

## Broadband Planning and Collaboration Narrative "Got Service? Mapping Washington's Future"

### **BACKGROUND**

Historically, Washington state priorities have included the aerospace industry, natural resources, health and education. Although we have a very strong technology industry, providing nearly 40% of the employment in our state, broadband at large has not been a strong focus for Washington until the past few years. Given the importance of broadband for all industries, Washington is beginning to focus on the importance of enabling increased bandwidth to support data-intensive broadband services and applications, especially for areas such as health, education, and energy.

Washington made preliminary efforts to understand our broadband situation through two studies:

1. The Washington Utility and Transportation Commission's (UTC) Broadband Study conducted a telephone-based survey focused on five counties to assess the impediments to broadband availability and use in our state.
2. The High-Speed Internet Working Group Study provides recommendations on how to determine the state of broadband for Washington. However, because this attention to broadband is still new to the state, and budgets are tight for all states, there has not been any other funding or resources applied toward this subject.

#### Determining Broadband Availability in Washington

Currently, we do not have information about broadband service availability from a statewide perspective and we cannot identify with any certainty which areas of our state are unserved and underserved in accordance with the federal definition of broadband (768/200kbps). Unlike states that have already been working to collect this data, Washington is beginning from square one.

Although our state is home to wireless pioneers such as Craig McCaw, John Stanton, and others who continue to be influential in increasing wireless broadband capabilities, a majority of broadband services in our state are provided by companies such as Qwest, Verizon and CenturyLink (our three largest ILECs), and wireless providers AT&T, Verizon Wireless and T-Mobile. Access to broadband-related data has been limited or minimal, because they are protected as confidential and proprietary under an exemption to public disclosure when regulated providers share this information with the UTC. And, where broadband services are not regulated by the UTC, the FCC form 477 data is also protected and not available to us.

#### Importance of NTIA's State Broadband Mapping and Broadband Planning Grant

Collection of broadband data under the BDIA and federal rules for the State Broadband Data and Development Grant Program will be the first opportunity to create a baseline evaluation of broadband availability for Washington. Broadband planning funding will allow us to allocate resources and time to provide much needed awareness and education about the importance of broadband throughout our state, as well as to identify the issues and barriers to broadband service availability for unserved and underserved areas once they are identified.

Once we have a baseline understanding about Washington's broadband status, and the results of information gathering (e.g., through workshops, meetings, surveys, et al.), we can conduct a gap analysis and develop targeted solutions to increase broadband services to unserved and underserved areas, and encourage broadband adoption through education and awareness efforts in those areas.

We believe that identifying the condition of broadband in our state will help reveal and substantiate the appropriate solutions. For example, when compared to residents in urban areas like Western Washington, we believe residents in rural areas like Eastern Washington generally experience more limited access and barriers to healthcare, distance education, e-commerce and online business tools, etc. Thus, even before data collection begins, we know that a digital divide already separates the two "halves" of our state. But, before we act, we will use the federal funding to verify our impressions with facts gathered from both the public and private sector. Our approach, and the rationale for each stage, is described below.

## **Collaboration**

Washington is in the process of developing relationships with all broadband stakeholders in the state. We are giving providers an opportunity to collaborate with us on both the identification and verification of broadband data for the state broadband map, and on development of broadband planning for unserved and underserved areas. Since July, the Department of Information Services (DIS) has been compiling a master list of broadband stakeholders in the state, which include: public and private broadband providers, Community Anchor Institutions, Tribal governments, non-profit organizations, libraries, education, public safety, and energy and utility entities, other agencies, state and local governmental entities, and organizations that either represent some of these groups, or ones that represent other stakeholders such as technology organizations.

Our collaboration outreach efforts to date include:

- *DIS Broadband Website* (<http://broadband.dis.wa.gov/>) – launched July 16, 2009, to make key information on the Recovery Act easily available to everyone, including federal information on broadband funding, our state broadband information, links to public sector broadband sites, reports and studies on broadband, mapping data, and other states' information surrounding broadband activities to serve as examples.
- *Governor Letter to Public Sector* - A letter from the Governor's Office to state agency heads providing information about the DIS mapping, planning, and collaboration roles around increased use and access to broadband, and next steps for coordinating applicants, was sent Aug. 4, 2009.
- *Private Sector Broadband Providers Letter from DIS* – sent Aug. 14, 2009, from the DIS Director to invite private sector parties to meet and provide an opportunity to discuss a collaborative approach to increased access and use of broadband in rural areas.
- *Legislator Letter and Information Kit from DIS* – from DIS Director to Legislators, inviting them to share our broadband information and activity with constituents, sent Aug. 6, 2009.  
*Broadband Alliance Outreach* – DIS is facilitating regular teleconferences between representatives from education, libraries, health, research and development, and justice/legal.

- *Applicant Tracking Tool* – launched July 31, 2009, the tool provides a method for Washington applicants to register and share information about their intention to apply for federal funding. This tool helps applicants identify each other and form partnerships focused on common objectives around broadband (e.g., expanding the reach of another e-health project that may be contiguous or have overlapping areas for service).

Currently, we are scheduling listening sessions with the Washington State University because they have extension offices in each of Washington's 39 counties, and 10 learning centers operating on both sides of the Cascade Mountains.

#### Statewide Workshops

Generally, the listening session (workshops) conducted throughout the state with the groups mentioned herein will allow us to meet with them on their own domain, hear the concerns that are unique to their locations, and help build trust and credibility so we can work together collaboratively on solutions.

Our agenda will focus on three key objectives. First, provide awareness and education by explaining the objectives of the federal mapping and broadband planning program. Second, listen to the concerns and issues related to broadband in their area, take notes, and summarize to the group our understanding of what we heard. Third, explain the type of help we need from those groups going-forward and how it will help us to identify solutions for them, e.g., responses to surveys, use of a user generated speed test to identify actual speed vs. advertised speed, request for verification of the broadband service availability we have identified for their area based on a copy of a preliminary broadband map for the county, etc. (We anticipate taking hard copies of the maps to show how the data is valuable and why their input matters). We will also highlight our efforts to inform and education the community via our state broadband website, and explain the future interactive capabilities available on Sanborn's mapping portal.

#### *Verification – Supplemental to Mapping Vendor*

Our mapping vendor is handling the verification of broadband data through methods such as a random phone survey to verify service availability is consistent with the claims of providers. Washington plans to *supplement* this verification by sharing preliminary findings for the broadband map with communities in order to provide another method to confirm that the data from broadband providers is accurate. (Sanborn will give providers another opportunity to "correct" their data if DIS reports any discrepancies to Sanborn).

#### Eastern Washington

As we mentioned above, one of the areas we especially wish to focus our outreach efforts is Eastern Washington, which is geographically separated from the Western half of the state by the Cascade mountain range. One of the ways we are addressing the logistical challenge of extending our reach into the other half of our state is enlisting the help of the state's staff from the Department of Commerce to work with their county liaisons, and with Washington State University (which has extension offices in all 39 counties). Further, we are working with our state Legislators by sharing information designed for distribution in their local areas. All of our meetings will include conference bridges for those that cannot travel due to distance or cost restraints.

Listed below is a timeline for our continued outreach efforts. In anticipation of the federal mapping grant, and in a good faith effort to get the process going, our collaboration efforts are already underway.

**Timeline for outreach targeting broadband strategy stakeholders**

<b>Audience</b>	<b>Outreach method</b>	<b>Estimated date(s)</b>
Broadband Providers	In-person meeting, plus teleconference	Sept. 10, 14, 15, 2009
Tribal Governments	In-person meeting, plus teleconference	Nov. 5, 2009
Comm. Anchor Institutions	Web-Ex video or phone conference	Dec. 1, 2009
All Broadband Stakeholders (ABS)	Distribute information pieces via mail, email, and on website	Sep. 2009 - March 2010
ABS	Web-based surveys	Dec. 2009 – May 2010
ABS	Listening session, Chelan County	March 22, 2010
ABS	Listening session, Walla Walla County	March 24, 2010
ABS	Listening session, Spokane County	March 26, 2010
ABS	Listening session, Bellingham	April 12, 2010
ABS	Listening session, Seattle	April 14, 2010
ABS	Listening session, Vancouver	April 16, 2010
<p>Listening Session: Designed to allow people to discuss concerns and share what is on their minds in an open forum.</p> <p>After each broadband strategy session, Washington will distribute meeting highlights for additional comment – can be provided via a broadband outreach page (to be developed).</p>		

**Broadband Planning**

In addition to the state's digital divide, Washington's unique geography creates a cultural and physical divide that presents unique challenges to any state similarly situated in developing a broadband plan. This challenge to broadband adoption must be identified and addressed through our planning efforts.

