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## Technology, Energy & Communications Committee

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### HB 1699

**Brief Description:** Implementing a high-speed internet deployment and adoption strategy for the state.

**Sponsors:** Representatives Hudgins, McCoy, Hasegawa and Moeller.

#### Brief Summary of Bill

- Authorizes the Department of Information Services to implement a high-speed internet strategy for the state.
- Repeals provisions that restrict government entities from collecting certain high-speed internet infrastructure information.
- Creates a High Speed Internet Account.

**Hearing Date:** 2/4/09

**Staff:** Kara Durbin (786-7133)

#### **Background:**

##### **Federal Broadband Efforts**

In 2008, Congress passed the Broadband Data Improvement Act (Act). Part of the Act directed the Secretary of Commerce to make competitive grants available to states to support identification and tracking of availability and adoption of broadband services. Any competitive grants awarded would require a 20 percent match of non-federal funding.

The Act also required the Federal Communications Commission (FCC) to provide eligible entities with electronic access to aggregate data collected by the FCC from broadband service providers. "Eligible entity" is defined as an entity that is: (1) either a state agency or instrumentality of the state, a non-profit organization, or certain independent agencies; and (2) the single eligible entity designated by the state to receive such a grant.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

While the Act provided authorization for funding, no funds have been appropriated by the federal government to implement the Act.

### **State Broadband Efforts**

In 2008, the Legislature directed the Department of Information Services (DIS) to convene a work group to identify and develop strategies for high-speed internet deployment and adoption. The DIS established the High-Speed Internet Strategy Work Group (Work Group) in June of 2008, which included representatives from government, community, education, business, non-profit, economic development, health care, technology, union, public utility, and service provider interests. The Work Group met seven times between July of 2008 and November of 2008. It issued its final report to the Legislature on December 1, 2008.

In its report, the DIS, in concurrence with the Work Group, made the following recommendations:

1. *Defining High-Speed Internet Service:* The state should adopt a definition of "high-speed internet service" that is consistent with the Federal Communications Commission's (FCC's) broadband speed tiers in the upload and download direction, except for the bottom tier. High-speed internet should also be defined by the applications it can enable.
2. *Mapping:* The state should consider mapping at the census tract level, rather than the census block level. The map should be produced by a third-party entity to ensure the confidentiality of proprietary and competitively sensitive data. The map should provide adoption information, availability information, the technology used, and available speed tiers. The map should provide a link to the service provider's web site to provide pricing data. An interactive, web-based map also should be available to allow queries and inputs from consumers.
3. *Local Technology Teams:* The DIS should coordinate Local Technology Planning Teams (LTPTs) and assist the LTPTs in conducting local needs assessments, developing and implementing strategic plans, and identifying funding sources.
4. *Spurring Development:* The state should conduct several initiatives to spur the development of high-speed internet in the state, which may include expanding the Community Technology Opportunities Program, soliciting funding sources, and establishing low-cost hardware and software programs.
5. *Benchmarks:* The DIS should oversee tracking of residential, business, and statewide high-speed internet adoption. A variety of metrics and benchmarks should be used to measure the success of the state's high-speed internet deployment and adoption strategy.

The final report also recommended that legislation be introduced to: (1) authorize the DIS coordinate implementation of the high-speed internet deployment and adoption strategy, as outlined in the report; and (2) provide initial funding to support implementation.

### **Summary of Bill:**

The Department of Information Services (DIS) must implement a high-speed internet deployment and adoption strategy, subject to available funding.

The DIS may contract with a third-party organization to prepare a statewide map, which may include adoption and availability information, type of technology used, and available speed tiers for high-speed internet. The DIS may solicit funding for high-speed internet, which must be deposited in the High Speed Internet Account.

The DIS may coordinate local technology planning teams and oversee benchmarking of residential, business, and statewide high-speed internet adoption.

The DIS may pursue a variety of initiatives in local communities to make high-speed internet more readily available, which may include expansion of the Community Technology Opportunity Program and establishing low-cost hardware and software programs.

The DIS may adopt rules and policies to carry out the provisions of this Act or to participate in any federal funding programs related to high-speed internet or broadband.

If federal funds are made available, the DIS is authorized to receive those funds and make them available for broadband or high-speed internet purposes.

The High Speed Internet Account is created in the state treasury. Expenditures may only be used for implementation of a high-speed internet deployment and adoption strategy.

If any part of this act is found to be in conflict with federal funding requirements, the conflicting part of the act is inoperative to the extent of the conflict.

Provisions in current law that restrict the DIS or other government entities from collecting certain high-speed internet infrastructure information are repealed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 2009.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.