

1 H.360

2 Introduced by Committee on Energy and Technology

3 Date:

4 Subject: Communications; broadband deployment; communications union

5 districts; Vermont Community Broadband Authority

6 Statement of purpose of bill as introduced: This bill proposes to coordinate,

7 facilitate, support, and accelerate community broadband deployment

8 throughout Vermont.

9 An act relating to accelerated community broadband deployment

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 \* \* \* Legislative Findings and Intent \* \* \*

12 Sec. 1. FINDINGS AND INTENT

13 (a) The General Assembly finds that:

14 (1) For over a decade, Vermont has pursued many approaches and  
15 strategies designed to ensure that every Vermonter has access to reliable,  
16 affordable, high-speed broadband.

17 (2) In 2018, through Acts and Resolves No. 169, the General Assembly  
18 found that broadband is essential for supporting economic and educational  
19 opportunities, strengthening health and public safety networks, and reinforcing  
20 freedom of expression and democratic, social, and civic engagement.

1           (3) We further found in Act No. 169 that the lack of a thriving  
2           competitive market in Vermont, particularly in isolated locations,  
3           disadvantages the ability of consumers and businesses to protect their interests  
4           sufficiently, and we recognized that the State may exercise its traditional role  
5           in protecting consumers.

6           (4) In 2019, through Acts and Resolves No. 79, the General Assembly  
7           found that despite the FCC’s “light-touch” regulatory approach under Title I of  
8           the Communications Act of 1934, rather than “utility-style” regulation under  
9           Title II, existing broadband providers are not providing adequate service to  
10           many rural areas where fewer potential customers reduce the profitability  
11           necessary to justify network expansion.

12           (5) Accordingly, reaching the last mile will require a grassroots  
13           approach founded on input from and support of local communities. Existing  
14           broadband grant programs do not offer the scale to solve this problem, and  
15           traditional capital sources typically shy away from businesses with limited  
16           revenue history and little equity or collateral.

17           (6) To this end, public investment in programs and personnel that  
18           provide local communities with much-needed resources and technical  
19           assistance is required.

20           (7) In 2020, the COVID-19 public health emergency served as an  
21           accelerant to the socioeconomic disparities between the connected and the

1 unconnected in our State. Vermonters who cannot access or cannot afford  
2 broadband, many of whom are geographically isolated, face challenges with  
3 respect to distance learning; remote working; accessing telehealth services; and  
4 accessing government programs and services, including our institutions of  
5 democracy, such as the court system.

6 (8) Indeed, the ongoing public health emergency has highlighted the  
7 extent to which robust and resilient broadband networks are critical to our  
8 economic future as a whole and provide a foundation for our educational,  
9 health care, public health and safety, and democratic institutions.

10 (9) Broadband infrastructure is critical infrastructure fundamental to  
11 accessing other critical services in sectors such as energy, public safety,  
12 government, healthcare, education, and commerce.

13 (10) The goal of universal broadband needs to be elevated as a top  
14 priority of the State to meet the economic, health, safety, educational, and  
15 social needs of Vermonters.

16 (11) While private broadband providers have brought broadband  
17 services to many households, businesses, and locations in Vermont, significant  
18 gaps remain.

19 (12) When existing broadband providers fail to achieve the goal of  
20 providing reliable, high-quality, universal broadband, it is imperative for the

1 State to support and facilitate the construction of broadband infrastructure  
2 through financial and other means.

3 (13) Communications union districts (CUDs) were created by the State  
4 to coordinate and implement creative and innovative solutions in their  
5 respective territories, particularly where existing providers are not providing  
6 adequate service that meets the needs of their residents and businesses while  
7 ensuring public accountability.

8 (14) CUDs are thus positioned to be the unofficial “provider of last  
9 resort” for broadband and ensure public accountability for serving all  
10 Vermonters within their respective service territories. Yet CUDs have limited  
11 access to financial capital necessary for expansion of broadband to unserved  
12 and underserved areas of the State.

13 (15) All Vermont electric ratepayers are supporting the rollout of clean  
14 energy technologies, however not all ratepayers are able to access those  
15 technologies because they do not have access to adequate broadband. Equity  
16 in the energy sector requires universal broadband.

17 (16) The Department of Public Service simultaneously plays a  
18 regulatory role in the telecommunications market while also supporting the  
19 development of CUDs in an unregulated competitive broadband market.

20 (17) To ensure universal broadband in Vermont, there is a need for  
21 greater coordination of grassroots broadband solutions both among the CUDs

1 themselves and also with respect to their other potential partners, such as  
2 electric distribution utilities, nonprofit organizations, the federal government,  
3 and private broadband providers.

4 (b) Therefore, this act is intended to protect the public interest by:

5 (1) ensuring broadband availability to all Vermonters and Vermont  
6 addresses;

7 (2) ensuring public accountability for maintaining and upgrading critical  
8 broadband infrastructure;

9 (3) increasing the reliability of the electric grid and ensuring equal  
10 access to clean energy services among all electric ratepayers;

11 (4) protecting Vermonters' privacy and unrestricted access to the  
12 Internet;

13 (5) alleviating the inherent tension the Department of Public Service  
14 currently experiences as a result of its dual roles as both regulator and  
15 community project developer;

16 (6) directing public resources to the development of public broadband  
17 assets intended to provide universal access;

18 (7) developing favorable taxing, financing, and regulatory mechanisms  
19 to support communications union districts; and

20 (8) providing time-limited leadership for coordinating the buildout of  
21 Vermont's communications union districts and their partners and for

1 developing financing mechanisms to fully support that buildout through a  
2 newly created State entity, the Vermont Community Broadband Authority,  
3 designed specifically to effectuate these purposes.

4 \* \* \* Vermont Community Broadband Authority \* \* \*

5 Sec. 2. 30 V.S.A. chapter 91A is added to read:

6 CHAPTER 91A: VERMONT COMMUNITY BROADBAND AUTHORITY

7 § 8081. POLICY, FINDINGS, AND PURPOSE

8 (a) Policy. It is the policy of the State of Vermont to support and accelerate  
9 community efforts that advance the State's goal of achieving universal access  
10 to reliable, high-quality, affordable broadband.

