

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 283  
Committee Substitute Favorable 5/11/09  
PROPOSED COMMITTEE SUBSTITUTE H283-PCS80457-TD-40

Short Title: NC Broadband Task Force.

(Public)

Sponsors:

Referred to:

February 25, 2009

A BILL TO BE ENTITLED

AN ACT CREATING THE NORTH CAROLINA BROADBAND TASK FORCE, TO  
FOCUS ON EXPANDING BROADBAND ACCESS AND USAGE IN NORTH  
CAROLINA.

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

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

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

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

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

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

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

The General Assembly of North Carolina enacts:

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

**SECTION 2.** Membership of the Task Force. – The Task Force shall consist of 35  
members. The Secretary of Commerce or the Secretary's designee shall serve as cochair of the



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

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

- 14 a. Four members of the Senate.
- 15 b. Five representatives from the State's private sector technology,  
16 telecommunication, and cable industries.
- 17 c. Two representatives from consumer advocacy groups that focus on  
18 broadband issues.

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

- 21 a. Four members of the House of Representatives.
- 22 b. Five representatives from the State's private sector technology,  
23 telecommunication, and cable industries.
- 24 c. Two representatives from consumer advocacy groups that focus on  
25 broadband issues.

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

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

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

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

44 **SECTION 5.** Reports of the Task Force. – By December 31, 2009, the Task Force  
45 shall provide a preliminary report to the President Pro Tempore of the Senate, the Speaker of  
46 the House of Representatives, and the Joint Legislative Oversight Committee on Information  
47 Technology that identifies administrative actions that can result in immediate promotion of  
48 broadband access and usage within the State. By June 30, 2010, the Task Force shall provide a  
49 comprehensive report to the President Pro Tempore of the Senate, the Speaker of the House of  
50 Representatives, and the Joint Legislative Oversight Committee on Information Technology.

- 1 The report shall make specific recommendations as to how North Carolina can take advantage  
2 of opportunities for and eliminate any related barriers to broadband access and adoption.  
3 **SECTION 6.** This act is effective when it becomes law.