

1 H.513

2 Senators Brock, Balint, Campion, Cummings, MacDonald, Pearson, and
3 Sirotkin move to amend the bill as follows:

4 First: In Sec. 2, 30 V.S.A. § 7523, by striking out subsection (b) in its
5 entirety and inserting in lieu thereof a new subsection (b) to read as follows:

6 (b) Beginning on July 1, 2019, the rate of charge established under
7 subsection (a) of this section shall be increased by four-tenths of one percent of
8 retail telecommunications service, and the monies collected from this increase
9 shall be transferred to the Connectivity Fund established under section 7516 of
10 this title.

11 Second: In Sec. 10 (concerning the Broadband Innovation Grant Program),
12 subdivision (a)(1), by striking out subdivision (a)(1) in its entirety and
13 inserting in lieu thereof a new subdivision (a)(1) to read as follows:

14 (1) In awarding grants under this section, the Commissioner shall give
15 preference to feasibility studies that contemplate the provision of broadband
16 service that is symmetrical.

17 Third: In Sec. 13 (concerning public-private partnerships and
18 communications plants), 24 V.S.A. § 1913, by striking out subsection (f) in its
19 entirety and inserting in lieu thereof a new subsection (f) to read as follows:

20 (f) Notwithstanding any other provision of law to the contrary, a
21 municipality may enter into a public-private partnership for the purpose of

1 exercising its authority under this subchapter regarding the provision of
2 communications services. A municipality may contract with a private entity to
3 operate and manage a communications plant owned by the municipality or may
4 contract with a private entity to co-own, operate, or manage a communications
5 plant. A communications plant that is the subject of a public-private
6 partnership authorized by this subsection may be financed in whole or in part
7 pursuant to this chapter and chapter 53, subchapter 2 of this title, provided the
8 municipality first issues a request for proposals seeking an Internet service
9 provider to serve or to assist with serving unserved and underserved locations
10 targeted by the issuing municipality. The terms of such a partnership shall
11 specify that the owner or owners of the communications plant, as applicable,
12 shall be responsible for debt service.

13 Fourth: In Sec. 20 (concerning refunds for make-ready work not timely
14 completed), 30 V.S.A. § 209, subdivision (i)(2)(C), in the first sentence,
15 immediately after the words “pole owner” by adding the following: , within 30
16 days of the expiration of the make-ready completion period.

17 Fifth: By striking out Sec. 25 in its entirety and inserting in lieu thereof a
18 new Sec. 25 to read as follows:

19 Sec. 25. OUTAGES AFFECTING E-911 SERVICE; REPORTING; RULE;

20 E-911 BOARD

1 The E-911 Board shall adopt a rule establishing protocols for the E-911
2 Board to obtain or be apprised of, in a timely manner, system outages
3 applicable to providers of facilities-based, fixed voice service that is not line-
4 powered and to electric companies for the purpose of enabling the E-911
5 Board to assess 911 service availability during such outages. An outage for
6 purposes of this section includes any loss of E-911 calling capacity, whether
7 caused by lack of function of the telecommunications subscriber’s backup-
8 power equipment, lack of function within a telecommunications provider’s
9 system, or an outage in the electric power system. The E-911 Board shall file a
10 final proposed rule with the Secretary of State and with the Legislative
11 Committee on Administrative Rules pursuant to 3 V.S.A. § 841 on or before
12 February 1, 2020.

13 Sixth: By striking out Sec. 27 in its entirety and inserting in lieu thereof a
14 new Sec. 27 to read as follows:

15 Sec. 27. PEG ACCESS STUDY COMMITTEE

16 (a) Creation. There is created a PEG Access Study Committee. The
17 Committee shall consider changes to the State’s cable franchising authority
18 and develop for legislative consideration alternative regulatory and funding
19 mechanisms to support public, educational, and government (PEG) access
20 channels and services to communities across Vermont.

1 (b) Members. The Committee shall be composed of the following
2 members:

3 (1) a member of the Senate Committee on Finance appointed by the
4 Committee on Committees;

5 (2) a member of the House Committee on Energy and Technology
6 appointed by the Speaker of the House;

7 (3) the Commissioner of Public Service or designee;

8 (4) a member of the Public Utility Commission or designee;

9 (5) a representative from the Vermont Access Network, selected by its
10 Board of Directors;

11 (6) a representative from a Vermont cable company, selected by the
12 Governor; and

13 (7) the Executive Director of the Vermont League of Cities and Towns
14 or designee.

15 (c) Powers and Duties. The Committee shall consider changes in federal
16 and State law and policy, market trends, and any other matters that have an
17 affect on the availability of or funding for PEG access channels and services in
18 Vermont. The Committee shall hold at least one public hearing on the value of
19 PEG access television to Vermont communities; the costs of such
20 programming and services; and funding options. The Committee shall solicit

1 input from regulators, communications providers, access management
2 organizations, and any other organizations or individuals it deems appropriate.

3 (d) Assistance. The Committee shall be entitled to staff services of the
4 Department of Public Service, the Office of the Legislative Council, and the
5 Joint Fiscal Office.

6 (e) Report. The Committee shall submit its findings and recommendations
7 in the form of draft legislation to the Senate Committee on Finance and the
8 House Committee on Energy and Technology on or before November 15,
9 2019.

10 (f) Meetings. The Commissioner of Public Service shall call the first
11 meeting of the Committee to occur on or before July 1, 2019. The Committee
12 shall select a chair and vice chair from among its members at the first meeting.
13 A majority of the membership shall constitute a quorum. A member's physical
14 presence is required in order to count toward a quorum and to vote. The
15 Committee is authorized to meet up to six times and shall cease to exist on
16 December 15, 2019.

17 (g) Compensation and reimbursement. Legislative members of the
18 Committee shall be entitled to per diem compensation and reimbursement of
19 expenses pursuant to 2 V.S.A. § 406. Except for members employed by the
20 State, other members of the Committee shall be entitled to per diem

1 compensation as provided under 32 V.S.A. § 1010(a) and mileage
2 reimbursement as provided under 32 V.S.A. § 1267.

3 Seventh: By adding Sec. 27a and an accompanying reader assistance
4 heading to read as follows:

5 * * * State-owned 2G Microcells; Municipal Use * * *

6 Sec. 27a. 2G MICROCELLS; MUNICIPALITIES; EMERGENCY
7 SERVICES

8 The Commissioner of Public Service is authorized to spend up to
9 \$100,000.00 for contractual services to provide resources and technical
10 assistance to municipalities seeking to acquire or use already-installed, State-
11 owned, 2G microcells for the purpose of providing emergency
12 communications in areas that otherwise would not have access to mobile
13 wireless E-911 service, consistent with the objectives of prior State
14 investments in microcell network infrastructure. Technical assistance shall
15 include a cost-benefit analysis, which shall include consideration of rates and
16 charges related to electric, backhaul, and geolocation services, pole rental fees,
17 backup-power requirements, co-location requirements, the use of radio
18 spectrum, and the negotiation of roaming agreements with national wireless
19 providers.