11 (b) Findings. Broadband is an essential service unavailable to many  
12 Vermonters. Federal policies that promote an unregulated, competitive  
13 broadband market have failed to deliver this essential service in many rural  
14 areas of the State. In addition, federal programs designed to subsidize the  
15 buildout of broadband in rural areas have fallen far short of delivering  
16 broadband to the most remote regions of our State, often as a result of  
17 inadequate federal broadband mapping data or insufficient accountability. As  
18 a consequence, many locations in Vermont continue to lack access to  
19 broadband, and a comprehensive, funded solution through existing federal and  
20 State broadband programs is not available to address this critical need we face  
21 in Vermont. Despite these challenges, local communities have assembled in

1 the form of communications union districts to address the digital divide  
2 collectively and creatively. These local projects, and ultimately all  
3 Vermonters, will benefit from the establishment of robust statewide leadership  
4 and support for community broadband solutions.

5 (c) Purpose. It is the purpose of this chapter to establish the Vermont  
6 Community Broadband Authority to coordinate, facilitate, support, and  
7 accelerate the development and implementation of universal community  
8 broadband solutions.

9 § 8082. DEFINITIONS

10 As used in this chapter:

11 (1) “Authority” means the Vermont Community Broadband Authority  
12 established by this chapter.

13 (2) “Board” means the Board of Directors of the Vermont Community  
14 Broadband Authority.

15 (3) “Connectivity Initiative” means the initiative established under  
16 section 7515b of this title.

17 (4) “Department” means the Department of Public Service.

18 (5) “Division” means the Division for Telecommunications and  
19 Connectivity within the Department of Public Service.

20 (6) “Fund” means the Vermont Community Broadband Fund established  
21 by this chapter.

1           (7) “Underserved” has the same meaning as in subsection 7515b(a) of  
2           this title.

3           (8) “Unserved” has the same meaning as in subsection 7515b(a) of this  
4           title.

5           § 8083. ESTABLISHMENT AND ORGANIZATION

6           (a) The Vermont Community Broadband Authority is hereby created and  
7           established as a body corporate and politic and a public instrumentality of the  
8           State. The exercise by the Authority of the powers conferred upon it in this  
9           chapter constitutes the performance of essential governmental functions.

10          (b) The Authority shall have a Board of Directors of seven members as  
11          follows:

12               (1) the Commissioner of Public Service or designee;

13               (2) The Secretary of Commerce and Community Development or  
14               designee;

15               (2) two public members selected by the Vermont Communications  
16               Union District Association;

17               (3) one public member appointed by the Governor, who shall not be an  
18               employee or officer of the State at the time of appointment;

19               (4) one public member appointed by the Speaker of the House, who  
20               shall not be a member of the General Assembly at the time of the appointment;  
21               and



1           (5) one public member appointed by the Senate Committee on  
2           Committees, who shall not be a member of the General Assembly at the time  
3           of the appointment.

4           (c) In making appointments of public members, the appointing authorities  
5           shall give consideration to persons with knowledge of communications  
6           technology; communications law and policy; broadband deployment in rural,  
7           high-cost areas; finance; and electric utility law and policy. However, the  
8           public members may not be persons with a financial interest in or owners,  
9           employees, or members of a governing board of an Internet service provider or  
10           a communications union district. The conflict of interest provision in this  
11           subsection shall not be construed to disqualify a member who has ownership in  
12           a mutual fund, exchange traded fund, pension plan, or similar entity that owns  
13           shares in such enterprises as part of a broadly diversified portfolio.

14           (d) The public members shall serve terms of three years beginning on  
15           February 1 of the year of appointment. However, the public member first  
16           appointed by the Governor shall serve an initial term of one year, and the  
17           public members first appointed by the Speaker of the House and the  
18           Committee on Committees shall serve initial terms of two years. A vacancy  
19           occurring among the public members shall be filled by the respective  
20           appointing authority for the balance of the unexpired term. A member may be  
21           reappointed.

1       (e) The Authority’s powers are vested in the Board of Directors. At its  
2       initial organizational meeting, and annually thereafter at the first meeting  
3       following February 1, the Board shall elect from among its public members a  
4       chair and vice chair. The Board may elect officers as it may determine.  
5       Meetings shall be held at the call of the Chair or at the request of three  
6       members. A majority of sitting members shall constitute a quorum, and action  
7       taken by the Board under the provisions of this chapter may be authorized by a  
8       majority of the members present and voting at any regular or special meeting.

9       (f) Members other than ex officio members shall be entitled to per diem  
10       compensation authorized under 32 V.S.A. § 1010 for each day spent in the  
11       performance of their duties, and each member shall be reimbursed from the  
12       Fund for his or her reasonable expenses incurred in carrying out his or her  
13       duties under this chapter.

14       (g) The Authority shall hire and employ an Executive Director who shall  
15       serve as the Authority’s chief administrative officer and shall direct and  
16       supervise the Authority’s administrative affairs and technical activities in  
17       accordance with any rules and policies set forth by the Authority. In addition  
18       to any other duties, the Executive Director shall:

19               (1) attend all meetings of the Authority, act as its secretary, and keep  
20       minutes of its proceedings;

1           (2) approve all accounts of the Authority, including accounts for  
2           salaries, per diems, and allowable expenses of any employee or consultant  
3           thereof and expenses incidental to the operation of the Authority;

4           (3) make recommendations to the Board of Directors for financial  
5           awards or assistance authorized by this chapter, including grants and loans;

6           (4) make an annual report to the Authority documenting the actions of  
7           the Authority and such other reports as the Authority may request; and

8           (5) perform such other duties as may be directed by the Authority in the  
9           carrying out of the purposes and provisions of this chapter.

10          (h) The Executive Director may retain or employ technical experts and  
11          other officers, agents, employees, and contractors as are necessary to give  
12          effect to the purposes of this chapter, including in the areas of finance, network  
13          planning, technical design, and grant writing, and may fix their qualifications,  
14          duties, and compensation. The Authority shall use the Office of the Attorney  
15          General for legal services as well as contract for legal services as needed.

16          § 8084. VERMONT COMMUNITY BROADBAND FUND

17          (a) There is created a special fund in the State Treasury to be known as the  
18          “Vermont Community Broadband Fund.” The Fund shall be administered by  
19          the Authority and expenditures therefrom shall only be made to implement and  
20          effectuate the policies and purposes of this chapter. The Fund shall be  
21          composed of any monies from time to time appropriated to the Fund by the

1 General Assembly or received from any other source, private or public,  
2 approved by the Authority. Unexpended balances and any earnings shall  
3 remain in the Fund for use in accord with the purposes of this chapter.

4 (b) The money transferred to the Fund pursuant to subsection 7523(b) of  
5 this title shall be used to fund the operational expenses of the Authority,  
6 including a Rural Broadband Technical Assistance Specialist, who shall report  
7 to the Executive Director and whose duties shall include providing outreach,  
8 technical assistance, and other support services to communications union  
9 districts.