Divided by the Cascade Mountains, Washington is home to two very distinct populations, whose attitudes and beliefs about technology are often shaped by their environment. Western Washington is primarily urban and represents an easily traveled area. This part of our state generally features WiFi hot spots at every local coffee shop, Wi-Max in high-density areas, and numerous competing providers that offer many levels of broadband speeds at competitive pricing.

Eastern Washington is primarily rural, covers much larger areas, and is geographically diverse. This area of our state features vast farming areas and high-desert acreage, long drives even to the grocery store, and counties that have perhaps 1 to 3 broadband providers at most.

Taking the duality of our state into account, we envision a two-phase approach to develop a broadband plan for Washington. For clarity, the listening sessions we describe earlier in this narrative are part of Phase 1. Prior to Phase 1, in the remaining months of 2009, we will be focused on event coordination (i.e., scheduling location and resources for the listening sessions, coordinating PR to ensure strong attendance, etc.), materials preparation (such as fact sheets, presentation, surveys), and design of the broadband outreach page featuring information tailored to each county on our broadband website.

#### Phase 1: Got Service? (Oct. 2009 – February 2010)

During this phase, Washington will work to provide education and awareness of broadband availabilities and alternatives. As we work with groups in the areas that meet the federal definition of unserved and underserved, we will be identifying the impediments to broadband service availability. For example, the UTC study stated that 67% of the businesses in the five counties surveyed want faster and more affordable broadband service. However, the reasons why broadband service is not provided at desired levels and at a competitive price needs to be gathered for all 39 counties in the state. Thus, stakeholder input will directly impact the development of a broadband plan.

During this phase, it is essential that we accomplish the following outcomes:

- Create a map of broadband service availability
- Identify the unserved and underserved areas
- Develop a baseline assessment of broadband deployment in Washington
- Educate groups about broadband and opportunities for the public to provide input and to assess whether they have broadband service at 768/200kbps
- Identify barriers to broadband service availability and adoption (e.g., surveys designed to reveal why broadband service is not provided at 768/200kbps, number of providers to determine if competition exists, pricing data to determine if broadband is affordable, number of technologies available, if broadband service is used at work and/or at home, level of awareness/education about broadband in the area, etc.)
- Identify providers' advertised speeds and pricing vs. actual speeds and pricing
- Identify the profile of both broadband users and non-adopters (e.g., age, income, race, education, etc.)

As broadband data is collected, the mapping portal created by Sanborn will help provide additional insights into where there is broadband service and where there is not. This information will be shared with stakeholders initially, in hard copy or PDF format, to help provide additional verification of the accuracy of service availability; then posted for public access on February 1, 2010.

At the conclusion of Phase 1, we will publish a report on our findings which will be made available to the public. We anticipate this will serve as an important guide for state planning for broadband as well as private provider investment decisions in Washington.

#### Phase 2: Get Going! (March 2010 – ongoing)

After developing the baseline evaluation of broadband service availability, we will develop marketing and promotional material to share the results of Phase 1 communities, Governor's office, legislators, providers, other broadband stakeholders, etc., which will include further

educational materials to help residents shop for the most broadband service for the best price, about the various technologies available and providers in their area. By this time, we will have determined where the unserved and underserved areas are, and will begin broadband planning consistent with the needs of the state. The outcome of this phase will be the identification of solutions these groups can pursue to get broadband to their area. We will help facilitate relationships and discussions between the counties and providers to enable implementation of a satisfactory solution that increases broadband services to 768/200kpbs in the unserved and underserved areas.

Action items during this phase include (but are not limited to):

- Perform a gap analysis based on our findings from Phase 1 and define the issues and potential solutions
- Act on the findings of the gap analysis as consistent with the federal objectives and broadband priorities outlined in our state's broadband report (GBAC Report, and as appropriate, the UTC and HSIWG Report)
- Include additional priorities as appropriate, based on the opportunities revealed during Phase 1
- Continue working as a facilitator for partnerships among interested stakeholders
- Continue to increase public awareness and education about the importance of broadband, in terms of its direct benefits to residents, especially in the areas of healthcare, education, and energy
- Create opportunities for groups to aggregate demand so it leads to future investment by public/private broadband providers, and facilitate those discussions with providers

At the conclusion of Phase 2 (with some activities to be ongoing), we will publish a report that includes our findings and recommendations for a broadband plan for the state. Through our collaborative efforts in Phase 1, we will identify the potential public and private sector partners, and other opportunities for groups/communities to work together to increase broadband availability and programs focused on increasing adoption of broadband (e.g., through education/training).

### **Washington's track record of collaborating successfully on similar public/private sector initiatives**

Examples include:

*Multi-state Amber Alert Web Portal* - Washington developed a public/private partnership with the Washington State Patrol, local law enforcement agencies, broadcasters, and private sector technology companies and sponsors to develop a multi-state AMBER Alert Web Portal. It is used by communities and states to engage the public to help recover abducted children in life threatening danger. The launch of the AMBER Alert Web Portal was officiated by the governors of Washington, Oregon, Montana, and Oklahoma at the National Governor's Association annual meeting. The Amber Alert Web Portal is in operation today, broadcasting alerts in states where a child is abducted and contributing to the child's safe return.

*City and State One-Stop Business Licensing* - Washington became the first state in the nation to provide city and state business licenses to business applicants in one stop. Now prospective Washington business owners can obtain business licenses from multiple state agencies, and more than nineteen cities, through this online service. DIS and the Washington State

Department of Licensing collaborated with numerous cities to break down barriers and develop the solution to make this simplified licensing service a reality.

**Key personnel have the required experience to execute our plans**

Not only has Washington engaged the services of a top-notch mapping company (Sanborn), we stand ready to assemble a team of outstanding professionals to carry out every aspect of the program described above, in parallel with the mapping outreach performed by Sanborn. **Please note** that the Washington State Department of Information Services (DIS), the designated entity, did not previously engage in broadband mapping or broadband outreach activities, so the resources needed to support the Broadband Program Manager must be hired from within, or outside DIS, to accomplish the goals described above.

Position	Bio of person currently slated for position
<p>The <b>Broadband Program Manager (BPM)</b> will perform two roles, divided between validation of mapping data through the public community outreach program, and development of a broadband strategy.</p> <ul style="list-style-type: none"> <li>• <i>Validation of Mapping Data</i> - BPM will work with private and public broadband providers, community anchor institutions, and government agencies and entities throughout Washington State to facilitate the rapid transfer and validation of broadband data to Sanborn. BPM will also work with the mapping vendor to develop a comprehensive, accurate, interactive and searchable statewide broadband map consistent with BDIA requirements.</li> <li>• <i>Development of a Broadband Strategy</i> - BPM will develop relationships with key stakeholders (e.g., government, education, libraries, healthcare, business, community-based organizations, tribal governments, public safety, et al), for the outreach program to begin planning and developing a broadband strategy, based upon discussions and consensus around community objectives and broadband possibilities. BPM will make presentations and speak at conferences across the state as appropriate, and these invitations are already arriving. BPM will also work with Communications Analyst on development of report(s) that identify the issues and challenges for increasing access, adoption and use of broadband, and potential solutions that result in sustained broadband access and use, going forward.</li> </ul>	<p>Angela has worked in the telecommunications and IT/software industries for more than 14 years, successfully managing complex team projects that provided effective solutions for business issues related to wireless and data services. She has repeatedly received praise for her strong organizational and operational skills. She is known for her ability to identify key deliverables, prioritize tasks, motivate and direct team members, and marshal resources. As a result, she has consistently met or exceeded project goals on time and on budget.</p> <p>Angela began her telecommunications career as a staff member to Commissioner Chong at the Federal Communications Commission. After relocating to Seattle, she provided policy and strategy consulting on wireless and international spectrum matters to international companies, and also represented the business interests of wireless and new technology companies; which included commercial transactional work.</p> <p>Angela completed her Bachelor's degree in Rhetoric at the University of California, Berkeley, and holds a Juris Doctorate from the University of San Francisco School of Law. She is a current member of the Washington State Bar Association and the Federal Communications Bar Association.</p>
<p>The <b>Communications Analyst</b> will develop and manage a comprehensive outreach and</p>	<p>Amy Ray has held a variety of communications-related positions in state government, including</p>

