

1 **Revisions Highlighted in Green**

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, and social needs of
15 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) one public member selected by the Vermont Communications Union
14 District Association;

15 (3) two public members appointed by the Governor, who shall not be
16 employees or officers of the State at the time of appointment;

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

19 (5) one public member appointed by the Senate Committee on
20 Committees, who shall not be a member of the General Assembly at the time
21 of the appointment; and

1 (6) the Executive Director of the Authority.

2 (c) In making appointments of public members, the appointing authorities
3 shall give consideration to citizens of the State with knowledge of
4 communications technology; communications law and policy; broadband
5 deployment in rural, high-cost areas; finance; and electric utility law and
6 policy.

7 (d) The public members shall serve terms of three years beginning on
8 February 1 of the year of appointment. However, two of the public members
9 first appointed by the Governor shall serve initial terms of one year; and the
10 public members first appointed by the Speaker and the Committee on
11 Committees shall serve initial terms of two years. A vacancy occurring among
12 the public members shall be filled by the respective appointing authority for
13 the balance of the unexpired term. A member may be reappointed.

14 (e) The Authority’s powers are vested in the Board of Directors. At its
15 initial organizational meeting, and annually thereafter, the Board shall elect
16 from among its public members a chair and vice chair. The Board may elect
17 officers as it may determine. Meetings shall be held at the call of the Chair or
18 at the request of three members. A majority of sitting members shall constitute
19 a quorum, and action taken by the Board under the provisions of this chapter
20 may be authorized by a majority of the members present and voting at any
21 regular or special meeting.

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

6 (g) The Authority shall hire and employ an Executive Director who shall be
7 a voting member of the Board and who shall serve as the Authority’s chief
8 administrative officer and shall direct and supervise the Authority’s
9 administrative affairs and technical activities in accordance with any rules and
10 policies set forth by the Authority. In addition to any other duties, the
11 Executive Director shall:

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

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

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

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

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

3 (h) The Executive Director shall hire three employees to support the
4 Authority and communications union districts in the areas of finance, network
5 planning and technical design, and grant writing to effect the purposes and
6 programs of this chapter and also to perform administrative functions. The
7 Executive Director may fix the qualifications, duties, and compensation of
8 employees hired pursuant to this subsection. The Authority shall use the
9 Office of the Attorney General for legal services, as well as contract for legal
10 services as needed.

11 § 8084. VERMONT COMMUNITY BROADBAND FUND

12 (a) There is created a special fund in the State Treasury to be known as the
13 “Vermont Community Broadband Fund.” The Fund shall be administered by
14 the Authority and expenditures therefrom shall only be made to implement and
15 effectuate the policies and purposes of this chapter. The Fund shall be
16 composed of any monies from time to time appropriated to the Fund by the
17 General Assembly or received from any other source, private or public,
18 approved by the Authority. Unexpended balances and any earning shall
19 remain in the Fund for use in accord with the purposes of this chapter.

20 (b) The money transferred to the Fund pursuant to subsection 7523(b) of
21 this title shall be used to fund the operational expenses of the Authority,

1 including a Rural Broadband Technical Assistance Specialist, whose duties
2 shall include providing outreach, technical assistance, and other support
3 services to communications union districts.

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

10 § 8085. GENERAL POWERS AND DUTIES; CONFIDENTIALITY

11 (a) The Authority shall have all the powers necessary and convenient to
12 carry out and effectuate the purposes and provisions of this chapter, including
13 those general powers provided to a business corporation by Title 11A and
14 those general powers provided to a nonprofit corporation by Title 11B and
15 including, without limitation of the general powers under Title 11A and 11B,
16 the power to:

17 (1) coordinate and facilitate community broadband efforts and to
18 provide resources to communications union districts in the form of
19 administrative and technical support as well as through grants, loans, and other
20 forms of financial assistance consistent with the purposes and provisions of the

1 chapter and as deemed appropriate by the Board of Directors, with input by the

2 Executive Director;

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

5 (3) facilitate partnerships between communications union districts and
6 potential partners, including incumbent and competitive communications
7 providers and electric transmission and distribution utilities;

8 (4) advocate at the federal level for programs and policies that will
9 accelerate the deployment of universal, symmetrical broadband in rural
10 Vermont;

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

14 (6) when authorized by one or more communications union districts,
15 apply for grants, loans, permits, licenses, certificates, or approvals, or enter
16 into contractual arrangements for goods or services on behalf of or jointly with
17 a communications union district or districts;