10 (c) From the funds transferred to the Fund under subsection (b) of this  
11 section and used to pay the operational expenses of the Authority, any  
12 remaining funds shall be used to provide administrative, technical, and  
13 financial assistance to communications union districts as authorized in this  
14 chapter and, commencing on January 1, 2022, under the Connectivity Initiative  
15 established in section 7515b of this title.

16 § 8085. GENERAL POWERS AND DUTIES; CONFIDENTIALITY

17 (a) The Authority shall have all the powers necessary and convenient to  
18 carry out and effectuate the purposes and provisions of this chapter, including  
19 those general powers provided to a business corporation by Title 11A and  
20 those general powers provided to a nonprofit corporation by Title 11B and

1 including, without limitation of the general powers under Titles 11A and 11B,  
2 the power to:

3 (1) coordinate and facilitate community broadband efforts and to  
4 provide resources to communications union districts in the form of  
5 administrative and technical support as well as through grants, loans, and other  
6 forms of financial assistance consistent with the purposes and provisions of  
7 this chapter and as deemed appropriate by the Board of Directors, with input  
8 by the Executive Director;

9 (2) assist communications union districts with development of business  
10 plans that reflect local preferences;

11 (3) facilitate partnerships between communications union districts and  
12 potential partners, including incumbent and competitive communications  
13 providers and electric transmission and distribution utilities;

14 (4) advocate at the federal level for programs and policies that will  
15 accelerate the deployment of universal broadband in rural Vermont that is  
16 capable of speeds of at least 100 Mbps symmetrical;

17 (5) receive and accept grants, gifts, loans, or contributions from any  
18 source subject to the provisions of 32 V.S.A. § 5 and for the purpose of  
19 carrying out the purposes of this chapter;

20 (6) when authorized by one or more communications union districts,  
21 apply for grants, loans, permits, licenses, certificates, or approvals, or enter

1 into contractual arrangements for goods or services on behalf of or jointly with  
2 a communications union district or districts;

3 (7) consult with the Vermont Economic Development Authority and the  
4 Vermont Municipal Bond Bank with regard to financing community  
5 broadband projects;

6 (8) consult with agencies and departments regarding the establishment  
7 or modification of taxes and fees applicable to broadband providers, including  
8 the establishment of criteria for the waiver of such taxes and fees when  
9 providers offer to furnish comparable value to the State to meet the public  
10 good;

11 (9) assist communications union districts with pursuing route  
12 identification for fiber-optic infrastructure and with obtaining pole surveys and  
13 negotiating pole attachments;

14 (10) identify and publish State, federal, nonprofit, and any other  
15 broadband funding opportunities and assist communications union districts  
16 with completing grant and loan applications;

17 (11) provide input to the Department of Public Service on the  
18 development of the State's Telecommunications Plan; and

19 (12) do any and all things necessary or convenient to effectuate the  
20 purposes and provisions of this chapter and to carry out its purposes and  
21 exercise the powers given and granted in this chapter.

1       (b) Any records or information produced or acquired by the Authority that  
2       are trade secrets or confidential business information shall be exempt from  
3       public inspection and copying pursuant to 1 V.S.A. § 317(c)(9).

4       § 8086. ALLOCATION SYSTEM; FUNDING PRIORITIES

5       In reviewing funding proposals and determining the allocation of funds  
6       pursuant to programs administered by the Authority, the Authority shall give  
7       priority to projects that:

8           (1) provide service to unserved and underserved locations as part of a  
9       plan that achieves universal broadband coverage in a community or  
10       communications union district;

11           (2) support broadband service that is capable of speeds of at least 100  
12       Mbps symmetrical;

13           (3) leverage federal or public-private partnership resources;

14           (4) support low-income or disadvantaged communities;

15           (5) promote geographic diversity of fund allocations;

16           (6) provide consumers with affordable service options; and

17           (7) include public broadband assets that can be shared by multiple  
18       service providers and that can support a variety of public purposes.

1     § 8087. COMMUNITY BROADBAND PRECONSTRUCTION GRANT

2             PROGRAM

3             (a) There is established the Community Broadband Preconstruction Grant  
4             Program to be administered by the Authority. The purpose of the Program is  
5             to provide grants to communications union districts for preconstruction costs  
6             related to broadband projects. As used in this section, “preconstruction costs”  
7             include expenses for feasibility studies, business planning, pole data surveys,  
8             engineering and design, and make-ready work associated with the construction  
9             of broadband networks, including consultant, legal, and administrative  
10            expenses, and any other costs deemed appropriate by the Authority.

11            (b) To ensure an equitable distribution of funds under this Program and to  
12            encourage collaborative work among communications union districts, grant  
13            awards shall be scalable and shall be commensurate with the size of a  
14            broadband project as determined by the project’s service area, road mileage,  
15            the number of unserved or underserved locations, or any other metric deemed  
16            appropriate by the Authority. In addition, the Authority may permit a grantee  
17            to use a percentage of a grant award for grant management and may develop  
18            standards for the disbursement of grant funds in a manner that both supports  
19            the efficient and timely use of funds and also ensures accountability.



1     § 8088. SUBORDINATED LOAN PROGRAM

2           (a) The Authority shall establish a subordinated loan program for  
3     communications union districts to support projects that are consistent with the  
4     funding priorities established in section 8086 of this chapter, including by  
5     supplementing financing under the Vermont Economic Development  
6     Authority's Broadband Expansion Loan Program. Loans under this section  
7     shall be made upon such terms and conditions as may reasonably be expected  
8     to be fulfilled by the borrower.

9           (b) Lending decisions under this section shall be made by the Vermont  
10    Community Broadband Authority Board of Directors. The Vermont Economic  
11    Development Authority shall service all loans made pursuant to this section.  
12    In the event of default by a loan recipient, the Vermont Economic  
13    Development Authority shall consult with the Vermont Community Broadband  
14    Authority prior to commencing any collection action.

15    § 8089. ANNUAL REPORT

16           Notwithstanding 2 V.S.A. § 20(d), on or before January 15 of each year, the  
17    Authority shall submit a report of its activities pursuant to this chapter for the  
18    preceding year to the Senate Committee on Finance, the House Committee on  
19    Energy and Technology, and the Joint Information Technology Oversight  
20    Committee. The report shall include an operating and financial statement  
21    covering the Authority's operations during the year, including a summary of

1 all grant awards and contracts and agreements entered into by the Authority.

