

Senate Substitute for HOUSE BILL No. 2701

AN ACT concerning broadband; creating the statewide broadband expansion planning task force; relating to the expansion of broadband services.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) There is hereby established the statewide broadband expansion planning task force. The task force shall be composed of 17 voting members, as follows:

(1) The chairperson, vice-chairperson and ranking minority member of the house standing committee on energy, utilities and telecommunications;

(2) the chairperson, vice-chairperson and ranking minority member of the senate standing committee on utilities;

(3) one member appointed by the Kansas association of counties;

(4) one member appointed by the Kansas league of municipalities;

(5) one member appointed by the Kansas rural independent telephone coalition;

(6) one member from the Kansas cable telecommunications association;

(7) one member appointed by the cellular telecommunications industry association representing a wireless carrier;

(8) one member representing an electing carrier;

(9) one member representing an incumbent local exchange carrier that is price-cap regulated and a recipient of KUSF funds and serves a rural service area;

(10) one member appointed by the Kansas electric cooperatives;

(11) one member appointed by the state independent telephone association;

(12) one member appointed by the Kansas municipal utilities;

(13) one member appointed by the Kansas independent fiber association; and

(14) the following ex-officio members, who all shall be non-voting members:

(A) The secretary of transportation or the secretary's designee;

(B) the commissioner of education or the commissioner's designee;

(C) the chairperson of the state corporation commission, or the chairperson's designee;

(D) one member appointed by the Kansas hospital association; and

(E) one member at-large appointed by the governor.

(b) Of the legislative members appointed by the speaker of the house of representatives and the president of the senate, the speaker of the house of representatives shall appoint one such member from the house of representatives to serve as co-chairperson of the task force and the president shall appoint one such member from the senate to serve as co-chairperson of the task force.

(c) Members shall be appointed to the task force not later than 45 days from the effective date of this section. Members of the task force must reside or work in Kansas and shall consist of members from all four congressional districts in Kansas.

(d) The statewide broadband expansion planning task force may meet in an open meeting at any time upon the call of either co-chairperson of the task force. A majority of the voting members of the statewide broadband expansion planning task force constitute a quorum. Any action by the task force shall be by motion adopted by a majority of the voting members present when there is a quorum. Any vacancy on the statewide broadband expansion planning task force shall be filled by appointment in the manner prescribed in this section for the original appointment.

(e) The mission of the statewide broadband expansion planning task force shall be as follows:

(1) Work collaboratively to develop an approach that includes, but is not limited to, the development of criteria for the creation of a statewide map for defining and evaluating the broadband needs of Kansas citizens, businesses, industries, institutions and organizations;

(2) identify and document risks, issues and constraints associated with a state-wide broadband expansion project. Develop corresponding risk mitigation and resolution strategies where appropriate;

(3) consider any recent actions by the federal communications commission relating to broadband services including, but not limited to, the 2018 broadband deployment report, recommendations of the broadband deployment advisory committee and any actions to implement broadband

initiatives using the connect America fund phase II, the mobility fund II or the remote areas fund;

- (4) identify opportunities and potential funding sources to:
 - (A) Expand broadband infrastructure and increase statewide access to broadband services;
 - (B) remove barriers that may hinder deployment of broadband infrastructure or access to broadband services; and
 - (C) consider options for the deployment of new advanced communication technologies;
- (5) develop criteria for prioritizing the expansion of broadband services across Kansas;
- (6) review existing law and rules and regulations concerning access to the public right-of-way for public utilities and make corresponding recommendations for any changes necessary to encourage broadband deployment;
- (7) propose future activities and documentation required to complete a statewide broadband expansion plan, including an upgradeable, functional map of the state of available broadband service, what technologies should be deployed and the methods to finance broadband expansion; and
- (8) make and submit an initial report to the house of representatives committee on energy, utilities and telecommunications and the senate committee on utilities prior to January 15, 2019, concerning all such initial work and progress of the task force. Unless all work is completed and reported in the initial report, the final planning task force report shall be submitted to the legislature prior to January 15, 2020.
 - (f) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide assistance as may be requested by the statewide broadband expansion planning task force.
 - (g) Legislative members of the statewide broadband expansion planning task force attending meetings authorized by the task force shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto. Non-legislative members of the statewide broadband expansion planning task force may be reimbursed by their appointing authority.
 - (h) The provisions of this section shall expire on June 30, 2020.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.