18 (7) consult with the Vermont Economic Development Authority and the
19 Vermont Municipal Bond Bank with regard to financing community
20 broadband projects;

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

6 (9) assist communications union districts with pursuing route
7 identification for fiber-optic infrastructure and with obtaining pole surveys and
8 negotiating pole attachments;

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

12 (11) provide input to the Department of Public Service on the
13 development of the State’s Telecommunications Plan; and

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

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

1 § 8086. ALLOCATION SYSTEM; FUNDING PRIORITIES

2 In reviewing funding proposals and determining the allocation of funds
3 pursuant to programs administered by the Authority, the Authority shall give
4 priority to projects that:

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

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

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

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

12 (5) promote geographic diversity of fund allocations; and

13 (6) provide consumers with affordable service options.

14 § 8087. COMMUNITY BROADBAND PRECONSTRUCTION GRANT
15 PROGRAM

16 (a) There is established the Community Broadband Preconstruction Grant
17 Program to be administered by the Authority. The purpose of the Program is
18 to provide grants to communications union districts for preconstruction costs
19 related to broadband projects. As used in this section, “preconstruction costs”
20 include expenses for feasibility studies, business planning, pole data surveys,
21 engineering and design, and makeready work associated with the construction

1 of broadband networks, including consultant, legal, and administrative
2 expenses, and any other costs deemed appropriate by the Authority.

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

12 § 8088. SUBORDINATED LOAN PROGRAM

13 (a) The Authority shall establish a subordinated loan program to
14 supplement financing obtained by a communications union district under the
15 Vermont Economic Development Authority’s Broadband Expansion Loan
16 Program. Loans under this section shall be made upon such terms and
17 conditions as may reasonably be expected to be fulfilled by the borrower.

18 (b) Lending decisions under this section shall be made by the Vermont
19 Community Broadband Authority Board of Directors. The Vermont Economic
20 Development Authority shall service all loans made pursuant to this section.
21 In the event of default by a loan recipient, the Vermont Economic

1 Development Authority shall consult with the Vermont Community Broadband
2 Authority prior to commencing any collection action.

3 § 8089. ANNUAL REPORT

4 Notwithstanding 2 V.S.A. § 20(d), on or before January 15 of each year, the
5 Authority shall submit a report of its activities pursuant to this chapter for the
6 preceding year to the Senate Committee on Finance, the House Committee on
7 Energy and Technology, and the Joint Information Technology Oversight
8 Committee. The report shall include an operating and financial statement
9 covering the Authority’s operations during the year, including a summary of
10 all grant awards and contracts and agreements entered into by the Authority.

11 In addition, the report shall include a description of the progress each start-up
12 communications union district has made in achieving long-term financial
13 sustainability that is not dependent upon public funding; an update on its
14 efforts to secure additional federal funds for broadband deployment; and
15 progress made towards meeting the State’s goal of ensuring every E-911
16 location has access to broadband capable of delivering a minimum of 100
17 Mbps symmetrical service by the end of the year 2024, as required in 30
18 V.S.A. § 202c(b)(10).

19 § 8089a. SUNSET; TRANSFER PLAN

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

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

6 Sec. 3. ORGANIZATIONAL MEETING; SPACE ALLOCATION

7 (a) Within 60 days of the effective date of this act, the Vermont
8 Community Broadband Authority Board of Directors shall hold its initial
9 organizational meeting. The Department of Public Service shall provide
10 administrative support to the Authority for 180 days commencing on the date
11 of the Authority’s initial organizational meeting, which shall be paid for from
12 the Vermont Community Broadband Fund established in Sec. 2 of this act.

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

16 Sec. 4. REPEALS

17 The following provisions of law are repealed:

18 (1) 2019 Acts and Resolves No. 79, Sec. 10 (Broadband Innovation
19 Grant Program).

20 (2) 2020 Acts and Resolves No. 154, Sec. B1105.2 (amending the
21 Broadband Innovation Grant Program).

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 become remain the
3 property of the Department of Public Service. Nothing in this section shall
4 preclude the Department from transferring fiber-optic assets to a
5 communications union district that initially declined to accept such assets prior
6 to September 30, 2021.