<p>education campaigns related to Washington State's broadband strategy and broadband mapping. Responsibilities include identifying stakeholders; further developing the relationships initiated by the BPM with diverse and geographically disperse groups; validation of both qualitative and quantitative data received from broadband stakeholders; development of goals, tactics and strategies for the campaigns. This position will be staffed by a public relations professional with experience in marketing, branding and media relations with knowledge of state government procedures, and in creating informational materials for various audiences.</p>	<p>internal and external outreach, emergency preparedness and response communications, event planning, and correspondence writer for Governor Locke. Amy has earned graduate-level credit in survey design, and has experience developing and administering large surveys.</p> <p>Born and raised in Washington State, she holds a unique perspective about the issues important to Washingtonians.</p> <p>Amy earned a Bachelor's degree in English and literature and a Master's degree in Public Administration from the Evergreen State College.</p> <p><b>The Communications Analyst will also work closely with Communications Director, Joanne Todd.</b> Joanne has more than 20 years of senior-level marketing and public relations experience. She actively coordinates media outreach as the agency spokesperson; creates press releases and high-level outreach presentations and reports; and is the liaison with the Governor's Communications Office.</p> <p>Joanne has directed the marketing, communication and media outreach for a wide variety of Northwest businesses including shopping malls, newspapers, law firms, real estate developers, ski resorts and entertainment venues. She began her career in Washington state politics, directing candidate and issue campaigns, training candidates for media interaction and setting overall strategies.</p>
<p><b>Administrative Assistant</b> will support both BPM and CA with federal and state reporting requirements, manage presentation materials, respond to public and stakeholder inquiries about broadband mapping as assigned, coordinate meeting facilities, prepare travel documentation and make travel arrangements, track expenditures against mapping and strategy cost center budgets, work with the agency librarian to research and track emerging issues at the state and federal levels, etc. This position will provide the first point of contact for stakeholders and refer inquiries appropriately, so that the BPM and CA can focus on executing their specific responsibilities.</p>	<p>This position will be recruited externally.</p>
<p><b>Broadband Webmaster</b> (.25 time) will maintain the Washington Broadband website, and create and maintain the associated databases. This outreach tool supports both broadband mapping and broadband planning. This position also acts as the liaison with the Sanborn team members tasked to create the mapping portal, and give</p>	<p>Mary Lou Honey has several years experience in Information Technology programming including web, application and database development. She has worked for Washington State government for seven years in various capacities and is well acquainted with the special needs of government entities. She has a background in Business Management, as</p>



input on the site's requirements, so that maximum functionality is achieved. The Webmaster will also help ensure that the two sites interact well together and present a seamless for the project to the public.

well as Technology, which increases her focus on customer satisfaction when developing and implementing projects.

Mary Lou earned a degree in Information Technology in 2001.

## Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems
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### Estimated Cash Receipts

Agency Name	2009-11		2011-13		2013-15	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of State Treasurer	Non-zero but indeterminate cost. Please see discussion."					
Department of Information Services	Non-zero but indeterminate cost. Please see discussion."					
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

### Estimated Expenditures

Agency Name	2009-11			2011-13			2013-15		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Department of Community, Trade, and Economic Development	.0	0	0	.0	0	0	.0	0	0
Office of Financial Management	.0	0	0	.0	0	0	.0	0	0
Department of Revenue	.0	0	0	.0	0	0	.0	0	0
Department of Information Services	5.5	0	7,650,140	5.5	0	6,600,140	5.5	0	6,600,140
Utilities and Transportation Commission	.3	0	69,194	.3	0	69,194	.3	0	69,194
Washington State University	.8	(1,000,000)	(1,000,000)	.0	0	0	.0	0	0
<b>Total</b>	<b>6.6</b>	<b>\$(1,000,000)</b>	<b>\$6,719,334</b>	<b>5.8</b>	<b>\$0</b>	<b>\$6,669,334</b>	<b>5.8</b>	<b>\$0</b>	<b>\$6,669,334</b>

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

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<b>Prepared by:</b> Regan Hesse, OFM	<b>Phone:</b> 360-902-9820	<b>Date Published:</b> Final
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID 24613

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 090-Office of State Treasurer
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**Part I: Estimates**

No Fiscal Impact

**Estimated Cash Receipts to:**

Non-zero but indeterminate cost. Please see discussion.

**Estimated Expenditures from:**

	FY 2010	FY 2011	2009-11	2011-13	2013-15
<b>Fund</b>					
<b>Total \$</b>					

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

<b>Legislative Contact:</b>	<b>Phone:</b>	<b>Date:</b> 04/27/2009
Agency Preparation: Dan Mason	Phone: 360-902-9090	Date: 04/27/2009
Agency Approval: Dan Mason	Phone: 360-902-9090	Date: 04/27/2009
OFM Review: Mike Woods	Phone: 360-902-9819	Date: 04/27/2009

Request # 210-1

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

E2SHB 1701.PL creates the broadband mapping account. Earnings from investments will be credited to the general fund.

Earnings from investments:

The amount of earnings by an account is a function of the average daily balance of the account and the earnings rate of the investment portfolio. The average daily balance is a function of the beginning balance in the account and the timing & amount of receipts, disbursements, & transfers during the time period in question. Accordingly, even with a beginning balance of zero, two accounts with the same overall level of receipts, disbursements, and transfers can have different average balances, and hence different earnings.

There will be an impact to the earnings; however, the actual earnings will be determined more by the impact to the average daily balance than the amount of increases or decreases in receipts, disbursements, and transfers. Currently, estimated earnings are indeterminable. Without projected monthly estimates of receipts, disbursements, and transfers, OST is unable to estimate the changes to the average balance of the account and the impact to earnings.

Based on the March 2009 Revenue Forecast, the net rate for estimating earnings for FY 10 is 0.62% and FY 11 is 0.74%. Approximately \$6,200 in FY 10 and \$7,400 in FY 11 in net earnings and \$5,000 in OST management fees would be gained or lost annually for every \$1 million increase or decrease in average daily balance.

Debt Limit:

There may be an impact on the debt service limitation calculation. Any change to the earnings credited to the general fund will change, by an equal amount, general state revenues.

### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

E2SHB 1701.PL creates the broadband mapping account. Earnings from investments will be credited to the general fund.

### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years					
<b>Total:</b>					

Request # 210-1

**Part IV: Capital Budget Impact**

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 103-Community, Trade & Economic Develop
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**Part I: Estimates**

**No Fiscal Impact**

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Don Whiting	Phone: 360-725-2706	Date: 04/28/2009
Agency Approval: Cindy Trambitas	Phone: 360-725-2703	Date: 04/28/2009
OFM Review: John Shepherd	Phone: 360-902-0538	Date: 04/28/2009

Request # 230-100-1

Bill # 1701 2S HB PL

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Section 2 requires the Department of Community, Trade and Economic Development (CTED) to assist the Department of Information Services in mapping broadband service availability.

Section 3 requires CTED to identify and report the high-speed broadband infrastructure that it owns or leases.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

None

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

The requirements of the bill will be provided with existing agency resources.

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

None

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

None

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 105-Office of Financial Management
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**Part I: Estimates**

**No Fiscal Impact**

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Stephanie Lidren	Phone: 360-902-3056	Date: 04/27/2009
Agency Approval: Aaron Butcher	Phone: 360-902-0406	Date: 04/27/2009
OFM Review: Mike Woods	Phone: 360-902-9819	Date: 04/28/2009

Request # 201-1



*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

## **Part IV: Capital Budget Impact**

# Department of Revenue Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 140-Department of Revenue
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**Part I: Estimates**

**No Fiscal Impact**

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Gerald Saylor	Phone: 360-570-6088	Date: 04/28/2009
Agency Approval: Kim Davis	Phone: 360-570-6087	Date: 04/28/2009
OFM Review: Ryan Black	Phone: 360-902-0417	Date: 04/28/2009

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Note: This fiscal note reflects the bill as adopted by the Legislature.

This bill authorizes the Department of Information Services to establish a high speed internet deployment and adoption strategy on behalf of the state and communities. This is to insure that the state remains competitive and continues to provide a skilled workforce, attract businesses, and stimulate job growth. The steps to cover in the strategy are outlined in the bill. Much of the strategy depends on the amount of federal funding received.

Funding for this program will be made from appropriations from the Broadband Mapping Account established by the Legislature. Funding is will be received from legislative appropriation, federal grants authorized under the federal broadband data improvement act, P.L. 110-385, Title I, and donated funds from private and public sources.

Grants for developing this program will be made from the Washington Community Technology Opportunity Account in accordance with the requirements outlined in this bill.

If no funding is provided for this act by June 30, 2009, this act will become null and void.

This act is necessary for the immediate preservation of the public peace, health, or safety, or support of state government and its existing public institutions and takes effect July 1, 2009.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

#### REVENUE ESTIMATE

The tax incentives in previous versions of this bill have been removed. This bill will have no impact on state or local revenues.

