



House of Representatives

General Assembly

File No. 132

January Session, 2007

Substitute House Bill No. 6780

House of Representatives, March 26, 2007

The Committee on Energy and Technology reported through REP. FONTANA, S. of the 87th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING WIDESPREAD BROADBAND INTERNET ACCESS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of subsection (a) of section 7-536 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2007*):

4 (4) "Local capital improvement project" means a municipal capital
5 expenditure project for any of the following purposes: (A) Road
6 construction, renovation, repair or resurfacing, (B) sidewalk and
7 pavement improvements, (C) construction, renovation, enlargement or
8 repair of sewage treatment plants and sanitary or storm, water or
9 sewer lines, including separation of lines, (D) public building
10 construction other than schools, including renovation, repair, code
11 compliance, energy conservation and fire safety projects, (E)
12 construction, renovation, enlargement or repair of dams, bridges and
13 flood control projects, (F) construction, renovation, enlargement or

14 repair of water treatment or filtration plants and water mains, (G)
15 construction, renovation or enlargement of solid waste facilities, (H)
16 improvements to public parks, (I) the preparation and revision of local
17 capital improvement plans projected for a period of not less than five
18 years and so prepared as to show the general description, need and
19 estimated cost of each individual capital improvement, (J)
20 improvements to emergency communications systems, (K) public
21 housing projects, including renovations and improvements and energy
22 conservation and the development of additional housing, (L)
23 renovations to or construction of veterans' memorial monuments, (M)
24 thermal imaging systems, (N) bulky waste and landfill projects, (O) the
25 preparation and revision of municipal plans of conservation and
26 development adopted pursuant to section 8-23, provided such plans
27 are endorsed by the legislative body of the municipality not more than
28 one hundred eighty days after adoption by the commission, (P)
29 acquisition of automatic external defibrillators, [and] (Q) floodplain
30 management and hazard mitigation activities. "Local capital
31 improvement project" means only capital expenditures and includes
32 repairs incident to reconstruction and renovation but does not include
33 ordinary repairs and maintenance of an ongoing nature and
34 "floodplain management" and "hazard mitigation" shall have the same
35 meaning as in section 25-68j, and (R) activities related to the planning
36 of a municipal broadband network, provided the speed of the network
37 will be not less than three hundred eighty-four thousand bits per
38 second.

39 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) There shall be a Broadband
40 Internet Coordinating Council, which shall include representatives
41 from both the private and public sectors. The council shall consist of
42 nine members, five of whom shall be appointed by the Governor, two
43 of whom shall be appointed by the president pro tempore of the Senate
44 and two of whom shall be appointed by the speaker of the House of
45 Representatives. Of the five members appointed by the Governor,
46 three shall have specific expertise in the area of telecommunications.
47 Members of the council shall serve without compensation, except for
48 necessary expenses incurred in the performance of their duties.

49 Members shall serve on the council for terms of two years each and no
 50 member shall serve for more than two consecutive terms. The
 51 chairperson of the Public Utilities Control Authority, or the
 52 chairperson's designee, and the Secretary of the Office of Policy and
 53 Management, or the secretary's designee, shall be ex-officio members
 54 of the council without vote and shall attend its meetings. Any member
 55 who fails to attend three consecutive meetings or fifty per cent of all
 56 meetings during any calendar year shall be deemed to have resigned.
 57 The council shall elect a chairperson and a vice-chairperson to act in
 58 the chairperson's absence.

59 (b) The council shall meet at least quarterly, commencing on or
 60 before September 1, 2008. A majority of the members in office shall
 61 constitute a quorum.

62 (c) The duties of the council shall be to: (1) Monitor trends and
 63 developments in the state's efforts to develop a state-wide world-class
 64 communications infrastructure; and (2) issue any reports it deems
 65 necessary to the joint standing committee of the General Assembly
 66 having cognizance of matters relating to technology.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	7-536(a)(4)
Sec. 2	July 1, 2007	New section

ET *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Treasurer, Debt Serv.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill adds activities related to the planning of a municipal broadband network to the list of purposes for which General Obligation (GO) bond funds can be used under the Local Capital Improvement Program (LoCIP). To the degree that this causes GO bond funds to be expended more rapidly than they otherwise would have been, there will be an increase in debt service costs in future years. The unallocated balance for LoCIP as of 3/23/07 is \$31.1 million.

It is anticipated that (1) the Secretary of the Office of Policy and Management or his designee and (2) the chairperson of the Public Utilities Control Authority or his designee, can attend meetings of the Broadband Internet Coordinating Council within normal budgetary resources and will not result in a fiscal impact to either agency.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 6780

AN ACT CONCERNING WIDESPREAD BROADBAND INTERNET ACCESS

SUMMARY:

This bill makes activities related to the planning of municipal broadband networks an eligible use of Local Capital Improvement Program (LOCIP) grant funds, provided the network has a speed of at least 384,000 bits (384 kB) per second.

The bill establishes the nine-member Broadband Internet Coordinating Council and specifies its members. It requires the council to (1) monitor trends and developments in the state's efforts to develop a statewide, world-class communications infrastructure and (2) issue any reports it deems necessary to the Energy and Technology Committee. The council must meet at least quarterly, starting by September 1, 2008. A majority of the members in office constitutes a quorum.

EFFECTIVE DATE: July 1, 2007 for the council, October 1, 2007 for the use of the LOCIP funds.

COUNCIL MEMBERSHIP

The council consists of five members appointed by the governor and two each by the Senate president pro tempore and the House speaker. Three of the governor's appointees must have specific expertise in telecommunications. The council must include members from the public and private sectors. Members serve without compensation, except for necessary expenses incurred in the performance of their duties. Members serve two year terms and cannot serve more than two consecutive terms. The chairperson of the Public Utilities Control Authority and the Office of Policy and Management secretary, or their

designees are ex-officio, non-voting council members and must attend its meetings. Any member who fails to attend three consecutive meetings or half of all meetings during any calendar year is considered to have resigned. The council must elect a chairperson and a vice-chairperson to act in the chairperson's absence.

BACKGROUND

LOCIP

By law, LOCIP grants can be used for a variety of municipal capital projects, including the construction of roads, public buildings other than schools, and sewage and solid waste facilities. The grants can also be used for preparing and revising local conservation plans and the developing of floodplain management activities.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 19 Nay 2 (03/08/2007)