



874188

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/14/2009	.	
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The Committee on Commerce (Oelrich) recommended the following:

1 **Senate Amendment to Amendment (506528) (with title**
2 **amendment)**

3
4 Between lines 6 and 7
5 insert:

6 Section 2. (1) The Legislature finds that broadband
7 Internet service is critical to the economic development of the
8 state and is beneficial for libraries, schools, colleges and
9 universities, health care providers, and community
10 organizations. The Legislature further finds that barriers exist
11 to the statewide deployment of broadband Internet service,
12 especially in rural, unserved, or underserved communities. The



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13 Legislature therefore intends to promote the efficient and
14 effective deployment of broadband Internet service throughout
15 the state through a coordinated statewide effort.

16 (2) The Department of Management Services is authorized to
17 work collaboratively with, and to receive staffing support and
18 other resources from, Enterprise Florida, Inc., state agencies,
19 local governments, private businesses, and community
20 organizations to:

21 (a) Conduct a needs assessment of broadband Internet
22 service in collaboration with communications service providers,
23 including, but not limited to, wireless and wireline Internet
24 service providers, to develop geographical information system
25 maps at the census tract level that will:

26 1. Identify geographic gaps in broadband services,
27 including areas unserved by any broadband provider and areas
28 served by a single broadband provider;

29 2. Identify the download and upload transmission speeds
30 made available to businesses and individuals in the state, at
31 the census tract level of detail, using data rate benchmarks for
32 broadband service used by the Federal Communications Commission
33 to reflect different speed tiers; and

34 3. Provide a baseline assessment of statewide broadband
35 deployment in terms of percentage of households with broadband
36 availability.

37 (b) Create a strategic plan that has goals and strategies
38 for increasing the use of broadband Internet service in the
39 state.

40 (c) Build and facilitate local technology planning teams or
41 partnerships with members representing cross-sections of the



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42 community, which may include, but are not limited to,
43 representatives from the following organizations and industries:
44 libraries, K-12 education, colleges and universities, local
45 health care providers, private businesses, community
46 organizations, economic development organizations, local
47 governments, tourism, parks and recreation, and agriculture.

48 (d) Encourage the use of broadband Internet service,
49 especially in the rural, unserved, and underserved communities
50 of the state through grant programs having effective strategies
51 to facilitate the statewide deployment of broadband Internet
52 service. For any grants to be awarded, priority must be given to
53 projects that:

54 1. Provide access to broadband education, awareness,
55 training, access, equipment, and support to libraries, schools,
56 colleges and universities, health care providers, and community
57 support organizations.

58 2. Encourage investments in primarily unserved areas to
59 give consumers a choice of more than one broadband Internet
60 service provider.

61 3. Work toward establishing affordable and sustainable
62 broadband Internet service in unserved areas of the state.

63 4. Facilitate the development of applications, programs,
64 and services, including, but not limited to, telework,
65 telemedicine, and e-learning to increase the usage of, and
66 demand for, broadband Internet service in the state.

67 (3) The department may apply for and accept federal funds
68 for purposes of this section, as well as gifts and donations
69 from individuals, foundations, and private organizations.

70 (4) The department is authorized to enter into contracts



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71 necessary or useful to carry out the purposes of this section.

72 (5) The department is authorized to establish any committee
73 or workgroup to administer and carry out the purposes of this
74 section.

75 (6) The department is authorized to adopt rules necessary
76 to carry out the purposes of this section, including, without
77 limitation, the authority to establish definitions of terms
78 pertinent to this section.

79
80 ===== T I T L E A M E N D M E N T =====

81 And the title is amended as follows:

82
83 Delete line 670

84 and insert:

85 creating the "Consumer Choice and Protection Act";
86 providing legislative findings and intent; authorizing
87 the Department of Management Services to engage in
88 certain activities related to assessing the need for
89 broadband Internet service in the state, planning for
90 such service, and encouraging the statewide deployment
91 of such service; authorizing the department to apply
92 for and accept certain funds; authorizing the
93 department to enter into contracts; authorizing the
94 department to establish committees or workgroups;
95 authorizing the department to adopt rules;