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

The Department of Revenue will not incur any costs with the implementation of this legislation.

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

NONE.

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

No rule-making required.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 155-Department of Information Services
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**Part I: Estimates**

No Fiscal Impact

**Estimated Cash Receipts to:**

Non-zero but indeterminate cost. Please see discussion.

**Estimated Expenditures from:**

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	5.5	5.5	5.5	5.5	5.5
<b>Fund</b>					
All Other Funds-State 000-1	727,817	544,483	1,272,300	922,300	922,300
Washington Community Technology Opportunity Account-State 15c-1	3,538,920	2,838,920	6,377,840	5,677,840	5,677,840
<b>Total \$</b>	4,266,737	3,383,403	7,650,140	6,600,140	6,600,140

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Tracy Guerin	Phone: 360-902-3572	Date: 05/12/2009
Agency Approval: Connie Robins	Phone: 360-902-2987	Date: 05/12/2009
OFM Review: Regan Hesse	Phone: 360-902-9820	Date: 05/12/2009

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## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Section 1: Declares legislative intent to pursue deployment and adoption of high-speed internet services to promote education, economic development and job growth, to assess the availability and characteristics of broadband services in the state, and to improve the availability of high-speed services in the state, especially in areas with a low utilization rate.

Section 2: Establishes the broadband mapping account and limits expenditures from the account to purposes specified in sections 3-5 of this act; designates the Department of Information Services (DIS) as the account manager, and as the single eligible entity for purposes of the broadband data improvement act, P.L. 110-385; requires that funds must be expended in accordance with federal and state law and any conditions contingent in the grant of those funds; requires DIS to consult with CTED, OFM and UTC and makes these agencies subject to federal provisions protecting trade secrets and other types of confidential information that may result from broadband mapping activities.

Section 3: Subject to the availability of federal or state funding, DIS may: Develop an interactive web site to allow residents to self-report whether high-speed internet is available at their home or residence and at what speed; Conduct a detailed survey of all high-speed infrastructure owned or leased by state agencies to create a GIS map; Require agencies responding to requests under subsection 1(b) to respond in not more than 120 days, and disclose at a minimum: the total bandwidth of leased or owned high-speed infrastructure; the costs for maintaining or purchasing the infrastructure; and the leasing entity if applicable. DIS may adopt rules as necessary to carry out the provisions of this section. "State agency" is defined to include every state office, department, division, bureau, board, commission or other state agency.

Section 4: Authorizes DIS, to procure a geographic information system map detailing high-speed internet infrastructure, service availability, and adoption. The map may include adoption, availability, and deployment technology information, as well as available speed tier information based on publicly available data. DIS may procure the map either by contracting with a third party or working directly with the FCC. DIS must establish an accountability and oversight structure to ensure transparent bidding and contracting and full accountability for any actions taken by a third party map creator. DIS may not take any action that causes any record submitted to a third party to meet the standard of a public record as defined in RCW 42.56.010, and no data that is publicly available now will become private due to any provision of this act.

Section 5: DIS, in conjunction with CTED, UTC and such advisors as DIS chooses, may prepare regular reports that identify: the geographic areas of highest priority for deployment of advanced telecommunications infrastructure; a detailed explanation of how federal funds for broadband will or have been used; a detailed explanation of how nonfederal funds for broadband may be used to do broadband mapping, deployment and adoption activities. To the greatest extent possible, the initial report should be based upon information in the GIS developed under this act. The initial report should be delivered to appropriate legislative committees as soon as feasible, but no later than January 18, 2010. Future reports should be delivered by January 15th of each year.

Section 6: moves the responsibility for the Community Technology Opportunity Program (CTOP) from Washington State University to the Department of Information Services (DIS). This section also authorizes DIS to contract for the administration of these obligations. In implementing CTOP, DIS must: (a) Provide

Request # -2

organizational and capacity building support to community technology programs throughout the state; and identify and facilitate the availability of other public and private sources of funds to enhance the purposes of the bill and the work of community technology programs (This section also allows that no more than fifteen percent of funds received by the administrator for the program may be expended on these functions); and (b) Establish a competitive grant program and provide grants to community technology programs to provide training and skill-building opportunities, access to hardware and software, internet connectivity, digital media literacy, assistance in the adoption of information and communication technologies in low-income and underserved areas of the state, and development of locally relevant content and delivery of vital services through technology.

This section also requires that grant applicants must provide detailed qualification information; that the CTOP administrator may use up to ten percent of funds received for administration of the actual grant funding process, and that the CTOP administrator establish expected program outcomes for each grant recipient and requires an annual accounting.

Section 7: Provides definitions.

Section 8: Amends RCW 28B.32.030 and 2008 c 262 s 8 to establish the Washington Community Technology Opportunity Account in the state treasury. Allows for federal grants to the state authorized under Division B, Title VI of the American recovery and reinvestment act of 2009, legislative appropriations, and donated funds from private and public sources to be deposited into the account. Establishes DIS as fund administrator.

Section 9: The Governor may take all appropriate steps to carry out the purposes of the American Recovery and Reinvestment Act of 2009. Steps may include designation of a broadband deployment coordinator; review and prioritization of federal grant applications; disbursement of block grant funding and direction to state agencies to provide necessary staffing. Authority for overseeing broadband deployment and adoption efforts is vested with DIS.

DIS may apply for and oversee implementation of federally funded or mandated broadband programs and may adopt rules to administer the programs. Programs may include, but are not limited to: Periodic statewide surveys of residents, businesses and nonprofit organizations regarding use and adoption of broadband and related services to identify barriers to adoption; Working with communities to identify barriers to adoption of broadband and related services by individuals, businesses, and nonprofit organizations; Identifying broadband demand opportunities in communities by working cooperatively with local organizations, government agencies and businesses; Creating, implementing, and administering programs to improve computer ownership, technology literacy, and high-speed internet access for populations not currently served or underserved in the state; Administering the community technology opportunity program (CTOP); and Creating additional programs to spur the development of high-speed resources; Establishing technology literacy and digital inclusion programs, and low-cost hardware and software purchasing programs that may include allowing participation by community technology organization in state hardware and software purchasing programs; and Developing last-mile technology loans programs targeting small business or businesses located in unserved or underserved areas.

Section 10: Subject to available funding, DIS may reconvene the High Speed Internet Strategy Work Group (HSISWG). HSISWG is renamed the Advisory Council on Digital Inclusion and is identified as an advisory group to DIS. This subsection also specifies which groups must be included as volunteer representatives on the Council. The Council must prepare a report by January 15th of each year and submit it to the department, the governor, and the appropriate committees of the legislature. The report must contain: an analysis of how support

from public and private organizations could establish high-speed internet access alternatives; proposed strategies for continued broadband and telecommunications development; recommendations for maximizing state's research capabilities for advanced telecommunications applications; identification of regulatory barriers that hinder technology entrepreneurship, and an evaluation of federal, state, local and private programs designed to promote digital literacy and computer access.

Section 11: Invalidates any portion of the act in conflict with federal requirements and requires rules adopted under this act to meet federal requirements necessary to receive federal funds.

Section 12: Establishes new chapter in Title 43 RCW for sections 2-5, 9 and 10 of the act.

Section 13: RCW 28B.32.010, 28B.32.030, 28B.32.900, and 28B.32.901 are each recodified as a new sections in 43.105 RCW.

Section 14: Repeals RCW 28.B.32.020 and RCW 43.105.350

Section 15: Provides that if any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected

Section 16: Declares the act to be necessary for the immediate preservation of the public peace, health or safety and takes effect July 1, 2009.

Section 17: If funding is not made June 30, 2009 this act is null and void.

#### **II. B - Cash receipts Impact**

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

#### **II. C - Expenditures**

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Implementation of the high-speed internet deployment and adoption activities required by this act are subject to the availability of amounts appropriated for these purposes. The amounts to be appropriated are not known at this time. Until the amounts available are known, DIS cannot determine the scope of the effort or the fiscal impacts. The estimates provided below are limited to creating a geographic information system map, creating an interactive web site, and, where estimable, providing resources to perform the work required by the act. Funding estimates, where provided, are consistent with those presented in the High Speed Internet Strategy Work Group (HSISWG) Study completed Dec. 1, 2008.

Financial consideration must be given to P.L. 110-385 Section 106 (c)(2) requiring a state to "contribute matching non-Federal funds in an amount equal to not less than 20 percent of the total amount of the grant". The "American Recovery and Reinvestment Act of 2009"(ARRA),or federal stimulus package, Title VI states that "the Federal share of any project may not exceed 80 percent. "

Section 1: No fiscal impact.

