

## HOUSE AMENDMENTS TO HOUSE BILL 3158

By COMMITTEE ON SUSTAINABILITY AND ECONOMIC DEVELOPMENT

May 4

1 On page 1 of the printed bill, line 2, after the semicolon insert “appropriating money;”.

2 After line 2, insert:

3 “Whereas the deployment and adoption of high-speed Internet services and technology advances  
4 enhance economic development and public safety for the state’s communities, use leverage to create  
5 efficiencies and offer improved health care, provide access to consumer and legal services, increase  
6 educational and civic participation opportunities and provide a better quality of life for the state’s  
7 residents; and

8 “Whereas improvements in the deployment and adoption of high-speed Internet services and the  
9 strategic inclusion of technology advancements and technology education are critical to ensuring  
10 that this state remains competitive and continues to provide a skilled workforce, attract businesses  
11 and stimulate job growth; and

12 “Whereas this state must encourage and support strategic partnerships in the public, private  
13 and nonprofit sectors for the continued improvement and adoption of high-speed Internet services  
14 and information technology for state residents and businesses, so that all residents of this state are  
15 able to obtain and utilize broadband fully, regardless of location, economic status, literacy level, age,  
16 disability, size of business or business entity structure; and

17 “Whereas in light of the importance of broadband deployment and adoption to the economy,  
18 health, safety and welfare of the people of this state, it is essential that the Legislative Assembly  
19 authorize a broadband program management structure and create an advisory council capable of  
20 developing and ensuring the implementation of statewide broadband strategies; now, therefore,”.

21 Delete lines 4 through 31 and delete page 2.

22 On page 3, delete lines 1 through 20 and insert:

23 “**SECTION 1. (1) The Oregon Broadband Advisory Council is established, consisting of 14**  
24 **members, of whom:**

25 “(a) The Governor shall appoint 12 members as follows:

26 “(A) One member to represent the counties of this state.

27 “(B) One member to represent the cities of this state.

28 “(C) Three members to represent telecommunications service providers and Internet  
29 service providers in this state. At least one member must represent rural telecommuni-  
30 cations consortia.

31 “(D) One member to represent Oregon tribes.

32 “(E) One member to represent education.

33 “(F) One member to represent economic development.

34 “(G) One member to represent public safety.

35 “(H) One member to represent health.

1       “(I) One member to represent government’s electronic interface with the public.

2       “(J) One member from the Public Utility Commission.

3       “(b) The Speaker of the House of Representatives shall appoint one nonvoting member  
4 who is a member of the House of Representatives.

5       “(c) The President of the Senate shall appoint one nonvoting member who is a member  
6 of the Senate.

7       “(2) The term of office of each voting member is four years, but a voting member serves  
8 at the pleasure of the Governor. Before the expiration of the term of a member, the Gover-  
9 nor shall appoint a successor whose term begins on January 1 next following. A member is  
10 eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an  
11 appointment to become immediately effective for the unexpired term.

12       “(3) The nonvoting legislative members shall serve two-year terms and are eligible for  
13 reappointment.

14       “(4) Members of the council are not entitled to compensation, but voting members may  
15 be paid expenses if funding is available from contributions accepted under section 3 (2) of this  
16 2009 Act.

17       “(5) The council shall select one of its voting members as chairperson and another voting  
18 member as vice chairperson, for such terms and with duties and powers necessary for the  
19 performance of the functions of such offices as the council determines.

20       “(6) A majority of the members of the council constitutes a quorum for the transaction  
21 of business.

22       “(7) The council shall meet at least once every three months at a place, day and hour  
23 determined by the council. The council may also meet at other times and places specified by  
24 the call of the chairperson or of a majority of the members of the council.

25       “(8) Official action by the council requires the approval of a majority of the members.  
26 The council may recommend legislation, which must be prepared in time for pre-session filing  
27 at the next regular session of the Legislative Assembly.

28       “(9) The Economic and Community Development Department shall provide staff or facil-  
29 ities to the council.

30       “(10) The Oregon Department of Administrative Services, the Public Utility Commission  
31 and the Department of Education may provide staff or facilities to the council.

32       “(11) All agencies of state government, as defined in ORS 174.111, are directed to assist  
33 the council in the performance of its duties and, to the extent permitted by laws relating to  
34 confidentiality, to furnish such information and advice as the members of the council con-  
35 sider necessary to perform their duties.

36       “SECTION 2. (1) Notwithstanding the term of office specified by section 1 of this 2009  
37 Act, of the voting members first appointed to the Oregon Broadband Advisory Council:

38       “(a) Six shall serve for a term ending January 1, 2011.

39       “(b) Six shall serve for a term ending January 1, 2013.

40       “(2) The two nonvoting members first appointed to the council shall serve terms ending  
41 January 1, 2011.

42       “SECTION 3. (1) The Oregon Broadband Advisory Council Fund is established, separate and  
43 distinct from the General Fund. Interest earned by the Oregon Broadband Advisory Council Fund  
44 shall be credited to the fund. Moneys in the Oregon Broadband Advisory Council Fund are contin-  
45 uously appropriated to the Oregon Broadband Advisory Council for the purposes of carrying out the

1 duties of the council.”.

2 In line 24, delete “Gen-” and insert “Oregon Broadband Advisory Council Fund”.

3 In line 25, delete “eral Fund of the State Treasury”.

4 After line 44, insert:

5 **“SECTION 4. The Oregon Broadband Advisory Council shall submit a report by November**  
6 **1 of each even-numbered year to an appropriate committee of the Legislative Assembly on**  
7 **the following subjects:**

8 **“(1) The affordability and accessibility of broadband technology in all areas of this state;**  
9 **and**

10 **“(2) The extent of broadband technology use in this state in the telehealth industry, en-**  
11 **ergy management, education and government.”.**

12 In line 45, delete “4” and insert “5”.

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