7 * * * Connectivity Initiative; Department of Public Service * * *

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

9 § 7515b. CONNECTIVITY INITIATIVE

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

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

8 (b) The Department of Public Service shall publish annually a list of ~~census~~
9 ~~blocks~~ E-911 locations eligible for funding based on the Department’s most
10 recent broadband mapping data. The Department annually shall solicit
11 proposals from service providers to deploy broadband to eligible ~~census blocks~~
12 E-911 locations. Funding shall be available for capital improvements only, not
13 for operating and maintenance expenses. The Department shall give priority to
14 proposals that reflect the lowest cost of providing services to unserved and
15 underserved locations; however, the Department also shall consider:

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

18 (2) the price to consumers of services;

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

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

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

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

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

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

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

21 * * * Connectivity Initiative; Vermont Community Broadband Authority * * *

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

2 § 7515b. CONNECTIVITY INITIATIVE

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

17 (b) The Department of Public Service shall publish annually a list of E-911
18 locations eligible for funding based on the Department’s most recent
19 broadband mapping data. The ~~Department~~ Authority annually shall solicit
20 proposals from ~~service providers~~ communications union districts and from
21 service providers working in conjunction with a communications union district

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

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

18 (c) In order to ensure that grants are disbursed based on the value of work
19 completed, the ~~Department~~ Authority shall develop with each grantee a
20 payment schedule that reflects the verified percentage of project completion.
21 To verify project completion, the grantee shall retain a ~~Department-approved~~

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

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

13 * * * Telecommunications and Connectivity Advisory Board * * *

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

15 § 202f. TELECOMMUNICATIONS AND CONNECTIVITY ADVISORY
16 BOARD

17 (a) There is created the Telecommunications and Connectivity Advisory
18 Board for the purpose of making recommendations to the Commissioner of
19 Public Service regarding his or her telecommunications responsibilities and
20 duties as provided in this section. The Connectivity Advisory Board shall
21 consist of eight members selected as follows:

1 (1) the State Treasurer or designee;

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

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

6 (4) the Secretary of Transportation or designee.

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

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

17 However, the five at-large members may not be persons with a financial
18 interest in or owners or employees of an enterprise that provides broadband or
19 cellular service or that is seeking in-kind or financial support from the
20 Department of Public Service. The conflict of interest provision in this
21 subsection shall not be construed to disqualify a member who has ownership in

1 a mutual fund, exchange traded fund, pension plan, or similar entity that owns
2 shares in such enterprises as part of a broadly diversified portfolio. The at-
3 large members shall serve terms of two years beginning on February 1 in odd-
4 numbered years and until their successors are appointed and qualified.

5 However, three of the five at-large members first appointed by the Governor
6 shall serve an initial term of three years. Vacancies shall be filled for the
7 balance of the unexpired term. A member may be reappointed for up to three
8 consecutive terms. Upon completion of a term of service for any reason,
9 including the term's expiration or a member's resignation, and for one year
10 from the date of such completion, a former Board member shall not advocate
11 before the Connectivity Board, Department of Public Service, or the Public
12 Utility Commission on behalf of an enterprise that provides broadband or
13 cellular service.

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

19 (e) In performing its duties, the Connectivity Advisory Board may use the
20 legal and technical resources of the Department of Public Service. The

1 Department of Public Service shall provide the Board with administrative
2 services.

3 (f) The Connectivity Advisory Board shall:

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

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

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

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

17 ~~(5)~~(2) annually provide the Commissioner with recommendations on the
18 appropriate Internet access speeds for publicly funded telecommunications and
19 connectivity broadband projects.

20 (g) ~~The Commissioner shall make an initial determination as to whether a~~
21 ~~proposal submitted under the Connectivity Initiative meets the criteria of the~~

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

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

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

17 (j) At least annually, the Connectivity Advisory Board and the
18 Commissioner or designee shall jointly hold a public meeting to review and
19 discuss the status of State telecommunications policy and planning, the
20 Telecommunications Plan, the Connectivity Fund, the Connectivity Initiative,

1 the High-Cost Program, and any other matters they deem necessary to fulfill
2 their obligations under this section.

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

13 * * * VEDA; Broadband Expansion Loan Program; Lending Capacity * * *

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

15 § 280ee. BROADBAND EXPANSION LOAN PROGRAM

16 (a) Creation. There is established within the Authority the Vermont
17 Broadband Expansion Loan Program (~~the Program~~), the purpose of which is to
18 enable the Authority to make loans that expand broadband service to unserved
19 and underserved Vermonters as part of a plan to achieve universal broadband
20 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 the municipal revenue bond
9 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
20 \$8,000,000.00;

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) a maximum of ~~\$10,800,000.00~~ \$36,000,000.00 in Authority loans
17 may be made under the Program commencing on June 20, 2019; ~~and~~

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

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

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 or appropriation~~ State appropriations to the Authority ~~in~~
4 ~~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~~ \$27,000,000.00.

