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HOUSE FILE NO. 2959

FIRST COMMITTEE ENGROSSMENT

February 14, 2008

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The bill was read for the first time and referred to the Committee on Commerce and Labor

Referred by Chair to Telecommunications Regulation and Infrastructure Division.

March 7, 2008

Returned to the Committee on Commerce and Labor as Amended.

1.1 A bill for an act
1.2 relating to telecommunications; requiring the commissioner of commerce to
1.3 contract for a statewide inventory of broadband service; appropriating money.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **BROADBAND MAPPING PROJECT.**

1.6 Subdivision 1. **Project.** The commissioner of commerce shall contract with a
1.7 nonprofit organization to produce a comprehensive statewide inventory and mapping of
1.8 existing broadband service and capability.

1.9 Subd. 2. **Inventory.** The inventory must include, at a minimum, the following
1.10 information, which must be collected through research methods that produce statistically
1.11 significant results:

1.12 (1) a measurement of statewide residential and business use of broadband,
1.13 computers, and related information technology;

1.14 (2) barriers to broadband and computer use among residents and businesses; and

1.15 (3) demographic analysis of the information in clauses (1) and (2).

1.16 Subd. 3. **Mapping.** Data must be collected from broadband providers and entered
1.17 into a geographic information system to produce maps that, for the state of Minnesota and
1.18 any defined geographical entity within it, clearly convey the following information:

1.19 (1) areas unserved by any broadband provider;

1.20 (2) areas served by a single broadband provider;

1.21 (3) the location of towers used to transmit and receive broadband signals;

1.22 (4) actual upstream and downstream transmission speeds at the county level of detail;

1.23 (5) areas served by multiple broadband providers; and

1.24 (6) the types of technology used to provide broadband service.

2.1 The data used to produce the maps must be capable of being integrated with demographic
2.2 data from other sources including, but not limited to, population density and household
2.3 income to allow for the production of maps that measure, down to the census block
2.4 level of detail, various characteristics of residents in areas receiving different levels of
2.5 broadband services and utilizing different technologies. Data provided by a broadband
2.6 provider to the contractor under this subdivision is nonpublic data under Minnesota
2.7 Statutes, section 13.02, subdivision 9. Maps produced under this subdivision are public
2.8 data under Minnesota Statutes, section 13.03.

2.9 For the purposes of this section, "technology" or "technologies" means different
2.10 methods of connecting to the Internet including, but not limited to, cable modem, DSL,
2.11 ADSL, VDSL, and fiber optics.

2.12 Sec. 2. **APPROPRIATION.**

2.13 Notwithstanding Minnesota Statutes, section 237.701, subdivision 1, \$175,000 is
2.14 appropriated from the telephone assistance fund to the commissioner of commerce for
2.15 the purposes of section 1.

2.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.