

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 283
Committee Substitute Favorable 5/11/09

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 healthcare, 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
21 healthcare, distance learning for education, and better coordination in the areas of public safety;

22 Now, therefore,

23 The General Assembly of North Carolina enacts:

24 **SECTION 1.** Article 10 of Chapter 143B of the General Statutes is amended by
25 adding a new Part to read:

26 "Part 21. North Carolina Broadband Task Force.

27 "**§ 143B-472.115. North Carolina Broadband Task Force creation; purpose.**

28 There is created the North Carolina Broadband Task Force in the Department of
29 Commerce. The Task Force will bring together public and private stakeholders to remove
30 barriers to broadband access, identify opportunities for increased broadband adoption, and
31 enable the creation and deployment of new advanced communication technologies.
32 Membership shall include representatives from State and local government entities having a
33 role in infrastructure deployment, information technology, and economic development;
34 representatives from the State's private sector technology and telecommunication industries;
35 and representatives of nonprofit organizations.

36 "**§ 143B-472.116. North Carolina Broadband Task Force; membership; meetings.**



1 (a) The Task Force shall consist of 35 members. The Secretary of Commerce or the
2 Secretary's designee shall serve as cochair of the Task Force. The North Carolina Broadband
3 Task Force shall select a nonlegislative member of the Task Force to serve as cochair of the
4 Task Force. The State Chief Information Officer, the chair of the N.C. Utilities Commission,
5 the President of the Microelectronics Center of North Carolina (MCNC), the Executive
6 Director of the e-NC Authority, the President of The University of North Carolina, the
7 President of the North Carolina Community College System, the Chairman and Chief
8 Executive Officer of the State Board of Education, the President of the Golden LEAF
9 Foundation, the Executive Director of the N.C. League of Municipalities, the Executive
10 Director of the N.C. Association of County Commissioners, the President of the N.C. Rural
11 Economic Development Center, the President of the North Carolina Institute of Minority
12 Economic Development, or their designees, shall be members of the Task Force. Appointments
13 to the Task Force shall be made as follows:

14 (1) Eleven members appointed by the President Pro Tempore of the Senate, as
15 follows:

16 a. Four members of the Senate.

17 b. Five representatives from the State's private sector technology,
18 telecommunication, and cable industries.

19 c. Two representatives from consumer advocacy groups that focus on
20 broadband issues.

21 (2) Eleven members appointed by the Speaker of the House of Representatives,
22 as follows:

23 a. Four members of the House of Representatives.

24 b. Five representatives from the State's private sector technology,
25 telecommunication, and cable industries.

26 c. Two representatives from consumer advocacy groups that focus on
27 broadband issues.

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

33 (c) All members of the Task Force shall be voting members. Members of the Task
34 Force shall receive travel and subsistence expenses in accordance with the provisions of
35 G.S. 120-3.1, 138-5, and 138-6. The Department of Commerce shall provide staff to the Task
36 Force at the request of the Task Force.

37 (d) The Task Force shall meet at least quarterly or more frequently at the call of the
38 chair. A quorum shall be a majority of the members present and voting.

39 **"§ 143B-472.117. North Carolina Broadband Task Force; duties.**

40 (a) The North Carolina Broadband Task Force shall pay particular attention to how
41 broadband can be used to substantially benefit educational institutions, healthcare institutions,
42 community-based organizations, and governmental institutions. It shall coordinate statewide
43 and regional efforts with public and private stakeholders to obtain and maximize grant and loan
44 funding available for broadband deployment and development projects in the State.
45 Discussions with private sector stakeholders shall identify further opportunities for increasing
46 investment in state-of-the-art technologies.

47 (b) By December 31, 2009, the Task Force shall provide a preliminary report to the
48 President Pro Tempore of the Senate, the Speaker of the House of Representative, and the Joint
49 Legislative Oversight Committee on Information Technology that identifies administrative
50 actions that can result in immediate promotion of broadband access and usage within the State.

1 (c) By June 30, 2010 the Task Force shall provide a comprehensive report to the
2 President Pro Tempore of the Senate, the Speaker of the House of Representative, and the Joint
3 Legislative Oversight Committee on Information Technology. The report shall make specific
4 recommendations as to how North Carolina can take advantage of opportunities for and
5 eliminate any related barriers to broadband access and adoption.

6 (d) Beginning January 1, 2011, and annually thereafter, the Task Force shall submit
7 annual reports to the General Assembly on or before the convening of the regular session of the
8 General Assembly each year. The Task Force may submit interim reports at any time it deems
9 appropriate.

10 **SECTION 3.** This act is effective when it becomes law.