

E2SSB 6438 - H COMM AMD

By Committee on Technology, Energy & Communications

NOT ADOPTED 03/06/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds and declares the
4 following:

5 (a) The deployment and adoption of high-speed internet services and
6 information technology has resulted in enhanced economic development
7 and public safety for the state's communities, improved health care and
8 educational opportunities, and a better quality of life for the state's
9 residents;

10 (b) Continued progress in the deployment and adoption of high-speed
11 internet services and other advanced telecommunications services, both
12 land-based and wireless, is vital to ensuring Washington remains
13 competitive and continues to create business and job growth; and

14 (c) That the state must encourage and support strategic
15 partnerships of public, private, nonprofit, and community-based sectors
16 in the continued growth and development of high-speed internet services
17 and information technology for state residents and businesses, and do
18 so through formalized and structured arrangements that ensure the
19 protection of proprietary information maintained by telecommunications
20 providers and internet service providers.

21 (2) Therefore, the legislature resolves that it will create a
22 comprehensive, statewide high-speed internet deployment and adoption
23 strategy to improve technology literacy, improve access to affordable
24 and reliable high-speed internet services, and to establish and sustain
25 an environment ripe for telecommunications and technology investment
26 statewide.

27 NEW SECTION. **Sec. 2.** (1) After the broadband study authorized by
28 the legislature in 2007 has been completed, the department of
29 information services, in coordination with the department of community,

1 trade, and economic development and the utilities and transportation
2 commission, shall convene a work group to develop a high-speed internet
3 deployment and adoption strategy for the state.

4 (2) The department of information services shall invite
5 representatives from the following organizations to participate in the
6 work group:

7 (a) Representatives of public, private, and nonprofit agencies and
8 organizations representing economic development, local community
9 development, local government, community planning, technology planning,
10 education, and health care;

11 (b) Representatives of telecommunications providers, technology
12 companies, telecommunications unions, public utilities, and relevant
13 private sector entities;

14 (c) Representatives of community-based organizations; and

15 (d) Representatives of other relevant entities as the department of
16 information services may deem appropriate.

17 (3) In developing the high-speed internet deployment and adoption
18 strategy, the department of information services shall consider the
19 following:

20 (a) How to create a detailed, geographic information system map at
21 the census block level of the high-speed internet services and other
22 relevant telecommunications and information technology services owned
23 or leased by public entities in the state. Development of this
24 geographic information system map may include collaboration with
25 students and faculty at community colleges and universities in the
26 state. The statewide inventory must, at a minimum, detail:

27 (i) The physical location of all high-speed internet infrastructure
28 owned or leased by public entities;

29 (ii) The amount of excess capacity available; and

30 (iii) Whether the high-speed internet infrastructure is active or
31 inactive;

32 (b) How to work with telecommunications providers and internet
33 service providers to assess and create a geographic information system
34 map at the census block level of the privately owned high-speed
35 internet infrastructure in the state, with instructions on how
36 proprietary and competitively sensitive data will be handled, stored,
37 and used;

1 (c) How to combine the geographic information system map of high-
2 speed internet infrastructure owned by public entities with the
3 geographic information system map of high-speed internet infrastructure
4 owned by private entities to create a statewide inventory of all high-
5 speed internet infrastructure in the state;

6 (d) How to use the geographic information system map of all high-
7 speed internet infrastructure in the state, both public and privately
8 owned, to identify the geographic gaps in high-speed internet service,
9 including an assessment of the population located in each of the
10 geographic gaps;

11 (e) How the state might create or utilize a nonprofit organization
12 to spur the development of high-speed internet resources in the state,
13 which may include, but is not limited to, soliciting funding in the
14 form of grants or donations; establishing technology literacy programs
15 in conjunction with institutions of higher education; establishing low-
16 cost hardware and software purchasing programs; and developing loan
17 programs targeting small businesses or businesses located in
18 underserved areas;

19 (f) How to track statewide residential and business adoption of
20 high-speed internet, computers, and related information technology,
21 including an identification of barriers to adoption;

22 (g) How to effectively build and facilitate local technology
23 planning teams and partnerships led by local economic development
24 organizations with members representing cross-sections of the
25 community, which may include participation from the following
26 organizations: Representatives of business, telecommunications unions,
27 K-12 education, community colleges, health care, libraries,
28 universities, community-based organizations, local governments,
29 tourism, parks and recreation, and agriculture;

30 (h) How to use the local technology planning teams and partnerships
31 led by local economic development organizations to:

32 (i) Conduct a needs assessment;

33 (ii) Determine the appropriate type of technology needed to
34 implement high-speed internet services in the area;

35 (iii) Determine the hardware and software needed; and

36 (iv) Write a request for proposals to meet the community's needs;

37 (i) How to work collaboratively with high-speed internet providers
38 and technology companies across the state to encourage deployment and

1 use, especially in unserved areas, through use of local demand
2 aggregation, mapping analysis, and creation of market intelligence to
3 improve the investment rationale and business case; and

4 (j) How to establish low-cost programs to improve computer
5 ownership, technology literacy, and high-speed internet access for
6 disenfranchised or unserved populations across the state.