2 In addition, the report shall include a description of the progress each start-up  
3 communications union district has made in achieving long-term financial  
4 sustainability that is not dependent upon public funding, an update on its  
5 efforts to secure additional federal funds for broadband deployment, and  
6 progress made towards meeting the State's goal of ensuring every E-911  
7 location has access to broadband capable of delivering a minimum of 100  
8 Mbps symmetrical service as required in 30 V.S.A. § 202c(b)(10).

9 § 8089a. SUNSET; TRANSFER PLAN

10 (a) The Authority shall cease to exist on July 1, 2029.

11 (b) As part of its annual report submitted on or before January 15, 2029, the  
12 Authority shall develop a plan for transferring its assets, liabilities, and legal  
13 and contractual obligations to another appropriate State entity. The Authority  
14 may include in its report a recommendation regarding the continued existence  
15 of the Authority beyond its statutory sunset date.

16 Sec. 3. ORGANIZATIONAL MEETING; SPACE ALLOCATION

17 (a) Within 60 days following the effective date of this act, the Vermont  
18 Community Broadband Authority Board of Directors shall hold its initial  
19 organizational meeting. The Department of Public Service shall provide  
20 administrative support to the Authority for 180 days commencing on the date

1 of the Authority's initial organizational meeting, which shall be paid for from  
2 the Vermont Community Broadband Fund established in Sec. 2 of this act.

3 (b) Within 60 days following the effective date of this act, the  
4 Commissioner of Buildings and General Services shall allocate space for the  
5 Vermont Community Broadband Authority established in Sec. 2 of this act.

6 Sec. 4. REPEALS

7 The following provisions of law are repealed:

8 (1) 2019 Acts and Resolves No. 79, Sec. 10 (Broadband Innovation  
9 Grant Program); and

10 (2) 2020 Acts and Resolves No. 154, Sec. B1105.2 (amending the  
11 Broadband Innovation Grant Program).

12 Sec. 4a. POSITION TRANSFER

13 The position of Rural Broadband Technical Assistance Specialist shall be  
14 transferred from the Department of Public Service to the Vermont Community  
15 Broadband Authority upon the hiring of the Authority's Executive Director.

16 The Authority shall reimburse the Department for any expenses associated  
17 with the position and incurred by the Department in fiscal year 2022 prior to  
18 the transfer required by this section.

1       \* \* \* Universal Service Charge; Vermont Community Broadband Fund \* \* \*

2       Sec. 5. 30 V.S.A. § 7516 is amended to read:

3       § 7516. CONNECTIVITY FUND

4           (a) There is created a Connectivity Fund for the purpose of providing  
5       support to the High-Cost Program established under section 7515 of this  
6       chapter and the Connectivity Initiative established under section 7515b of this  
7       chapter. The fiscal agent shall determine annually, on or before November 1,  
8       the amount of monies available to the Connectivity Fund. Such funds shall be  
9       apportioned as follows: 45 percent to the High-Cost Program and 55 percent to  
10      the Connectivity Initiative.

11          (b) ~~Of the money transferred to the Connectivity Fund pursuant to~~  
12      ~~subsection 7523(b) of this title, up to \$120,000.00 shall be appropriated~~  
13      ~~annually to the Department of Public Service to fund a Rural Broadband~~  
14      ~~Technical Assistance Specialist whose duties shall include providing outreach,~~  
15      ~~technical assistance, and other support services to communications union~~  
16      ~~districts established pursuant to chapter 82 of this title and other units of~~  
17      ~~government, nonprofit organizations, cooperatives, and for-profit businesses~~  
18      ~~for the purpose of expanding broadband service to unserved and underserved~~  
19      ~~locations. Support services also may include providing business model~~  
20      ~~templates for various approaches, including formation of or partnership with a~~  
21      ~~cooperative, a communications union district, a rural economic development~~

1 ~~infrastructure district, an electric utility, or a new or existing Internet service~~  
2 ~~provider as operator of the network. Any remaining funds shall be used to~~  
3 ~~support the Connectivity Initiative established under section 7515b of this title.~~

4 [Repealed.]

5 Sec. 6. 30 V.S.A. § 7523(b) is amended to read:

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~~ Vermont Community Broadband Fund established under section 8084  
11 of this title.

12 \* \* \* Transfer of Fiber-optic Assets \* \* \*

13 Sec. 7. TRANSFER OF FIBER-OPTIC ASSETS

14 On or before September 30, 2021, the Department of Public Service shall  
15 transfer ownership of its fiber-optic assets to the communications union district  
16 in which those assets are located. The transfer shall include the transfer of  
17 rights and obligations under any existing contracts or lease agreements with  
18 third parties regarding the maintenance or use of the fiber-optic assets. In  
19 addition, the transfer shall include a requirement that, upon the dissolution of a  
20 communications union district, any such fiber assets shall become the property  
21 of the State to be managed by the Department of Public Service. A

1 communications union district may refuse to accept the transfer of assets  
2 authorized by this section, in which case the assets shall remain the property of  
3 the Department of Public Service. Nothing in this section shall preclude the  
4 Department from transferring fiber-optic assets to a communications union  
5 district that initially declined to accept such assets prior to September 30, 2021.

6 \* \* \* Connectivity Initiative; Department of Public Service \* \* \*

7 Sec. 8. 30 V.S.A. § 7515b is amended to read:

8 § 7515b. CONNECTIVITY INITIATIVE

9 (a) The purpose of the Connectivity Initiative is to provide each service  
10 location in Vermont access to ~~Internet service~~ broadband that is capable of  
11 speeds of at least ~~25 Mbps download and 3 Mbps upload, or the FCC speed~~  
12 ~~requirements established under Connect America Fund Phase II, whichever is~~  
13 ~~higher, beginning with locations not served as of December 31, 2013 according~~  
14 ~~to the minimum technical service characteristic objectives applicable at that~~  
15 ~~time~~ 100 Mbps symmetrical. Within this category of service locations, priority  
16 shall be given first to unserved and then to underserved locations that are part  
17 of a plan to achieve universal broadband coverage in a community or  
18 communications union district. As used in this section, “unserved” means a  
19 location ~~having access to only satellite or dial-up Internet service~~ that only has  
20 access to broadband capable of speeds of less than 4 Mbps download and 1  
21 Mbps upload and “underserved” means a location ~~having access to Internet~~

1 ~~service with speeds that exceed satellite and dial-up speeds but are less than~~  
2 that only has access to broadband capable of speeds of at least 4 Mbps  
3 download and 1 Mbps upload but less than 25 Mbps download and 3 Mbps  
4 upload. ~~Any new services funded in whole or in part by monies from this~~  
5 ~~Initiative shall be capable of being continuously upgraded to reflect the best~~  
6 ~~available, most economically feasible service capabilities.~~

7 (b) The Department of Public Service shall publish annually a list of ~~census~~  
8 ~~blocks~~ E-911 locations eligible for funding based on the Department's most  
9 recent broadband mapping data. The Department annually shall solicit  
10 proposals from ~~service providers~~ communications union districts and from  
11 service providers working in conjunction with a communications union district  
12 to provide universal broadband service in a community or communications  
13 union district, to deploy broadband to eligible ~~census blocks~~ E-911 locations.

