTENT. It is the intent of the Legislature that  
13 the Idaho Department of Administration (the "Department") shall use the fis-  
14 cal year 2014 supplemental appropriation in the amount of \$6,600,000 to pay  
15 the outstanding funds due in fiscal year 2014 to Education Networks of Amer-  
16 ica, Inc./ENA Services, LLC ("ENA") from Universal Service Administrative  
17 Company ("USAC") for services rendered to the Department of Administration,  
18 but not paid for by USAC pursuant to RFP02160 and any purchase orders and  
19 amendments (the "IEN Contract").

20 Prior to disbursement of the funds from the General Fund to the Department,  
21 the Department and ENA shall amend the IEN Contract with the following provi-  
22 sions, at a minimum:

23 (1) Disbursement of funds under this appropriation shall not constitute ac-  
24 knowledgment of any liability due and owing by the State of Idaho to ENA.

25 (2) ENA shall immediately return to the Department any funds paid to ENA un-  
26 der this appropriation, if and when USAC pays ENA for any of the services ENA  
27 rendered to the Department pursuant to the IEN Contract.

28 (3) Nothing in this amendment shall displace ENA's responsibility under  
29 Paragraph 9.13 or any other provision of the IEN Contract to directly bill  
30 and secure funding from USAC.

31 Upon completion of the contract amendment required under this section, and  
32 also upon the receipt of any funds paid back to the Department by ENA pur-  
33 suant to (2) of this section, the Department shall immediately notify mem-  
34 bers of the IEN Program Resource Advisory Council (IPRAC). If ENA returns any  
35 appropriated funds to the Department pursuant to (2) of this section, the  
36 Department shall immediately transfer such funds to the General Fund. If  
37 the Department does not use the entire appropriation for the purposes stated

1 herein in fiscal year 2014, it shall return the unused funds to the General  
2 Fund on or before June 30, 2015.

3 SECTION 3. An emergency existing therefor, which emergency is hereby  
4 declared to exist, this act shall be in full force and effect on and after its  
5 passage and approval.