Section 2: Establishes the broadband mapping account for the deposit of legislative appropriations and federal grants authorized under the broadband data improvement act (P.L. 110-385), and designates the Department of Information Services (DIS) as the account manager. Account management activity is covered in agency overhead percentage. This account may only be used for the purposes fo sections 3 through 5 of this act.

Also of note, P.L. 110-385 Section 106 (c)(2) requires State matching funds of 20% of expenditures.

Sections 3 & 4: Subject to available funding, DIS may: create an interactive web site, conduct a detailed survey of all high-speed infrastructure owned or leased by state agencies, and create GIS maps.

Organizational support for these efforts will require one EMS Program Manager at \$94,000 salary, starting in FY 2010 and one Administrative Assistant 3 at \$40,500 salary, starting in FY 2010.

Costs associated with this section include contracting for the initial mapping efforts and regular updates: The HSISWG report dated December 1, 2008, estimated that the creation of a geographic information system (GIS) map of broadband infrastructure would cost \$550,000 (\$366,667 FY 2010, \$183,333 FY 2011), assuming an eighteen month timeline for the creation of the initial map.

Annual map updates were estimated to cost \$100,000 per year starting in FY 2012.

It is anticipated that it would cost approximately \$30,000 to create a wiki in FY 2010.

DIS will contract for both the private and public mapping as a single effort.

Support for federal funding, grant, and donation administration will require a .5 EMS position at \$88,500 salary, starting in FY 2010.

Section 5: DIS, in coordination with CTED and UTC, and such other advisors as may be chosen, may prepare regular reports that identify: the geographic areas of highest priority for deployment of advanced telecommunications infrastructure; a detailed explanation of how federal funds for broadband will or have been used; a detailed explanation of how nonfederal funds for broadband may be used to do broadband mapping, deployment and adoption activities. The initial report should be delivered to appropriate legislative committees no later than January 18, 2010. Future reports should be delivered by January 15th of each year.

Organizational support for these efforts will require a .5 EMS Program Manager at \$90,000 salary.

Section 6: The HSISWG Final Report (December 1, 2008) recommended that the CTOP program be funded at \$2,500,000. DIS' ability to administer grants is dependent on funding for the program. \$1,875,000 or 75% of total funding would be available for grants. The remaining 25% is expected to cover grant administration and organizational and capacity building support of community technology programs. DIS assumes the ability to contract for these services.

Sections 7 & 8: No fiscal impact.



Section 9: DIS may apply for and oversee implementation of federally funded or mandated broadband programs and may adopt rules to administer the programs. Programs may include, but are not limited to: Periodic statewide surveys of residents, businesses and nonprofit organizations regarding use and adoption of broadband and related services to identify barriers to adoption; Working with communities to identify barriers to adoption of broadband and related services by individuals, businesses, and nonprofit organizations; Identifying broadband demand opportunities in communities by working cooperatively with local organizations, government agencies and businesses; Creating, implementing, and administering programs to improve computer ownership, technology literacy, and high-speed internet access for populations not currently served or underserved in the state; Administering the community technology opportunity program (CTOP); and Creating additional programs to spur the development of high-speed resources; Establishing technology literacy and digital inclusion programs, and low-cost hardware and software purchasing programs that may include allowing participation by community technology organization in state hardware and software purchasing programs; and Developing last-mile technology loans programs targeting small business or businesses located in unserved or underserved areas.

Organizational support for these efforts will require one EMS Program Manager at \$94,000 salary, starting in FY 2010.

One EMS Local Technology Planning Team Liaison (\$90,000 salary) available to work with and support Local Technology Planning Teams (LTPTs).

The HSISWG report identified using LTPTs to identify barriers to technology adoption and broadband demand opportunities. Based on the recommendations in the report, DIS anticipates expenditures in the amount of \$700,000 to facilitate the organization of LTPTs to accomplish these goals. These are assumed in Object E in FY 2010.

Section 10: Subject to available funding, DIS may reconvene the High Speed Internet Strategy Work Group (HSISWG). HSISWG is renamed the Advisory Council on Digital Inclusion and is identified as an advisory group to DIS.

Organizational support would be provided by a .5 EMS Program Manager (\$90,000 salary).

Sections 11- 17: No fiscal Impact.

Benefits are estimated at 25% of salaries.

Overhead is 15% of salaries.

Travel is estimated at 8% of salary.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	5.5	5.5	5.5	5.5	5.5
A-Salaries and Wages	452,750	452,750	905,500	905,500	905,500
B-Employee Benefits	113,188	113,188	226,376	226,376	226,376
C-Personal Service Contracts	366,667	183,333	550,000	200,000	200,000
E-Goods and Services	1,422,912	692,912	2,115,824	1,385,824	1,385,824
G-Travel	36,220	36,220	72,440	72,440	72,440
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	1,875,000	1,875,000	3,750,000	3,750,000	3,750,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total:</b>	<b>\$4,266,737</b>	<b>\$3,353,403</b>	<b>\$7,620,140</b>	<b>\$6,540,140</b>	<b>\$6,540,140</b>

#### III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2010	FY 2011	2009-11	2011-13	2013-15
Administrative Assistant	40,500	1.0	1.0	1.0	1.0	1.0
EMS Funding Manager	88,500	0.5	0.5	0.5	0.5	0.5
EMS LTPT Liaison	90,000	1.0	1.0	1.0	1.0	1.0
EMS Organization Manager	90,000	1.0	1.0	1.0	1.0	1.0
EMS Program Manager	94,000	2.0	2.0	2.0	2.0	2.0
<b>Total FTE's</b>	<b>403,000</b>	<b>5.5</b>	<b>5.5</b>	<b>5.5</b>	<b>5.5</b>	<b>5.5</b>

### Part IV: Capital Budget Impact

### Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 215-Utilities and Transportation Comm
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**Part I: Estimates**

No Fiscal Impact

**Estimated Cash Receipts to:**

<b>FUND</b>					
<b>Total \$</b>					

**Estimated Expenditures from:**

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.3	0.3	0.3	0.3	0.3
<b>Fund</b>					
Public Service Revolving Account-State 111-1	34,597	34,597	69,194	69,194	69,194
<b>Total \$</b>	34,597	34,597	69,194	69,194	69,194

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Michael Young	Phone: 360-664-1155	Date: 04/29/2009
Agency Approval: Walsh Sondra	Phone: 360-664-1286	Date: 04/29/2009
OFM Review: Alyson Cummings	Phone: 360-902-0576	Date: 04/29/2009

Request # 09-42-1

Bill # 1701 2S HB PL

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 2(4) The Utilities and Transportation Commission (UTC) is expected to consult as needed with Department of Information Services (DIS) to assist in coordinating broadband mapping activities. UTC estimates that some incremental time will be spent by the Telecommunication Policy Advisor and staff to engage in consulting on these activities.

Section 10(1) To the extent that DIS reconvenes the high-speed internet work group, the UTC estimates incremental time by the Telecommunications Policy Advisor and Commissioner to participate actively in the work group.

### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Section 2(4) The Utilities and Transportation Commission (UTC) is expected to consult as needed with Department of Information Services (DIS) to assist in coordinating broadband mapping activities. UTC estimates that some incremental time will be spent by the Telecommunication Policy Advisor and staff to engage in consulting on these activities.

Section 10(1) To the extent that DIS reconvenes the high-speed internet work group, the UTC estimates incremental time by the Telecommunications Policy Advisor and Commissioner to participate actively in the work group.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.3	0.3	0.3	0.3	0.3
A-Salaries and Wages	26,013	26,013	52,026	52,026	52,026
B-Employee Benefits	5,463	5,463	10,926	10,926	10,926
C-Personal Service Contracts					
E-Goods and Services	3,121	3,121	6,242	6,242	6,242
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total:</b>	<b>\$34,597</b>	<b>\$34,597</b>	<b>\$69,194</b>	<b>\$69,194</b>	<b>\$69,194</b>

Request # 09-42-1

**III. B - Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>2009-11</b>	<b>2011-13</b>	<b>2013-15</b>
Commissioner	114,540	0.0	0.0	0.0	0.0	0.0
Executive Director	104,088	0.1	0.1	0.1	0.1	0.1
Infrastructure Analyst	72,828	0.1	0.1	0.1	0.1	0.1
Telecom Policy Advisor	90,000	0.1	0.1	0.1	0.1	0.1
Utilities Engineer 3	80,892	0.1	0.1	0.1	0.1	0.1
<b>Total FTE's</b>	<b>462,348</b>	<b>0.3</b>	<b>0.3</b>	<b>0.3</b>	<b>0.3</b>	<b>0.3</b>

**Part IV: Capital Budget Impact**

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1701 2S HB PL	<b>Title:</b> Dept of information systems	<b>Agency:</b> 365-Washington State University
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

FUND					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.8	0.8	0.8	0.0	0.0
<b>Fund</b>					
General Fund-State 001-1	(500,000)	(500,000)	(1,000,000)	0	0
<b>Total \$</b>	(500,000)	(500,000)	(1,000,000)	0	0

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 04/27/2009
Agency Preparation: Kelley Westhoff	Phone: 5093350907	Date: 04/30/2009
Agency Approval: Matt Skinner	Phone: 509-335-1836	Date: 04/30/2009
OFM Review: Marc Webster	Phone: 360-902-0650	Date: 05/12/2009

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 6 of the bill removes WSU extension as administrator of the community technology opportunity program, and establishes DIS as the new administrator.

### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Effective July 1, 2009 (per Section 16) WSU extension will no longer administer the community technology opportunity program. Assumed reductions in cost are based on current funding levels.

The fiscal note system rounds FTE to the nearest 10th, however the salary expense shown in the Expenditure by Object section is based on the following:

Extension Educator: \$62,016 \*.75 FTE = \$46,512

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.8	0.8	0.8		
A-Salaries and Wages	(46,512)	(46,512)	(93,024)		
B-Employee Benefits	(15,349)	(15,349)	(30,698)		
C-Personal Service Contracts	(54,139)	(54,139)	(108,278)		
E-Goods and Services	(4,000)	(4,000)	(8,000)		
G-Travel	(5,000)	(5,000)	(10,000)		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Funding to grant recipients	(375,000)	(375,000)	(750,000)		
<b>Total:</b>	<b>\$(500,000)</b>	<b>\$(500,000)</b>	<b>\$(1,000,000)</b>	<b>\$0</b>	<b>\$0</b>

### III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2010	FY 2011	2009-11	2011-13	2013-15
Extension Educator	62,016	0.8	0.8	0.8		
<b>Total FTE's</b>	<b>62,016</b>	<b>0.8</b>	<b>0.8</b>	<b>0.8</b>		<b>0.0</b>

**Part IV: Capital Budget Impact**

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*



## **PROJECT ABSTRACT**

### **Broadband: Got Service? Mapping Washington's Future**

#### **Why is broadband so important to the state of Washington?**

- Washington State Employment Security Department data estimates 1.16 million jobs (roughly 40% of the state's total employment) were created by technology-based industries. Annual salaries in technology averaged \$117,691, compared to a state average of \$54,097.
- As broadband-dependent jobs continue to be created, communities with access, education, and training in the skills required can benefit substantially. Studies show that technology based businesses support job growth, and that the deployment of broadband to communities in rural areas is vital to creating sustainable jobs, and for the state's overall economic health.

Today, there is an imbalance in Washington between those who have access to broadband service and those who do not, and the knowledge to use it effectively in an increasingly online-centric society. Broadband mapping will determine the availability and adoption levels of broadband service, and thus provide information that allows targeted federal and state investment into areas where both, infrastructure and programs are needed to enable the use and access to broadband, and provide the necessary education, skills and training.

Washington is proceeding immediately with the development of a comprehensive and accurate statewide broadband map, consistent with the requirements of the Federal State Broadband and Development Program.

#### **Washington's technology agency**

House Bill 1701 (HB 1701) specifies the Department of Information Services (DIS) as the designated entity to develop the state's broadband map. DIS provides information technology leadership, policy and service choices for use by state and local agencies, the education sector, tribal governments, and qualifying non-profit groups.

Consistent with HB 1701, DIS has selected an apparently successful vendor (ASV) to build the broadband map. The map will provide information including technology type and speed, which will both support Washington's ongoing efforts to improve broadband mapping and meet the federal government's desire for more detailed tracking of broadband availability.

DIS has developed two outreach programs that work hand-in-hand with the state's broadband map. The first validates broadband data in partnership with the public and private sector. The second, develops a broadband plan based upon data published on the broadband map. DIS is committed to the goal of effectively and efficiently extending broadband to residents who currently have little or no access, in ways that stimulate our economy and create sustainable jobs.

Learn more, by visiting the Washington State Broadband website: <http://broadband.dis.wa.gov/>.

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CERTIFICATION OF ENROLLMENT  
**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1701**

61st Legislature  
2009 Regular Session

Passed by the House April 25, 2009  
Yeas 96 Nays 0

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 16, 2009  
Yeas 45 Nays 0

\_\_\_\_\_  
**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1701** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1701**

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AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** House Ways & Means (originally sponsored by Representatives Hudgins, McCoy, and Hasegawa)

READ FIRST TIME 03/03/09.

1        AN ACT Relating to authorizing the department of information  
2 services to engage in high-speed internet activities; amending RCW  
3 28B.32.010, 43.105.020, and 28B.32.030; adding new sections to chapter  
4 43.105 RCW; creating new sections; recodifying RCW 28B.32.010,  
5 28B.32.030, 28B.32.900, and 28B.32.901; repealing RCW 28B.32.020 and  
6 43.105.350; providing an effective date; and declaring an emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8        NEW SECTION.        **Sec. 1.**        (1) The legislature finds that the  
9 deployment and adoption of high-speed internet services and technology  
10 advancements enhance economic development and public safety for the  
11 state's communities. Such deployment also offers improved health care,  
12 access to consumer and legal services, increased educational and civic  
13 participation opportunities, and a better quality of life for the  
14 state's residents. The legislature further finds that improvements in  
15 the deployment and adoption of high-speed internet services and the  
16 strategic inclusion of technology advancements and technology education  
17 are critical to ensuring that Washington remains competitive and  
18 continues to provide a skilled workforce, attract businesses, and  
19 stimulate job growth.

1 (2) The legislature intends to support strategic partnerships of  
2 public, private, nonprofit, and community-based sectors in the  
3 continued growth and development of high-speed internet services and  
4 information technology. The legislature further intends to ensure that  
5 all Washington citizens, businesses, schools, and organizations are  
6 able to obtain and utilize broadband fully, regardless of location,  
7 economic status, literacy level, age, disability, structure, or size.  
8 In addition, the legislature intends that a statewide assessment of the  
9 availability, location, service levels, and other characteristics of  
10 high-speed internet services and other advanced telecommunications  
11 services in the state be conducted.

12 (3) In recognition of the importance of broadband deployment and  
13 adoption to the economy, health, safety, and welfare of the people of  
14 Washington, it is the purpose of this act to make high-speed internet  
15 service more readily available throughout the state, especially in  
16 areas and for populations with a low utilization rate.

17 NEW SECTION. **Sec. 2.** (1) The broadband mapping account is  
18 established in the custody of the state treasurer. The department  
19 shall deposit into the account such funds received from legislative  
20 appropriation, federal grants authorized under the federal broadband  
21 data improvement act, P.L. 110-385, Title I, and donated funds from  
22 private and public sources. Expenditures from the account may be used  
23 only for the purposes of sections 3 through 5 of this act. Only the  
24 director of the department or the director's designee may authorize  
25 expenditures from the account. The account is subject to the allotment  
26 procedures under chapter 43.88 RCW, but an appropriation is not  
27 required for expenditures.

28 (2) The department of information services is the single eligible  
29 entity in the state for purposes of the federal broadband data  
30 improvement act, P.L. 110-385, Title I.

31 (3) Funding received by the department under the federal broadband  
32 data improvement act, P.L. 110-385, Title I, must be used in accordance  
33 with the requirements of that act and, subject to those requirements,  
34 may be distributed by the department on a competitive basis to other  
35 entities in the state to achieve the purposes of that act.

36 (4) The department of information services shall consult with the  
37 department of community, trade, and economic development or its

1 successor agency, the office of financial management, and the utilities  
2 and transportation commission in coordinating broadband mapping  
3 activities. In carrying out any broadband mapping activities, the  
4 provisions of P.L. 110-385, Title I, regarding trade secrets,  
5 commercial or financial information, and privileged or confidential  
6 information submitted by the federal communications commission or a  
7 broadband provider are deemed to encompass the consulted agencies.

8 NEW SECTION. **Sec. 3.** (1) Subject to the availability of federal  
9 or state funding, the department may:

10 (a) Develop an interactive web site to allow residents to self-  
11 report whether high-speed internet is available at their home or  
12 residence and at what speed; and

13 (b) Conduct a detailed survey of all high-speed internet  
14 infrastructure owned or leased by state agencies and creating a  
15 geographic information system map of all high-speed internet  
16 infrastructure owned or leased by the state.