14 Funding shall be available for capital improvements only, not for operating and  
15 maintenance expenses. The Department shall give priority to proposals that  
16 reflect the lowest cost of providing services to unserved and underserved  
17 locations; however, the Department also shall consider:

18 (1) the proposed data transfer rates and other data transmission  
19 characteristics of services that would be available to consumers;

20 (2) the price to consumers of services;

1           (3) the proposed cost to consumers of any new construction, equipment  
2 installation service, or facility required to obtain service;

3           (4) whether the proposal would use the best available technology that is  
4 economically feasible;

5           (5) the availability of service of comparable quality and speed; ~~and~~

6           (6) the objectives of the State's Telecommunications Plan; and

7           (7) the extent to which a proposal leverages federal or private funding  
8 opportunities.

9           (c) In order to ensure that grants are disbursed based on the value of work  
10 completed, the Department shall develop with each grantee a payment  
11 schedule that reflects the verified percentage of project completion. To verify  
12 project completion, the grantee shall retain a Department-approved third party  
13 to conduct independent field testing, which the Department may supplement  
14 with provider-supplied data and crowd-sourced user data. If deemed necessary  
15 by the Department, the Department may advance a grantee funds necessary for  
16 project commencement. The Department shall retain five percent of an award  
17 for two years after project completion to ensure continued compliance with  
18 contract terms. A grantee shall reimburse the Department any funds received  
19 for contracted work that is not completed pursuant to contract specifications.



1       (d) The Department shall maintain a publicly accessible inventory of  
2       completed broadband projects financed in whole or in part with grants under  
3       this section.

4       \* \* \* Connectivity Initiative; Vermont Community Broadband Authority \* \* \*

5       Sec. 9. 30 V.S.A. § 7515b is amended to read:

6       § 7515b. CONNECTIVITY INITIATIVE

7       (a) The Connectivity Initiative shall be administered by the Vermont  
8       Community Broadband Authority. The purpose of the Connectivity Initiative  
9       is to provide each service location in Vermont access to broadband that is  
10       capable of speeds of at least 100 Mbps symmetrical. Within this category of  
11       service locations, priority shall be given first to unserved and then to  
12       underserved locations that are part of a plan to achieve universal broadband  
13       coverage in a community or communications union district. As used in this  
14       section, “unserved” means a location that only has access to broadband  
15       capable of speeds of less than 4 Mbps download and 1 Mbps upload and  
16       “underserved” means a location that only has access to broadband capable of  
17       speeds of at least 4 Mbps download and 1 Mbps upload but less than 25 Mbps  
18       download and 3 Mbps upload.

19       (b) The Department of Public Service shall publish annually a list of E-911  
20       locations eligible for funding based on the Department’s most recent  
21       broadband mapping data. The ~~Department~~ Authority annually shall solicit

1 proposals from communications union districts and from service providers  
2 working in conjunction with a communications union district to provide  
3 universal broadband service in a community or communications union district,  
4 to deploy broadband to eligible E-911 locations. Funding shall be available for  
5 capital improvements only, not for operating and maintenance expenses. The  
6 ~~Department~~ Authority shall give priority to proposals that reflect the lowest  
7 cost of providing services to unserved and underserved locations; however, the  
8 ~~Department~~ Authority also shall consider:

- 9 (1) the proposed data transfer rates and other data transmission  
10 characteristics of services that would be available to consumers;
- 11 (2) the price to consumers of services;
- 12 (3) the proposed cost to consumers of any new construction, equipment  
13 installation service, or facility required to obtain service;
- 14 (4) whether the proposal would use the best available technology that is  
15 economically feasible;
- 16 (5) the availability of service of comparable quality and speed;
- 17 (6) the objectives of the State's Telecommunications Plan; and
- 18 (7) the extent to which a proposal leverages federal or private funding  
19 opportunities.

20 (c) In order to ensure that grants are disbursed based on the value of work  
21 completed, the ~~Department~~ Authority shall develop with each grantee a

1 payment schedule that reflects the verified percentage of project completion.  
2 To verify project completion, the grantee shall retain a ~~Department-approved~~  
3 an Authority-approved third party to conduct independent field testing, which  
4 the ~~Department~~ Authority may supplement with provider-supplied data and  
5 crowd-sourced user data. If deemed necessary by the ~~Department~~ Authority,  
6 the ~~Department~~ Authority may advance a grantee funds necessary for project  
7 commencement. The ~~Department~~ Authority shall retain five percent of an  
8 award for two years after project completion to ensure continued compliance  
9 with contract terms. A grantee shall reimburse the ~~Department~~ Authority any  
10 funds received for contracted work that is not completed pursuant to contract  
11 specifications.

12 (d) The ~~Department~~ Authority shall maintain a publicly accessible  
13 inventory of completed broadband projects financed in whole or in part with  
14 grants under this section.

15 \* \* \* Telecommunications and Connectivity Advisory Board \* \* \*

16 Sec. 10. 30 V.S.A. § 202f is amended to read:

17 § 202f. TELECOMMUNICATIONS AND CONNECTIVITY ADVISORY  
18 BOARD

19 (a) There is created the Telecommunications and Connectivity Advisory  
20 Board for the purpose of making recommendations to the Commissioner of  
21 Public Service regarding his or her telecommunications responsibilities and

1 duties as provided in this section. The Connectivity Advisory Board shall  
2 consist of eight members selected as follows:

3 (1) the State Treasurer or designee;

4 (2) the Secretary of Commerce and Community Development or  
5 designee;

6 (3) five at-large members appointed by the Governor, who shall not be  
7 employees or officers of the State at the time of appointment; and

8 (4) the Secretary of Transportation or designee.

9 (b) A quorum of the Connectivity Advisory Board shall consist of four  
10 voting members. No action of the Board shall be considered valid unless the  
11 action is supported by a majority vote of the members present and voting and  
12 then only if at least four members vote in favor of the action. The Governor  
13 shall select, from among the at-large members, a chair and vice chair.

