

Senate Substitute for HOUSE BILL No. 2701

By Committee on Utilities

3-26

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

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) There is hereby established the statewide broadband
7 expansion planning task force. The task force shall be composed of 19
8 voting members, as follows:

9 (1) Two members of the house of representatives appointed by the
10 speaker of the house of representatives with one of such appointees from
11 the house standing committee on energy, utilities and telecommunications;

12 (2) one member of the house of representatives appointed by the
13 minority leader of the house of representatives;

14 (3) two members of the senate appointed by the president of the
15 senate with one of such appointees from the senate standing committee on
16 utilities;

17 (4) one member of the senate appointed by the minority leader of the
18 senate;

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

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

21 (7) one member appointed by the Kansas rural independent telephone
22 coalition;

23 (8) one member from the Kansas cable telecommunications
24 association;

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

27 (10) one member representing an electing carrier;

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

31 (12) one member appointed by the Kansas electric cooperatives;

32 (13) one member appointed by the state independent telephone
33 association;

34 (14) one member appointed by the Kansas municipal utilities;

35 (15) one member appointed by the Kansas farm bureau;

36 (16) one member appointed by the Wichita aero club;

1 (17) one member appointed by the Kansas independent fiber
2 association; and

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

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

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

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

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

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

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

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

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

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

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

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

39 (3) consider any recent actions by the federal communications
40 commission relating to broadband services including, but not limited to,
41 the 2018 broadband deployment report, recommendations of the
42 broadband deployment advisory committee and any actions to implement
43 broadband initiatives using the connect America fund phase II, the

1 mobility fund II or the remote areas fund;

2 (4) identify opportunities and potential funding sources to:

3 (A) Expand broadband infrastructure and increase statewide access to
4 broadband services;

5 (B) remove barriers that may hinder deployment of broadband
6 infrastructure or access to broadband services; and

7 (C) consider options for the deployment of new advanced
8 communication technologies;

9 (5) develop criteria for prioritizing the expansion of broadband
10 services across Kansas;

11 (6) review existing law and rules and regulations concerning access
12 to the public right-of-way for public utilities and make corresponding
13 recommendations for any changes necessary to encourage broadband
14 deployment;

15 (7) propose future activities and documentation required to complete
16 a statewide broadband expansion plan, including an upgradeable,
17 functional map of the state of available broadband service, what
18 technologies should be deployed and the methods to finance broadband
19 expansion; and

20 (8) make and submit an initial report to the house of representatives
21 committee on energy, utilities and telecommunications and the senate
22 committee on utilities prior to January 31, 2019, concerning all such initial
23 work and progress of the task force. Unless all work is completed and
24 reported in the initial report, the final planning task force report shall be
25 submitted to the legislature prior to January 15, 2020.

26 (f) The staff of the office of revisor of statutes, the legislative research
27 department and the division of legislative administrative services shall
28 provide assistance as may be requested by the statewide broadband
29 expansion planning task force.

30 (g) Legislative members of the statewide broadband expansion
31 planning task force attending meetings authorized by the task force shall
32 be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto.
33 Non-legislative members of the statewide broadband expansion planning
34 task force may be reimbursed by their appointing authority.

35 (h) The provisions of this section shall expire on June 30, 2020.

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