
**SENATE COMMITTEE ON ENERGY, UTILITIES AND
COMMUNICATIONS**
Senator Ben Hueso, Chair
2019 - 2020 Regular

Bill No: AB 488 **Hearing Date:** 6/18/2019
Author: Aguiar-Curry
Version: 6/4/2019 As Amended
Urgency: No **Fiscal:** Yes
Consultant: Sarah Smith

SUBJECT: California Broadband Council

DIGEST: This bill modifies the membership of the California Broadband Council (CBC) by adding the Secretary of Food and Agriculture and the State Librarian to the CBC.

ANALYSIS:

Existing law:

- 1) States California's telecommunications policy, including affirming the state's commitment to universal service by assuring the continued affordability and widespread availability of high-quality telecommunications services to all Californians; encouraging expanded access to state-of-the-art technologies for rural, inner-city, low-income, and disabled Californians; promoting lower prices, broader consumer choice, and avoidance of anticompetitive conduct; and encouraging fair treatment of consumers through the provision of sufficient information for making informed choices, establishment of reasonable service quality standards, and establishment of processes for equitable resolution of billing and service problems. (Public Utilities Code §709)
- 2) Creates the CBC to promote broadband deployment in underserved and unserved portions of the state and encourage broadband adoption throughout the state. (Government Code §8885)
- 3) Establishes the membership of the CBC, which must include the following representatives:
 - a) The Director of Technology, or a designee
 - b) The President of the California Public Utilities Commission, or a designee
 - c) The Director of Emergency Services, or a designee
 - d) The Superintendent of Public Instruction, or a designee
 - e) The Director of General Services, or a designee
 - f) The Secretary of Transportation, or a designee

- g) The President of the California Emerging Technology Fund, or a designee
 - h) A member of the Senate, appointed by the Senate Committee on Rules
 - i) A member of the Assembly, appointed by the Speaker of the Assembly.
 - j) Specifies that members of the Legislature appointed to the council may only participate in the council's activities to the extent that the participation is not incompatible with their legislative positions. (Government Code §8886)
- 4) Specifies that the CBC's duties include, but are not limited to, the following:
- a) Facilitating communication among state agencies regarding California's participation in proceedings related to the National Broadband Plan.
 - b) Ensuring that state agencies share information needed to maximize opportunities for federal and private funding supporting broadband deployment and adoption.
 - c) Ensuring that state agencies are aware of actions needed to implement recommendations from the 2008 Broadband Task Force Report.
 - d) Identifying opportunities for state agencies and broadband networks to share facilities, rights of way, or other resources for broadband deployment and adoption.
 - e) Other actions necessary to ensure that state agencies are coordinating efforts and resources to promote broadband deployment and adoption.
(Government Code §8887)

This bill adds the Secretary of Food and Agriculture and the State Librarian to the CBC.

Background

The creation of the California Broadband Council. In 2006, then-Governor Schwarzenegger issued an executive order (S-21-06) establishing a California Broadband Task Force. The executive order directed the task force to recommend ways to remove barriers to broadband access, identify opportunities to increase broadband deployment, and support the creation and deployment of advanced telecommunications technologies. The California Broadband Task Force issued two reports with recommendations pursuant to the governor's executive order. The final report included a recommendation to establish local broadband leadership councils and convene the task force on a regular, ongoing basis to coordinate state-level efforts. In 2010, the Legislature passed AB 1462 (Padilla, Chapter 338, Statutes of 2010) to address this recommendation by establishing the CBC.

The CBC is administered by the California Department of Technology's Office of Broadband and Digital Literacy and currently includes nine members representing the following organizations:

- 1) California Department of Technology
- 2) California State Senate
- 3) California State Assembly
- 4) Superintendent of Public Instruction
- 5) California Office of Emergency Services
- 6) California Transportation Agency
- 7) Department of General Services
- 8) California Public Utilities Commission
- 9) California Emerging Technology Fund

This bill would expand the CBC's membership to 11 board members by adding the Secretary of Food and Agriculture and the State Librarian to the CBC. Currently, the State Librarian and the Secretary for the California Department of Food and Agriculture are both members of the CBC's advisory council. A representative for the United States Department of Agriculture (USDA) is also on the Advisory Council.

Need for new membership? Since statute establishes the CBC's membership, legislation is necessary to add additional members; however, legislation may not be necessary to ensure that the CBC's work recognizes the unique needs of rural communities and the role that libraries and public education resources can play in increasing adoption of broadband. The CBC has already been successfully working on initiatives to address the digital divide in rural communities, including tribal lands. In 2018 the CBC submitted public comments to the USDA for the USDA's broadband e-Connectivity Pilot Program, which is providing \$600 million in grants for broadband expansion in rural areas. The California State Library's High Speed Broadband project is in the process of connecting all California public libraries to the California Research and Education Network, which is an existing high-speed fiber optic network administered by the nonprofit Corporation for Education Network Initiatives in California (CENIC) to support California research institutions and universities.

While the addition of new members to the CBC may not be necessary to ensure that agencies address digital divide issues in rural areas and through libraries, the expansion of the CBC's membership is also not harmful and may be beneficial if it encourages better coordination between investments. To the extent that adding the State Librarian and the Secretary for the Department of Food and Agriculture to the CBC better enables the council to identify opportunities to leverage and maximize investments to increase access to affordable, high-quality broadband, the

expansion of the council's membership could enhance coordination of ongoing efforts to improve broadband access.

Prior/Related Legislation

AB 1758 and AB 238 (Stone, 2016) would have made various revisions to the California Advanced Services Fund (CASF) and would have required the CPUC and the CBC to implement the changes to the CASF in a manner that supports public-private partnership collaborations. These bills died in the Assembly.

AB 1462 (Padilla, Chapter 338, Statutes of 2010) established the CBC, its membership, and its duties. The bill required the CBC to promote broadband deployment in underserved and unserved portions of the state and encourage broadband adoption throughout the state.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT:

California Farm Bureau Federation
Community Alliance with Family Farmers
Valley Vision

OPPOSITION:

None received

ARGUMENTS IN SUPPORT: According to the author:

Many rural, agricultural, and low-income communities across the state lack reliable and affordable high-speed broadband service, which creates barriers to health care access, educational equity, sustainable agriculture, emergency response capabilities, and economic development. The basic and advanced technology access and training available in California's public libraries help close this access gap and improve the ability of all Californians to succeed in a 21st Century economy.

In 2010, the Legislature established the California Broadband Council (CBC) to promote high-speed broadband deployment in unserved and underserved communities and to increase broadband adoption statewide. However, the CBC membership does not include the

Secretary of the California Department of Food and Agriculture or the California State Librarian. By adding these two leaders to the CBC, AB 488 ensures the unique needs of rural, agricultural, and low-income communities are considered as the state develops comprehensive strategies to expand broadband access in California.

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