7 (4) By September 1, 2008, the department of information services
8 shall provide a status update to the telecommunications committees in
9 the house of representatives and the senate, outlining the progress
10 made to date by the work group and the issues remaining to be
11 considered.

12 (5) By December 1, 2008, the department of information services
13 shall provide a report to the fiscal and telecommunications committees
14 in the house of representatives and the senate. The main objective of
15 the report is to outline, based on the efforts of the work group, what
16 legislation is needed in order to implement the high-speed internet
17 deployment and adoption strategy, including a range of potential
18 funding requests to accompany the legislation. Specifically, the
19 report shall include the following:

20 (a) Benchmarks, performance measures, milestones, deliverables,
21 timelines, and such other indicators of performance and progress as are
22 necessary to guide development and implementation of the high-speed
23 internet deployment and adoption strategy, both short term and long
24 term, including an assessment of the amount of funding needed to
25 accomplish a baseline assessment of the high-speed internet
26 infrastructure owned by public and private entities of the state in an
27 eighteen-month period;

28 (b) Ways to structure and appropriately scale and phase development
29 and implementation of the high-speed internet deployment and adoption
30 strategy so as to link to, leverage, and otherwise synchronize with
31 other relevant and related funding, technology, capital initiatives,
32 investments, and opportunities; and

33 (c) A range of implementation options that would address the
34 handling, storage, and use of proprietary and competitively sensitive
35 data submitted by telecommunications or internet service providers,
36 with consideration given to the potential of creating or utilizing an
37 independent, nonprofit organization that would be charged with
38 implementing the high-speed internet deployment and adoption strategy.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.105 RCW
2 to read as follows:

3 (1) By January 1, 2009, the department, in consultation with the
4 utilities and transportation commission and other relevant agencies,
5 shall identify and make publicly available a web directory of public
6 facilities that provide community technology programs throughout the
7 state.

8 (2) For the purposes of this section, "community technology
9 program," also known as a digital inclusion program, means a program
10 engaged in diffusing information and communications technology in local
11 communities, particularly in unserved areas. These programs may
12 include, but are not limited to, programs that provide education and
13 skill-building opportunities, hardware and software ownership, internet
14 connectivity, and development of locally relevant content and delivery
15 of vital services through technology.

16 NEW SECTION. **Sec. 4.** Nothing in this act may be construed as
17 giving the department of information services or any other entities any
18 additional authority, regulatory or otherwise, over providers of
19 telecommunications and information technology.

20 NEW SECTION. **Sec. 5.** If sections 1 through 4 of this act become
21 null and void, the department of information services shall include
22 high-speed internet adoption and deployment in its 2009-2011 strategic
23 plan.

24 NEW SECTION. **Sec. 6.** If specific funding for the purposes of
25 sections 1 through 4 of this act, referencing sections 1 through 4 of
26 this act by bill or chapter number, is not provided by June 30, 2008,
27 in the omnibus appropriations act, sections 1 through 4 of this act are
28 null and void."

29 Correct the title.

EFFECT: Strikes the provisions of the underlying bill pertaining

to certain reporting requirements, timing of reports, and provisions related to implementation by a nonprofit organization.

Adds the following provisions:

Requires the Department of Information Services (DIS), in coordination with the Department of Community, Trade, and Economic Development (CTED) and the Utilities and Transportation Commission (UTC), to convene a work group to develop a high-speed internet deployment and adoption strategy.

Requires the DIS to consider the following:

(1) How to create a detailed, geographic information system (GIS) map of the high-speed internet infrastructure owned or leased by public entities;

(2) How to work with telecommunications providers and internet service providers to assess and create a GIS map of privately owned high-speed internet infrastructure, with consideration given to how proprietary information will be handled;

(3) How the state might create or utilize a nonprofit organization to spur development of high-speed internet resources in the state; and

(4) How to use local technology planning teams to conduct a needs assessment, determine what technology, hardware, and software is needed, and write a request for proposals to meet the community's needs.

Requires the DIS to provide a status report to the Legislature by September 1, 2008.

Requires the DIS to report by December 1, 2008, on a range of implementation options that would address the handling, storage, and use of proprietary information submitted by telecommunications or internet service providers.

Adds a null and void clause. If the act becomes null and void, DIS is required to include high-speed internet deployment and adoption in its 2009-2011 strategic plan.

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