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~~
20 \$9,000,000.00 in Program losses shared with the State on a pro rata basis.

21 Sec. 13. 10 V.S.A. § 219(d) is amended to read:

1 (d) In order to ensure the maintenance of the debt service reserve
2 requirement in each debt service reserve fund established by the Authority,
3 there may be appropriated annually and paid to the Authority for deposit in
4 each such fund, such sum as shall be certified by the Chair of the Authority, to
5 the Governor, the President of the Senate, and the Speaker of the House, as is
6 necessary to restore each such debt service reserve fund to an amount equal to
7 the debt service reserve requirement for such fund. The Chair shall annually,
8 on or about February 1, make, execute, and deliver to the Governor, the
9 President of the Senate, and the Speaker of the House, a certificate stating the
10 sum required to restore each such debt service reserve fund to the amount
11 aforesaid, and the sum so certified may be appropriated, and if appropriated,
12 shall be paid to the Authority during the then current State fiscal year. The
13 principal amount of bonds or notes outstanding at any one time and secured in
14 whole or in part by a debt service reserve fund to which State funds may be
15 appropriated pursuant to this subsection shall not exceed ~~\$181,000,000.00~~
16 \$193,000,000.00, provided that the foregoing shall not impair the obligation of
17 any contract or contracts entered into by the Authority in contravention of the
18 Constitution of the United States.

19 Sec. 14. 30 V.S.A. § 8064(a)(1) is amended to read:

20 (a)(1) The Authority may issue its negotiable notes and bonds in such
21 principal amount as the Authority determines to be necessary to provide

1 sufficient funds for achieving any of its corporate purposes, including the
2 payment of interest on notes and bonds of the Authority, establishment of
3 reserves to secure the notes and bonds including the reserve funds created
4 under section 8065 of this title, and all other expenditures of the Authority
5 incident to and necessary or convenient to carry out its corporate purposes and
6 powers. However, the bonds or notes of the Authority outstanding at any one
7 time shall not exceed ~~\$34,000,000.00~~ \$22,000,000.00. No bonds shall be
8 issued under this section without the prior approval of the Governor and the
9 State Treasurer or their respective designees. In addition, before the Authority
10 may initially exercise its bonding authority granted by this section, it shall
11 submit to the Emergency Board of the State a current business plan, including
12 an explanation of the bond issue or issues initially proposed.

13 * * * CUDs; Public Records Act; Trade Secret Exemption; Intent * * *

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

15 § 3084. CONFIDENTIALITY; LEGISLATIVE INTENT

16 The purpose of this section is to clarify that any records or information
17 produced or acquired by a district that are trade secrets or confidential business
18 information shall be exempt from public inspection and copying pursuant to
19 1 V.S.A. § 317(c)(9). Such records or information shall be available for
20 public inspection after project completion.

21 * * * Property Tax Exemption; Broadband Infrastructure * * *

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

2 § 3802. PROPERTY TAX

3 The following property shall be exempt from taxation:

4 * * *

5 (19) Real and personal property, except land, owned by an electric
6 distribution utility that comprises broadband infrastructure, including
7 structures, machinery, lines, poles, wires, and fixtures, provided the
8 infrastructure is leased to a communications union district or to an Internet
9 service provider working in conjunction with a communications union district,
10 and is primarily for the purpose of providing broadband service capable of
11 speeds of at least 100 Mbps symmetrical. This exemption applies only to
12 broadband infrastructure constructed on or after July 1, 2021.

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

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

1 (B) the broadband service is being provided pursuant to a contractual
2 arrangement entered into between the Internet service provider and either a
3 communications union district in which the broadband infrastructure is located
4 or other municipality in which the broadband infrastructure is located,
5 provided such other municipality was not part of a communications union
6 district prior to December 1, 2020.

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

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

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

12 § 3602a. FACILITIES USED IN THE GENERATION, TRANSMISSION,
13 OR DISTRIBUTION OF ELECTRIC POWER

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

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

2 § 3620. ELECTRIC UTILITY POLES, LINES, AND FIXTURES

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

6 * * * Communications Workforce Development * * *

7 Sec. 20. BROADBAND OCCUPATIONAL NEEDS ANALYSIS

8 (a) The Commissioner of Labor shall conduct an occupational needs
9 analysis to determine workforce needs in the communications sector **specific to**
10 **broadband buildout and maintenance.** In conducting this analysis, the
11 Commissioner shall solicit input from employers and subcontractors
12 throughout the State. The purpose of the analysis is to identify skills needed
13 **for building the infrastructure necessary to accomplish the goals of this act,** the
14 workers needed **to do so,** and any regional needs and challenges.

