

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 2119

4
5 By: Representative Woods
6 By: Senator Capps

For An Act To Be Entitled

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9
10 AN ACT TO AMEND THE CONNECT ARKANSAS BROADBAND
11 ACT, § 4-113-101 ET SEQ.; AND FOR OTHER PURPOSES.

Subtitle

12
13 TO AMEND THE CONNECT ARKANSAS BROADBAND
14 ACT, § 4-113-101 ET SEQ.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. Arkansas Code § 4-113-103 is amended to read as follows:

20 4-113-103. Connect Arkansas – Nonprofit organization – Purposes –
21 Grants.

22 (a) The Arkansas Capital Corporation may form a nonprofit corporation
23 named “Connect Arkansas” to:

24 (1) Prepare the people and businesses of Arkansas to secure the
25 economic, educational, health, social, and other benefits available via
26 broadband use; ~~and~~

27 (2) Facilitate the availability of broadband service to every
28 home and business in Arkansas;

29 ~~(b) The Arkansas Science and Technology Authority may make grants from~~
30 ~~funds available for the purpose of establishing Connect Arkansas.~~

31 ~~(c)(3) Connect Arkansas will promote~~ Promote broadband-based
32 development in Arkansas, with the goals of facilitating:

33 ~~(1)(A)~~ (A) Broadband education so that the citizens of every
34 home and business in Arkansas can take full advantage of broadband services;
35 and

36 ~~(2)(B)~~ (B) The availability of broadband service to broadband-



1 educated citizens in every home and business in Arkansas by the end of the
 2 year 2012~~+~~; and

3 ~~(d)~~(4) Recognizing that such services as geographical
 4 information system data delivery and high-definition television programs
 5 require increasingly huge demands in bandwidth, ~~Connect Arkansas will~~ promote
 6 broadband backbone networks that will serve all of Arkansas with the
 7 bandwidth to support Arkansas home and business needs into the foreseeable
 8 future.

9 (b) The Governor, and with the consent of the Governor, the Department
 10 of Economic Development, the Arkansas Science and Technology Authority, and
 11 any other state entity may make grants available for the purpose of
 12 supporting Connect Arkansas.

13
 14 SECTION 2. Arkansas Code § 4-113-104 is amended to read as follows:

15 4-113-104. Creation of the Arkansas Broadband ~~Advisory~~ Council.

16 (a) The Arkansas Broadband ~~Advisory~~ Council is created ~~to~~ and shall:

17 (1) Monitor the broadband-based development efforts of other
 18 states and nations in areas such as business, education, and health; ~~and~~

19 (2) ~~Advise~~ Receive input from all Arkansas broadband
 20 stakeholders and advise the Governor and the General Assembly on policies
 21 related to ~~making affordable broadband available to every Arkansas home and~~
 22 ~~business~~ broadband in Arkansas; and

23 (3) Serve as the broadband advocate to state agencies and other
 24 state entities to communicate the broadband needs of the citizens and
 25 organizations of the state that do not have access to broadband service or to
 26 broadband service adequate for their needs.

27 (b) The council shall include:

28 (1) One (1) representative from each broadband provider
 29 association that exists in the state on July 31, 2007, including without
 30 limitation the Arkansas Cable Telecommunications Association and the Arkansas
 31 Telecommunications Association;

32 (2) Three (3) members to be appointed by the Governor;

33 (3) Three (3) members to be appointed by the President Pro
 34 Tempore of the Senate; ~~and~~

35 (4) Three (3) members to be appointed by the Speaker of the
 36 House of Representatives; and

1 (5) The President of the Arkansas Science and Technology
2 Authority who shall serve as an ex-officio member of the Council.

3 (c) The council shall:

4 (1) Provide an annual report to the Governor and the General
5 Assembly;

6 (2) Provide a final report to the Governor and the General
7 Assembly through the year ending December 31, 2011; and

8 (3) Expire on June 30, 2012.

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10 SECTION 3. Arkansas Code Title 4, Chapter 113, Subchapter 1 is amended
11 to add an additional section to read as follows:

12 4-113-106. Legislative Findings – Critical Infrastructure –Priority of
13 county economic development plans that include regional broadband
14 collaboration.

15 (a) The General Assembly finds that:

16 (1) Broadband is:

17 (A) Critical infrastructure to the State of Arkansas; and

18 (B) Essential to:

19 (i) The fundamental activities of an advanced
20 society including education, economic development, health, the pursuit of
21 science and technology, and the conduct of government at all levels; and

22 (ii) Obtaining economic and educational equality
23 among the different counties and regions of Arkansas;

24 (2) As a critical infrastructure:

25 (A) The first phase of the statewide broadband effort must
26 be to make broadband accessible to every individual and organization in
27 Arkansas; and

28 (B) The second phase of the statewide broadband effort
29 must be to establish Arkansas as a world leader in the leveraging of
30 broadband in support of the activities essential to an advanced society; and

31 (3) The inclusion of broadband in state and county economic
32 development plans should be encouraged.

33 (b) State activities in support of county economic development plans
34 shall give priority to county economic development plans that include
35 regional broadband collaborations to assist in situations in which counties
36 can not independently establish broadband.

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SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is a great need to improve technology in underdeveloped areas of the state; that opportunities for funding and providing technology to these areas should be made available as soon as possible; and that this act improves the ability of the state to improve the technology to rural Arkansas and other underdeveloped areas of the state to address the health, economic, educational, technology and other needs of these areas. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.