14 (c) In making appointments of at-large members, the Governor shall give  
15 consideration to citizens of the State with knowledge of telecommunications  
16 technology, telecommunications regulatory law, transportation rights-of-way  
17 and infrastructure, finance, environmental permitting, and expertise regarding  
18 the delivery of telecommunications services in rural, high-cost areas.

19 However, the five at-large members may not be persons with a financial  
20 interest in or owners or employees of an enterprise that provides broadband or  
21 cellular service or that is seeking in-kind or financial support from the

1 Department of Public Service. The conflict of interest provision in this  
2 subsection shall not be construed to disqualify a member who has ownership in  
3 a mutual fund, exchange traded fund, pension plan, or similar entity that owns  
4 shares in such enterprises as part of a broadly diversified portfolio. The at-  
5 large members shall serve terms of two years beginning on February 1 in odd-  
6 numbered years and until their successors are appointed and qualified.  
7 However, three of the five at-large members first appointed by the Governor  
8 shall serve an initial term of three years. Vacancies shall be filled for the  
9 balance of the unexpired term. A member may be reappointed for up to three  
10 consecutive terms. Upon completion of a term of service for any reason,  
11 including the term's expiration or a member's resignation, and for one year  
12 from the date of such completion, a former Board member shall not advocate  
13 before the Connectivity Board, Department of Public Service, or the Public  
14 Utility Commission on behalf of an enterprise that provides broadband or  
15 cellular service.

16 (d) Except for those members otherwise regularly employed by the State,  
17 the compensation of the Board's members is that provided by 32 V.S.A.  
18 § 1010(a). All members of the Board, including those members otherwise  
19 regularly employed by the State, shall receive their actual and necessary  
20 expenses when away from home or office upon their official duties.

1 (e) In performing its duties, the Connectivity Advisory Board may use the  
2 legal and technical resources of the Department of Public Service. The  
3 Department of Public Service shall provide the Board with administrative  
4 services.

5 (f) The Connectivity Advisory Board shall:

6 (1) ~~have review and nonbinding approval authority with respect to the~~  
7 ~~awarding of grants under the Connectivity Initiative. The Commissioner shall~~  
8 ~~have sole authority to make the final decision on grant awards, as provided in~~  
9 ~~subsection (g) of this section.~~

10 ~~(2)~~ function in an advisory capacity to the Commissioner on the  
11 development of State telecommunications policy and planning, including the  
12 action plan required under subdivision 202e(b)(6) of this chapter and the State  
13 Telecommunications Plan; and

14 ~~(3) annually advise the Commissioner on the development of requests~~  
15 ~~for proposals under the Connectivity Initiative.~~

16 ~~(4) annually provide the Commissioner with recommendations for the~~  
17 ~~apportionment of funds to the High-Cost Program and the Connectivity~~  
18 ~~Initiative.~~

19 ~~(5)~~(2) annually provide the Commissioner with recommendations on the  
20 appropriate Internet access speeds for publicly funded telecommunications and  
21 connectivity broadband projects.

1       ~~(g) The Commissioner shall make an initial determination as to whether a~~  
2       ~~proposal submitted under the Connectivity Initiative meets the criteria of the~~  
3       ~~request for proposals. The Commissioner shall then provide the Connectivity~~  
4       ~~Advisory Board a list of all eligible proposals and recommendations. The~~  
5       ~~Connectivity Advisory Board shall review the recommendations of the~~  
6       ~~Commissioner and may review any proposal submitted, as it deems necessary,~~  
7       ~~and either approve or disapprove each recommendation and may make new~~  
8       ~~recommendations for the Commissioner's final consideration. The~~  
9       ~~Commissioner shall have final decision-making authority with respect to the~~  
10       ~~awarding of grants under the Connectivity Initiative. If the Commissioner~~  
11       ~~does not accept a recommendation of the Board, he or she shall provide the~~  
12       ~~Board with a written explanation for such decision.~~

13       ~~(h)~~ On November 15, 2019, and annually thereafter, the Commissioner  
14       shall submit to the Connectivity Advisory Board an accounting of monies in  
15       the Connectivity Fund and anticipated revenue for the next year.

16       ~~(i)~~(h) The Chair shall call the first meeting of the Connectivity Advisory  
17       Board. The Chair or a majority of Board members may call a Board meeting.  
18       The Board may meet up to six times a year.

19       ~~(j)~~(i) At least annually, the Connectivity Advisory Board and the  
20       Commissioner or designee shall jointly hold a public meeting to review and  
21       discuss the status of State telecommunications policy and planning, the

1 Telecommunications Plan, the Connectivity Fund, the Connectivity Initiative,  
2 the High-Cost Program, and any other matters they deem necessary to fulfill  
3 their obligations under this section.

4 ~~(k)~~(j) Information and materials submitted by a telecommunications service  
5 provider concerning confidential financial or proprietary information shall be  
6 exempt from public inspection and copying under the Public Records Act, nor  
7 shall any information that would identify a provider who has submitted a  
8 proposal under the Connectivity Initiative be disclosed without the consent of  
9 the provider, unless a grant award has been made to that provider. Nothing in  
10 this subsection shall be construed to prohibit the publication of statistical  
11 information, determinations, reports, opinions, or other information ~~so long as~~  
12 provided the data are disclosed in a form that cannot identify or be associated  
13 with a particular telecommunications service provider.

14 \* \* \* VEDA; Broadband Expansion Loan Program; Lending Capacity \* \* \*

15 Sec. 11. 10 V.S.A. § 280ee is amended to read:

16 § 280ee. BROADBAND EXPANSION LOAN PROGRAM

17 (a) Creation. There is established within the Authority the Vermont  
18 Broadband Expansion Loan Program (~~the Program~~), the purpose of which is to  
19 enable the Authority to make loans that expand broadband service to unserved  
20 and underserved Vermonters as part of a plan to achieve universal broadband  
21 coverage in a community or communications union district.



1           (b) Intent. It is understood that loans under the Program may be high-  
2 risk loans to likely start-up businesses and therefore losses in the Program may  
3 be higher than the Authority's historical loss rate. Loans shall be underwritten  
4 by the Authority utilizing underwriting parameters that acknowledge the higher  
5 risk nature of these loans. The Authority shall not make a loan unless the  
6 Authority has a reasonable expectation of the long-term viability of the  
7 business. The Program is intended to provide start-up loans until such time as  
8 the borrower can refinance the loans through, for example, the municipal  
9 revenue bond market.

10          (c)(1) Requirements. The Authority shall make loans for start-up and  
11 expansion ~~that enable Internet service providers to expand broadband~~  
12 ~~availability of broadband projects~~ in unserved and underserved locations as  
13 part of a plan to achieve universal broadband coverage in a community or  
14 communications union district.

