

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 283
Committee Substitute Favorable 5/11/09
Committee Substitute #2 Favorable 6/8/09

Short Title: NC Broadband Task Force.

(Public)

Sponsors:

Referred to:

February 25, 2009

1 A BILL TO BE ENTITLED
2 AN ACT CREATING THE NORTH CAROLINA BROADBAND TASK FORCE, TO
3 FOCUS ON EXPANDING BROADBAND ACCESS AND USAGE IN NORTH
4 CAROLINA.

5 Whereas, deploying broadband networks and advanced communication services
6 throughout North Carolina will enable continued improvements in health care, public safety,
7 education, and the economy; and

8 Whereas, a technology-neutral approach to removing barriers to broadband
9 deployment will encourage lower prices and creation of more consumer choices; and

10 Whereas, advanced communication services have become central to the financial
11 health of our State, as these services have increased individual worker productivity and
12 connected North Carolina businesses to broader markets; and

13 Whereas, State action is needed to continue investment in, stimulate adoption of,
14 and remove further barriers to the development of world-class broadband networks; and

15 Whereas, it is a legislative priority to promote widespread access to, adoption of,
16 and new applications for broadband networks and advanced communication services; and

17 Whereas, it is the State's policy to encourage expanded access to state-of-the-art
18 technologies for rural, inner-city, low-income, and disabled citizens; and

19 Whereas, the increased State use of broadband networks and advanced
20 communication services will enhance government operations through telemedicine for health
21 care, distance learning for education, and better coordination in the areas of public safety; Now,
22 therefore,

23 The General Assembly of North Carolina enacts:

24 **SECTION 1.** Creation of Task Force. – It is the intent of the General Assembly to
25 create the North Carolina Broadband Task Force. The Task Force will bring together public
26 and private stakeholders to remove barriers to broadband access, identify opportunities for
27 increased broadband adoption, and enable the creation and deployment of new advanced
28 communication technologies. Membership shall include representatives from State and local
29 government entities having a role in infrastructure deployment, information technology, and
30 economic development; representatives from the State's private sector technology and
31 telecommunication industries; and representatives of nonprofit organizations.

32 **SECTION 2.** Membership of the Task Force. – The Task Force shall consist of 35
33 members. The Secretary of Commerce or the Secretary's designee shall serve as cochair of the
34 Task Force. The North Carolina Broadband Task Force shall select a nonlegislative member of
35 the Task Force to serve as cochair of the Task Force. The State Chief Information Officer, the
36 chair of the N.C. Utilities Commission, the President of the Microelectronics Center of North



1 Carolina (MCNC), the Executive Director of the e-NC Authority, the President of The
2 University of North Carolina, the President of the North Carolina Community College System,
3 the Chairman and Chief Executive Officer of the State Board of Education, the President of the
4 Golden LEAF Foundation, the Executive Director of the N.C. League of Municipalities, the
5 Executive Director of the N.C. Association of County Commissioners, the President of the N.C.
6 Rural Economic Development Center, the President of the North Carolina Institute of Minority
7 Economic Development, or their designees, shall be members of the Task Force. Appointments
8 to the Task Force shall be made as follows:

- 9 (1) Eleven members appointed by the President Pro Tempore of the Senate, as
10 follows:
11 a. Four members of the Senate.
12 b. Five representatives from the State's private sector technology,
13 telecommunication, and cable industries.
14 c. Two representatives from consumer advocacy groups that focus on
15 broadband issues.
16 (2) Eleven members appointed by the Speaker of the House of Representatives,
17 as follows:
18 a. Four members of the House of Representatives.
19 b. Five representatives from the State's private sector technology,
20 telecommunication, and cable industries.
21 c. Two representatives from consumer advocacy groups that focus on
22 broadband issues.

23 (b) The President Pro Tempore of the Senate and the Speaker of the House of
24 Representatives shall make their appointments to the Task Force not later than 30 days after the
25 adjournment of the 2009 Regular Session of the General Assembly. Members of the Task Force
26 shall serve for two-year terms. A vacancy on the Task Force shall be filled by the original
27 appointing authority, using the criteria set out in this section for the original appointment.

28 (c) All members of the Task Force shall be voting members.

29 **SECTION 3.** Meetings of the Task Force. – The Task Force shall meet at least
30 quarterly or more frequently at the call of the chair. A quorum shall be a majority of the
31 members present and voting. Members of the Task Force shall receive travel and subsistence
32 expenses in accordance with the provisions of G.S. 120-3.1, 138-5, and 138-6. The Department
33 of Commerce shall provide staff to the Task Force at the request of the Task Force.

34 **SECTION 4.** Duties of the Task Force. – The North Carolina Broadband Task
35 Force shall pay particular attention to how broadband can be used to substantially benefit
36 educational institutions, health care institutions, community-based organizations, and
37 governmental institutions. It shall coordinate statewide and regional efforts with public and
38 private stakeholders to obtain and maximize grant and loan funding available for broadband
39 deployment and development projects in the State. Discussions with private sector stakeholders
40 shall identify further opportunities for increasing investment in state-of-the-art technologies.

41 **SECTION 5.** Reports of the Task Force. – By December 31, 2009, the Task Force
42 shall provide a preliminary report to the President Pro Tempore of the Senate, the Speaker of
43 the House of Representatives, and the Joint Legislative Oversight Committee on Information
44 Technology that identifies administrative actions that can result in immediate promotion of
45 broadband access and usage within the State. By June 30, 2010, the Task Force shall provide a
46 comprehensive report to the President Pro Tempore of the Senate, the Speaker of the House of
47 Representatives, and the Joint Legislative Oversight Committee on Information Technology.
48 The report shall make specific recommendations as to how North Carolina can take advantage
49 of opportunities for and eliminate any related barriers to broadband access and adoption.

50 **SECTION 6.** This act is effective when it becomes law.