17 (2) State agencies responding to a survey request from the  
18 department under subsection (1)(b) of this section shall respond in a  
19 reasonable and timely manner, not to exceed one hundred twenty days.  
20 The department shall request of state agencies, at a minimum:

21 (a) The total bandwidth of high-speed internet infrastructure owned  
22 or leased;

23 (b) The cost of maintaining that high-speed internet  
24 infrastructure, if owned, or the price paid for the high-speed internet  
25 infrastructure, if leased; and

26 (c) The leasing entity, if applicable.

27 (3) The department may adopt rules as necessary to carry out the  
28 provisions of this section.

29 (4) For purposes of this section, "state agency" includes every  
30 state office, department, division, bureau, board, commission, or other  
31 state agency.

32 NEW SECTION. **Sec. 4.** (1) The department is authorized, through a  
33 competitive bidding process, to procure on behalf of the state a  
34 geographic information system map detailing high-speed internet  
35 infrastructure, service availability, and adoption. This geographic  
36 information system map may include adoption information, availability

1 information, type of high-speed internet deployment technology, and  
2 available speed tiers for high-speed internet based on any publicly  
3 available data.

4 (2) The department may procure this map either by:

5 (a) Contracting for and purchasing a completed map from a third  
6 party; or

7 (b) Working directly with the federal communications commission to  
8 accept publicly available data.

9 (3) The department shall establish an accountability and oversight  
10 structure to ensure that there is transparency in the bidding and  
11 contracting process and full financial and technical accountability for  
12 any information or actions taken by a third-party contractor creating  
13 this map.

14 (4) In contracting for purchase of the map in subsection (2)(a) of  
15 this section, the department may take no action, nor impose any  
16 condition on the third party, that causes any record submitted by a  
17 public or private broadband service provider to the third party to meet  
18 the standard of a public record as defined in RCW 42.56.010. This  
19 prohibition does not apply to any records delivered to the department  
20 by the third party as a component of the completed map. For the  
21 purpose of RCW 42.56.010(2), the purchase by the department of a  
22 completed map may not be deemed use or ownership by the department of  
23 the underlying information used by the third party to complete the map.

24 (5) Data or information that is publicly available as of the  
25 effective date of this section will not cease to be publicly available  
26 due to any provision of this act.

27 NEW SECTION. **Sec. 5.** (1) The department, in coordination with the  
28 department of community, trade, and economic development and the  
29 utilities and transportation commission, and such advisors as the  
30 department chooses, may prepare regular reports that identify the  
31 following:

32 (a) The geographic areas of greatest priority for the deployment of  
33 advanced telecommunications infrastructure in the state;

34 (b) A detailed explanation of how any amount of funding received  
35 from the federal government for the purposes of broadband mapping,  
36 deployment, and adoption will be or have been used; and

1 (c) A determination of how nonfederal sources may be utilized to  
2 achieve the purposes of broadband mapping, deployment, and adoption  
3 activities in the state.

4 (2) To the greatest extent possible, the initial report should be  
5 based upon the information identified in the geographic system maps  
6 developed under the requirements of this chapter.

7 (3) The initial report should be delivered to the appropriate  
8 committees of the legislature as soon as feasible, but no later than  
9 January 18, 2010.

10 (4) Future reports based upon the requirements of subsection (1) of  
11 this section should be delivered to the appropriate committees of the  
12 legislature by January 15th of each year.

13 **Sec. 6.** RCW 28B.32.010 and 2008 c 262 s 6 are each amended to read  
14 as follows:

15 The community technology opportunity program is created to support  
16 the efforts of community technology programs throughout the state. The  
17 community technology opportunity program must be administered by the  
18 (~~Washington State University extension, in consultation with the~~)  
19 department of information services. The (~~Washington State University~~  
20 ~~extension~~) department may contract for services in order to carry out  
21 the (~~extension's~~) department's obligations under this section.

22 (1) In implementing the community technology opportunity program  
23 the administrator must, to the extent funds are appropriated for this  
24 purpose:

25 (a) Provide organizational and capacity building support to  
26 community technology programs throughout the state, and identify and  
27 facilitate the availability of other public and private sources of  
28 funds to enhance the purposes of the program and the work of community  
29 technology programs. No more than fifteen percent of funds received by  
30 the administrator for the program may be expended on these functions;

31 (b) Establish a competitive grant program and provide grants to  
32 community technology programs to provide training and skill-building  
33 opportunities; access to hardware and software; internet connectivity;  
34 digital media literacy; assistance in the adoption of information and  
35 communication technologies in low-income and underserved areas of the  
36 state; and development of locally relevant content and delivery of  
37 vital services through technology.

1 (2) Grant applicants must:

2 (a) Provide evidence that the applicant is a nonprofit entity or a  
3 public entity that is working in partnership with a nonprofit entity;

4 (b) Define the geographic area or population to be served;

5 (c) Include in the application the results of a needs assessment  
6 addressing, in the geographic area or among the population to be  
7 served: The impact of inadequacies in technology access or knowledge,  
8 barriers faced, and services needed;

9 (d) Explain in detail the strategy for addressing the needs  
10 identified and an implementation plan including objectives, tasks, and  
11 benchmarks for the applicant and the role that other organizations will  
12 play in assisting the applicant's efforts;

13 (e) Provide evidence of matching funds and resources, which are  
14 equivalent to at least one-quarter of the grant amount committed to the  
15 applicant's strategy;

16 (f) Provide evidence that funds applied for, if received, will be  
17 used to provide effective delivery of community technology services in  
18 alignment with the goals of this program and to increase the  
19 applicant's level of effort beyond the current level; and

20 (g) Comply with such other requirements as the administrator  
21 establishes.

22 (3) The administrator may use no more than ten percent of funds  
23 received for the community technology opportunity program to cover  
24 administrative expenses.

25 (4) The administrator must establish expected program outcomes for  
26 each grant recipient and must require grant recipients to provide an  
27 annual accounting of program outcomes.

28 **Sec. 7.** RCW 43.105.020 and 2003 c 18 s 2 are each amended to read  
29 as follows:

30 (~~As used in this chapter, unless the context indicates otherwise,~~  
31 ~~the following definitions shall apply.:~~) The definitions in this  
32 section apply throughout this chapter unless the context clearly  
33 required otherwise.

34 (1) "Department" means the department of information services;

35 (2) "Board" means the information services board;

36 (3) "Committee" means the state interoperability executive  
37 committee;



1 (4) "Local governments" includes all municipal and quasi municipal  
2 corporations and political subdivisions, and all agencies of such  
3 corporations and subdivisions authorized to contract separately;

4 (5) "Director" means the director of the department;

5 (6) "Purchased services" means services provided by a vendor to  
6 accomplish routine, continuing, and necessary functions. This term  
7 includes, but is not limited to, services acquired for equipment  
8 maintenance and repair, operation of a physical plant, security,  
9 computer hardware and software installation and maintenance,  
10 telecommunications installation and maintenance, data entry, keypunch  
11 services, programming services, and computer time-sharing;

12 (7) "Backbone network" means the shared high-density portions of  
13 the state's telecommunications transmission facilities. It includes  
14 specially conditioned high-speed communications carrier lines,  
15 multiplexors, switches associated with such communications lines, and  
16 any equipment and software components necessary for management and  
17 control of the backbone network;

18 (8) "Telecommunications" means the transmission of information by  
19 wire, radio, optical cable, electromagnetic, or other means;

20 (9) "Information" includes, but is not limited to, data, text,  
21 voice, and video;

22 (10) "Information processing" means the electronic capture,  
23 collection, storage, manipulation, transmission, retrieval, and  
24 presentation of information in the form of data, text, voice, or image  
25 and includes telecommunications and office automation functions;

26 (11) "Information services" means data processing,  
27 telecommunications, office automation, and computerized information  
28 systems;

29 (12) "Equipment" means the machines, devices, and transmission  
30 facilities used in information processing, such as computers, word  
31 processors, terminals, telephones, wireless communications system  
32 facilities, cables, and any physical facility necessary for the  
33 operation of such equipment;

34 (13) "Information technology portfolio" or "portfolio" means a  
35 strategic management process documenting relationships between agency  
36 missions and information technology and telecommunications investments;

37 (14) "Oversight" means a process of comprehensive risk analysis and

1 management designed to ensure optimum use of information technology  
2 resources and telecommunications;

3 (15) "Proprietary software" means that software offered for sale or  
4 license;