15          (2) The Authority shall establish policies and procedures for the  
16 Program necessary to ensure the expansion of broadband availability to the  
17 largest number of Vermont addresses as possible. The policies shall specify  
18 that:

19           (A) loans may be made in an amount of up to \$4,000,000.00;

1 (B) eligible borrowers include ~~communications union districts and~~  
2 ~~other units of government, nonprofit organizations, cooperatives, and for-profit~~  
3 ~~businesses;~~

4 (i) communications union districts;

5 (ii) Internet service providers working in conjunction with a  
6 communications union district to expand broadband service to unserved and  
7 underserved locations as part of a plan to achieve universal broadband  
8 coverage in the district; and

9 (iii) Internet service providers working in conjunction with a  
10 municipality that was not part of a communications union district prior to  
11 December 1, 2020 to expand broadband service to unserved and underserved  
12 locations as part of a plan to achieve universal broadband coverage in such  
13 municipality;

14 (C) ~~a loan shall not exceed 90 percent of project costs;~~

15 ~~(D)~~ interest and principal may be deferred up to ~~two~~ three years;

16 ~~(E)(D)~~ a maximum of \$10,800,000.00 in Authority loans may be  
17 ~~made outstanding~~ under the Program commencing on June 20, 2019; ~~and~~

18 ~~(F)(E)~~ the provider shall offer to all customers broadband service that  
19 is capable of speeds of at least 100 Mbps symmetrical; and

1           (F) not more than one-sixth of the total allowable loans under this  
2           Program shall be available to eligible borrowers under subdivision (2)(B)(iii)  
3           of this subsection (c).

4           (3) To ensure the limited funding available through the Program  
5           supports the highest-quality broadband available to the most Vermonters and  
6           prioritizes delivering services to the unserved and underserved, the Authority  
7           shall consult with the Department of Public Service and the Vermont  
8           Community Broadband Authority.

9           (d) On or before January 1, 2020, and annually thereafter, the Authority  
10          shall submit a report of its activities pursuant to this section to the Senate  
11          Committee on Finance and the House Committees on Commerce and  
12          Economic Development and on Energy and Technology. Each report shall  
13          include operating and financial statements for the two most recently concluded  
14          State fiscal years. In addition, each report shall include information on the  
15          Program portfolio, including the number of projects financed; the amount,  
16          terms, and repayment status of each loan; and a description of the broadband  
17          projects financed in whole or in part by the Program.

18          Sec. 12. 10 V.S.A. § 280ff is amended to read:

19          § 280ff. FUNDING

20          (a) The State Treasurer, in consultation with the Secretary of  
21          Administration, shall negotiate an agreement with the Authority incorporating

1 the provisions of this section and consistent with the requirements of this  
2 subchapter.

3 (b) ~~Repayment from or appropriation~~ State appropriations to the Authority  
4 ~~in years 2021 and until the Program terminates is~~ are based on the Authority's  
5 contributions to loan loss reserves for the Program in accordance with  
6 generally accepted accounting principles. Any difference between the actual  
7 loan losses incurred by the Authority in a fiscal year ~~2020 through Program~~  
8 ~~termination~~ shall be adjusted in the following year's appropriation.

9 (1) ~~The Program shall terminate when all borrowers enrolled in the~~  
10 ~~Program have repaid in full or loans have been charged off against the reserves~~  
11 ~~of the Authority.~~

12 (2) ~~Upon termination of the Program, any remaining funds held by the~~  
13 ~~Authority and not used for the Program shall be repaid to the State~~ This is a  
14 revolving loan program.

15 (3)~~(2)~~ The accumulated total of the appropriation shall not exceed  
16 \$8,500,000.00 over the life of the Program.

17 (4)~~(3)~~ The Authority shall absorb its historical loan loss reserve rate  
18 before any State funds are expended.

19 (5)~~(4)~~ Additionally, the Authority shall absorb up to \$3,000,000.00 in  
20 Program losses shared with the State on a pro rata basis.

1 Sec. 13. [Deleted.]

2 Sec. 14. [Deleted.]

3 \* \* \* CUDs; Public Records Act; Trade Secret Exemption; Intent \* \* \*

4 Sec. 15. 30 V.S.A. § 3084 is added to read:

5 § 3084. CONFIDENTIALITY; LEGISLATIVE INTENT

6 The purpose of this section is to clarify that any records or information  
7 produced or acquired by a district that are trade secrets or confidential business  
8 information shall be exempt from public inspection and copying pursuant to  
9 1 V.S.A. § 317(c)(9). Such records or information shall be available for  
10 public inspection after project completion.

11 \* \* \* Property Tax Exemption; Broadband Infrastructure \* \* \*

12 Sec. 16. 32 V.S.A. § 3802 is amended to read:

13 § 3802. PROPERTY TAX

14 The following property shall be exempt from taxation:

15 \* \* \*

16 (19) Real and personal property, except land, owned by an electric  
17 distribution utility that comprises broadband infrastructure, including  
18 structures, machinery, lines, poles, wires, and fixtures, provided the  
19 infrastructure is leased to a communications union district or to an Internet  
20 service provider working in conjunction with a communications union district,  
21 and is primarily for the purpose of providing broadband service capable of

1 speeds of at least 100 Mbps symmetrical. This exemption applies only to  
2 broadband infrastructure constructed on or after July 1, 2021.

3 (20) Real and personal property, except land, owned by an Internet  
4 service provider that comprises broadband infrastructure, including structures,  
5 machinery, lines, poles, wires, and fixtures, provided the infrastructure is  
6 capable of speeds of at least 100 Mbps symmetrical, is part of a plan to achieve  
7 universal broadband coverage in a community or communications union  
8 district with unserved and underserved locations, is constructed on or after  
9 July 1, 2021, and further provided:

10 (A) this plan is affirmed in writing by the Department of Public  
11 Service; and

12 (B) the broadband service is being provided pursuant to a contractual  
13 arrangement entered into between the Internet service provider and either a  
14 communications union district in which the broadband infrastructure is located  
15 or other municipality in which the broadband infrastructure is located,  
16 provided such other municipality was not part of a communications union  
17 district prior to December 1, 2020.

18 Sec. 17. 32 V.S.A. § 3800(n) is added to read:

19 (n) The statutory purpose of the exemptions for broadband infrastructure in  
20 subdivisions 3802(19) and (20) of this title is to lower the cost of broadband  
21 deployment in unserved and underserved areas of Vermont.

