

Report of Committee of Conference

H.117

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon House Bill No. 117, entitled:

H.117. An act relating to creating a Division for Telecommunications and Connectivity within the Department of Public Service.

Respectfully reports that it has met and considered the same and recommends that the House accede to the Senate proposal of amendment when further amended as follows:

First: By striking out Sec. 9a in its entirety and by inserting in lieu thereof a new Sec. 9a to read:

Sec. 9a. FUNDING FOR CONNECTIVITY PERSONNEL; GROSS
RECEIPTS TAX

On or before January 15, 2016, the Commissioner shall determine whether the revenues raised from the existing gross receipts tax on public service companies, 30 V.S.A. § 22, is sufficient to finance the personnel and administrative costs associated with the Connectivity Initiative, beginning in fiscal year 2017. If the Commissioner determines the revenues are not sufficient for this purpose, he or she shall recommend to the General Assembly

a new rate of tax applicable to one or more categories of public service companies, as he or she deems necessary and appropriate.

Second: In Sec. 16 (concerning E-911 operations and savings), by striking out subsection (b) in its entirety and by inserting a new subsection (b) to read:

(b) In fiscal year 2016, the E-911 Board shall transfer \$300,000.00 from the Enhanced 911 Fund for distribution to the Department of Public Safety PSAPs (public safety answering points); and, in addition, the Board shall eliminate not less than one, full-time employee position in the E-911 system.

On or before September 1, 2015, the E-911 Board shall report to the Joint Fiscal Committee how the \$300,000.00 in E-911 savings was achieved and provide a description of the eliminated position.

Third: By striking out Secs. 17, 18, and 19 (concerning transferring administration of the E-911 Board to the Department of Public Safety) and by inserting in lieu thereof new Secs. 17, 18, and 19 to read:

Sec. 17. [Deleted.]

Sec. 18. [Deleted.]

Sec. 19. [Deleted.]

Fourth: In Sec. 20, 30 V.S.A. chapter 82 (communications union district), by striking out section 3081 and by inserting in lieu thereof a new section 3081 to read:

§ 3081. WITHDRAWAL OF A MEMBER MUNICIPALITY

A district member may withdraw from the district upon the terms and conditions herein specified:

(1) Prior to the district pledging communications plant net revenues, or entering into a long-term contract, or contract subject to annual appropriation, a district member may vote to withdraw in the same manner as the vote for admission to the district. If a majority of the voters of a district member present and voting at a meeting duly warned for such purpose votes to withdraw from the district, the vote shall be certified by the clerk of that municipality and presented to the board. Thereafter, the board shall give notice to the remaining district members of the vote to withdraw and shall hold a meeting to determine if it is in the best interest of the district to continue to exist. Representatives of the district members shall be given an opportunity to be heard at such meeting together with any other interested persons. After such a meeting, the board may declare the district dissolved or it may declare that the district shall continue to exist despite the withdrawal of such member. The membership of the withdrawing municipality shall terminate after the vote to withdraw.

(2) After the district has pledged communications plant net revenues, or entered into a long-term contract or contract subject to annual appropriations, a

district member may vote to withdraw in the same manner as the vote for admission to the district.

Fifth: In Sec. 27, by striking out subsection (b) in its entirety in by inserting in lieu thereof a new subsection (b) to read:

(b) [Deleted.]

and that after passage the title of the bill be amended to read: “An act relating to telecommunications”

COMMITTEE ON THE PART OF
THE SENATE

SEN. MARK A. MACDONALD

SEN. KEVIN J. MULLIN

SEN. MICHAEL SIROTKIN

COMMITTEE ON THE PART OF
THE HOUSE

REP. MICHAEL J. MARCOTTE

REP. STEPHEN A. CARR

REP. SAMUEL R. YOUNG