5 (16) "Video telecommunications" means the electronic  
6 interconnection of two or more sites for the purpose of transmitting  
7 and/or receiving visual and associated audio information. Video  
8 telecommunications shall not include existing public television  
9 broadcast stations as currently designated by the department of  
10 community, trade, and economic development under chapter 43.330 RCW;

11 (17) "K-20 educational network board" or "K-20 board" means the K-  
12 20 educational network board created in RCW 43.105.800;

13 (18) "K-20 network technical steering committee" or "committee"  
14 means the K-20 network technical steering committee created in RCW  
15 43.105.810;

16 (19) "K-20 network" means the network established in RCW  
17 43.105.820;

18 (20) "Educational sectors" means those institutions of higher  
19 education, school districts, and educational service districts that use  
20 the network for distance education, data transmission, and other uses  
21 permitted by the K-20 board;

22 (21) "Administrator" means the community technology opportunity  
23 program administrator designated by the department;

24 (22) "Community technology programs" means programs that are  
25 engaged in diffusing information and communications technology in local  
26 communities, particularly in unserved and underserved areas of the  
27 state. These programs may include, but are not limited to, programs  
28 that provide education and skill-building opportunities, hardware and  
29 software, internet connectivity, digital media literacy, development of  
30 locally relevant content, and delivery of vital services through  
31 technology;

32 (23) "Broadband" means a high-speed, high capacity transmission  
33 medium, using land-based, satellite, wireless, or any other mechanism,  
34 that can carry either signals or transmit data, or both, over long  
35 distances by using a wide range of frequencies;

36 (24) "Council" means the advisory council on digital inclusion  
37 created in section 10 of this act;

38 (25) "High-speed internet" means broadband.

1       **Sec. 8.** RCW 28B.32.030 and 2008 c 262 s 8 are each amended to read  
2 as follows:

3       The Washington community technology opportunity account is  
4 established in the state treasury. The governor or the governor's  
5 designee and the director or the director's designee shall deposit into  
6 the account federal grants to the state authorized under Division B,  
7 Title VI of the American recovery and reinvestment act of 2009,  
8 legislative appropriations, and donated funds from private and public  
9 sources for purposes related to broadband deployment and adoption,  
10 including matching funds required by the act. Donated funds from  
11 private and public sources may be deposited into the account.  
12 Expenditures from the account may be used only ~~((for))~~ as matching  
13 funds for federal and other grants to fund the operation of the  
14 community technology opportunity program ~~((as provided in RCW~~  
15 ~~28B.32.010))~~ under this chapter and to fund other activities authorized  
16 in this act. Only the ~~((administrator))~~ director or the  
17 ~~((administrator's))~~ director's designee may authorize expenditures from  
18 the account.

19       **NEW SECTION. Sec. 9.** (1) The governor may take all appropriate  
20 steps to carry out the purposes of Division B, Title VI of the American  
21 recovery and reinvestment act of 2009, P.L. 111-5, and maximize  
22 investment in broadband deployment and adoption in the state of  
23 Washington consistent with this act. Such steps may include the  
24 designation of a broadband deployment and adoption coordinator; review  
25 and prioritization of grant applications by public and private entities  
26 as directed by the national telecommunications and information  
27 administration, the rural utility services, and the federal  
28 communications commission; disbursement of block grant funding; and  
29 direction to state agencies to provide staffing as necessary to carry  
30 out this section. The authority for overseeing broadband adoption and  
31 deployment efforts on behalf of the state is vested in the department.

32       (2) The department may apply for federal funds and other grants or  
33 donations, may deposit such funds in the Washington community  
34 technology opportunity account created in RCW 28B.32.030 (as recodified  
35 by this act), may oversee implementation of federally funded or  
36 mandated broadband programs for the state and may adopt rules to

1 administer the programs. These programs may include but are not  
2 limited to the following:

3 (a) Engaging in periodic statewide surveys of residents,  
4 businesses, and nonprofit organizations concerning their use and  
5 adoption of high-speed internet, computer, and related information  
6 technology for the purpose of identifying barriers to adoption;

7 (b) Working with communities to identify barriers to the adoption  
8 of broadband service and related information technology services by  
9 individuals, nonprofit organizations, and businesses;

10 (c) Identifying broadband demand opportunities in communities by  
11 working cooperatively with local organizations, government agencies,  
12 and businesses;

13 (d) Creating, implementing, and administering programs to improve  
14 computer ownership, technology literacy, digital media literacy, and  
15 high-speed internet access for populations not currently served or  
16 underserved in the state. This may include programs to provide low-  
17 income families, community-based nonprofit organizations, nonprofit  
18 entities, and public entities that work in partnership with nonprofit  
19 entities to provide increased access to computers and broadband, with  
20 reduced cost internet access;

21 (e) Administering the community technology opportunity program  
22 under chapter 28B.32 RCW (as recodified by this act);

23 (f) Creating additional programs to spur the development of high-  
24 speed internet resources in the state;

25 (g) Establishing technology literacy and digital inclusion programs  
26 and establishing low-cost hardware, software, and internet purchasing  
27 programs that may include allowing participation by community  
28 technology programs in state purchasing programs; and

29 (h) Developing technology loan programs targeting small businesses  
30 or businesses located in unserved and underserved areas.

31 NEW SECTION. **Sec. 10.** (1) Subject to the availability of federal  
32 or state funding, the department may reconvene the high-speed internet  
33 work group previously established by chapter 262, Laws of 2008. The  
34 work group is renamed the advisory council on digital inclusion, and is  
35 an advisory group to the department. The council must include, but is  
36 not limited to, volunteer representatives from community technology  
37 organizations, telecommunications providers, higher education

1 institutions, K-12 education institutions, public health institutions,  
2 public housing entities, and local government and other governmental  
3 entities that are engaged in community technology activities.

4 (2) The council shall prepare a report by January 15th of each year  
5 and submit it to the department, the governor, and the appropriate  
6 committees of the legislature. The report must contain:

7 (a) An analysis of how support from public and private sector  
8 partnerships, the philanthropic community, and other not-for-profit  
9 organizations in the community, along with strong relationships with  
10 the state board for community and technical colleges, the higher  
11 education coordinating board, and higher education institutions, could  
12 establish a variety of high-speed internet access alternatives for  
13 citizens;

14 (b) Proposed strategies for continued broadband deployment and  
15 adoption efforts, as well as further development of advanced  
16 telecommunications applications;

17 (c) Recommendations on methods for maximizing the state's research  
18 and development capacity at universities and in the private sector for  
19 developing advanced telecommunications applications and services, and  
20 recommendations on incentives to stimulate the demand for and  
21 development of these applications and services;

22 (d) An identification of barriers that hinder the advancement of  
23 technology entrepreneurship in the state; and

24 (e) An evaluation of programs designed to advance digital literacy  
25 and computer access that are made available by the federal government,  
26 local agencies, telecommunications providers, and business and  
27 charitable entities.

28 NEW SECTION. **Sec. 11.** If any part of this act is found to be in  
29 conflict with federal requirements that are a prescribed condition to  
30 the allocation of federal funds to the state, the conflicting part of  
31 this act is inoperative solely to the extent of the conflict and with  
32 respect to the agencies directly affected, and this finding does not  
33 affect the operation of the remainder of this act in its application to  
34 the agencies concerned. Rules adopted under this act must meet federal  
35 requirements that are a necessary condition to the receipt of federal  
36 funds by the state.

1        NEW SECTION.    **Sec. 12.** Sections 2 through 5, 9, and 10 of this act  
2 are each added to chapter 43.105 RCW.

3        NEW SECTION.    **Sec. 13.** RCW 28B.32.010, 28B.32.030, 28B.32.900, and  
4 28B.32.901 are each recodified as sections in chapter 43.105 RCW.

5        NEW SECTION.    **Sec. 14.** The following acts or parts of acts are  
6 each repealed:

7            (1) RCW 28B.32.020 (Definitions) and 2008 c 262 s 7; and

8            (2) RCW 43.105.350 (Request for information from providers--  
9 Limitation) and 2008 c 262 s 3.

10        NEW SECTION.    **Sec. 15.** If any provision of this act or its  
11 application to any person or circumstance is held invalid, the  
12 remainder of the act or the application of the provision to other  
13 persons or circumstances is not affected.

14        NEW SECTION.    **Sec. 16.** This act is necessary for the immediate  
15 preservation of the public peace, health, or safety, or support of the  
16 state government and its existing public institutions, and takes effect  
17 July 1, 2009.

18        NEW SECTION.    **Sec. 17.** If specific funding for the purposes of  
19 this act, referencing this act by bill or chapter number, is not  
20 provided by June 30, 2009, in the omnibus appropriations act, this act  
21 is null and void.

--- END ---