1 Sec. 18. 32 V.S.A. § 3602a is amended to read:

2 § 3602a. FACILITIES USED IN THE GENERATION, TRANSMISSION,  
3 OR DISTRIBUTION OF ELECTRIC POWER

4 All structures, machinery, poles, wires, and fixtures of all kinds and  
5 descriptions used in the generation, transmission, or distribution of electric  
6 power that are so fitted and attached as to be part of the works or facilities used  
7 to generate, transmit, or distribute electric power shall be set in the grand list as  
8 real estate. Nothing in this section shall alter the scope of the ~~exemption in~~  
9 ~~subdivision~~ exemptions in subdivisions 3803(2) and 3802(19) and (20) of this  
10 title, nor shall it alter the taxation of municipally owned improvements  
11 accorded by section 3659 of this title.

12 Sec. 19. 32 V.S.A. § 3620 is amended to read:

13 § 3620. ELECTRIC UTILITY POLES, LINES, AND FIXTURES

14 Electric utility poles, lines, and fixtures owned by nonmunicipal utilities  
15 shall be taxed at appraisal value as defined by section 3481 of this title, except  
16 as provided under subdivisions 3802(19) and (20) of this title.

17 \* \* \* Communications Workforce Development \* \* \*

18 Sec. 20. BROADBAND OCCUPATIONAL NEEDS SURVEY

19 (a) The Commissioner of Labor shall conduct an occupational needs survey  
20 to determine workforce needs in the communications sector specific to  
21 broadband buildout and maintenance. In conducting this survey, the

1 Commissioner shall solicit input from employers and subcontractors  
2 throughout the State. The Department of Public Service and communications  
3 union districts shall assist the Department of Labor in identifying employers  
4 with workforce needs connected to this act. The purpose of the survey is to  
5 identify current and future employment opportunities and the prerequisite skills  
6 needed for widespread worker recruitment and building a talent pipeline to  
7 support the goals of this act.

8 (b) The Commissioner shall report his or her findings and  
9 recommendations to the relevant legislative committees of jurisdiction on or  
10 before January 15, 2022.

11 (c) Employers who do not participate in supplying information for this  
12 report will not be eligible for grant funding under this act.

13 Sec. 21. FTTX; INCUMBENT TRAINING PROGRAM

14 Vermont Technical College, in consultation with the Vermont Department  
15 of Labor, shall establish an incumbent training program for communications  
16 installers and technicians. The goal of the program is to provide skills  
17 upgrades for existing employees. Up to \$40,000.00 is appropriated from the  
18 Vermont Department of Labor's fiscal year 2022 Training Fund to support this  
19 training program.



1       Sec. 22. BROADBAND INSTALLER APPRENTICESHIP PROGRAM

2           The Commissioner of Labor, working with broadband employers, shall  
3       establish a federally registered apprenticeship program that meets one or more  
4       occupational needs related to the installation and maintenance of broadband  
5       networks.

6                                   \* \* \* Appropriations; Fund Transfers \* \* \*

7       Sec. 23. APPROPRIATIONS; FUND TRANSFERS

8           (a) Appropriations. The following appropriations are contemplated by this  
9       act:

10           (1) \$6,300,000.00 to the Community Broadband Preconstruction Grant  
11       Program established in Sec. 2 of this act;

12           (2) \$500,000.00 to the Vermont Community Broadband Fund  
13       established in Sec. 2 of this act to support the start-up costs of the Vermont  
14       Community Broadband Authority; however, the Authority shall reimburse the  
15       General Fund this amount in fiscal year 2022;

16           (3) \$100,000.00 to the Department of Labor to support the broadband  
17       occupational needs survey required by Sec. 20 and the broadband installer  
18       apprenticeship program established in Sec. 22 of this act as follows:

19           (A) \$3,000.00 to finance the development of the apprenticeship  
20       program;

1           (B) \$90,000.00 to support the related instruction tuition and on-the-  
2 job training contracts with employer-sponsors under the apprenticeship  
3 program; and

4           (C) \$7,000.00 to support work related to developing, conducting, and  
5 reporting on the occupational needs survey that is not federally funded; and

6           (4) \$24,000,000.00 to the Vermont Community Broadband Authority  
7 for the subordinated loan program established in Sec. 2 of this act.

8           (b) Funding sources. Funding sources for the appropriations in subsection  
9 (a) of this section are as follows:

10           (1) Unexpended Coronavirus Relief Funds appropriated to the  
11 Department of Public Service in 2020.

12           (2) Unexpended funds from the \$900,000.00 appropriated to the  
13 Department of Public Service in 2017 Acts and Resolves No. 84, Sec. 16c, as  
14 amended by 2018 Acts and Resolves No. 190, Sec. 14, and by 2019 Acts and  
15 Resolves No. 79, Secs. 27a and 27b.

16           (3) Fiscal year 2021, one-time General Fund appropriations shall  
17 support the programs in subdivisions (a)(1), (2), (3), and (4) of this section.

18           (c) Fund transfers.

19           (1) Any funds remaining in the Broadband Innovation Grant Program  
20 established by 2019 Acts and Resolves No. 79, Sec. 10, as of January 1, 2022  
21 shall be transferred to the Vermont Community Broadband Fund.

1           (2) The Vermont Community Broadband Authority shall be  
2           redesignated as the responsible entity for administering the \$1,000,000.00  
3           grant award to the Department of Public Service by the Northern Border  
4           Regional Commission (NBRC) for the purpose of supporting communications  
5           union districts.

6                           \* \* \* Legislative Priorities for Federal Funds \* \* \*

7           Sec. 24. LEGISLATIVE PRIORITIES; FEDERAL FUNDS

8           With respect to federal funds potentially available to the State of Vermont  
9           in fiscal years 2021 and 2022, the General Assembly establishes as a high  
10           priority providing support for community efforts that advance the State's goal  
11           of achieving universal access to reliable, high-quality, affordable broadband  
12           consistent with the policies, purposes, and programs established under  
13           30 V.S.A. chapter 91A, concerning the Vermont Community Broadband  
14           Authority established in Sec. 2 of this act.

15                           \* \* \* Effective Dates \* \* \*

16           Sec. 25. EFFECTIVE DATES

17           This act shall take effect on passage, except that:

18                   (1) Secs. 16–19 (property tax exemption for broadband infrastructure)  
19           shall take effect on July 1, 2021; and

20                   (2) Sec. 4 (repeal of the Broadband Innovation Grant Program), Sec. 9  
21           (administration of the Connectivity Initiative by the Vermont Community

- 1 Broadband Authority), and Sec. 10 (Telecommunications and Connectivity
- 2 Advisory Board) shall take effect on January 1, 2022.