15 (b) The Commissioner shall report his or her findings and
16 recommendations to the relevant legislative committees of jurisdiction on or
17 before January 15, 2022, **and annually thereafter based on updated information.**

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

20 Sec. 21. FTTX; INCUMBENT TRAINING PROGRAM

1 Vermont Technical College, in consultation with the Vermont Department
2 of Labor, shall establish an incumbent training program for communications
3 installers and technicians. The goal of the program is to provide skills
4 upgrades for existing employees. ~~The program shall be financed by an annual~~
5 ~~\$75,000.00 appropriation~~ There is appropriated \$40,000.00 from the Vermont
6 Department of Labor Training Fund.

7 Sec. 22. BROADBAND INSTALLER APPRENTICESHIP PROGRAM

8 The Commissioner of Labor, ~~working with broadband employers,~~ shall
9 establish ~~a federally-registered~~ apprenticeship program ~~that meets one or more~~
10 ~~occupational needs related to the installation and maintenance of broadband~~
11 ~~networks. The purpose of this educational and training program is to ensure~~
12 ~~the State's broadband workforce needs are met long term. The program shall~~
13 ~~be a fully registered, 18-month training program that follows an "earn while~~
14 ~~you learn" model and teaches skills that are recognized nationally and~~
15 ~~transferrable across state lines.~~

16 * * * Appropriations; Fund Transfers * * *

17 Sec. 23. APPROPRIATIONS; FUND TRANSFERS

18 (a) **Appropriations.** The following appropriations are contemplated by
19 this act:

20 (1) \$1,000,000.00 to the Line Extension Customer Assistance Program
21 established by 2020 Acts and Resolves No. 137, Sec. 13;

1 (2) \$6,300,000.00 to the Community Broadband Preconstruction Grant
2 Program established in Sec. 2 of this act specifically to be used for network
3 design, pole data surveys, and makeready work;

4 (3) \$500,000.00 to the Vermont Community Broadband Fund
5 established in Sec. 2 of this act to support the start-up costs of the Vermont
6 Community Broadband Authority; however, the Authority shall reimburse the
7 General Fund this amount in fiscal year 2022;

8 (4) \$1,260,000.00 to the Vermont Economic Development Authority for
9 loan loss reserves for the Broadband Expansion Loan Program established in
10 10 V.S.A. § 280ee;

11 (5) \$150,000.00 \$100,000.00 to the Department of Labor to support the
12 Broadband Installer Apprenticeship Program established in Sec. 22 of this act
13 as follows:

14 (A) \$50,000.00 to finance the development of the Program; and

15 (B) \$50,000.00 to support the development of on-the-job training.

16 contracts with employers building and maintaining broadband infrastructure;

17 and

18 (6) \$4,000,000.00 to the Vermont Community Broadband Authority for
19 the Community Broadband Preconstruction Grant Program established in
20 Sec. 2 of this act;

1 (6) \$24,000,000.00 to the Vermont Community Broadband Authority
2 for the subordinated loan program established in Sec. 2 of this act.

3 **(b) Funding sources.** Funding sources for the appropriations in subsection
4 (a) of this section are as follows:

5 (1) Unexpended Coronavirus Relief Funds appropriated to the
6 Department of Public Service in 2020 shall fund the appropriation in
7 subdivision (a)(1) of this section.

8 (2) Unexpended funds from the \$900,000.00 appropriated to the
9 Department of Public Service in 2017 Acts and Resolves No. 84, Sec. 16c, as
10 amended by 2018 Acts and Resolves No. 190, Sec. 14, and by 2019 Acts and
11 Resolves No. 79, Secs. 27a and 27b, (i.e., \$898,000.00) shall fund loan loss
12 reserves in subdivision (a)(4) of this section. [Additional GF dollars needed.]

13 (3) Fiscal year 2021, one-time General Fund appropriations shall
14 support the programs in subdivisions (a)(2), (3), (4), (5), and (6) of this section.

15 **(c) Fund transfers.**

16 (1) Any funds remaining in the Broadband Innovation Grant Program
17 established by 2019 Acts and Resolves No. 79, Sec. 10, shall be transferred to
18 the Vermont Community Broadband Fund. [\$60K?]

19 (2) The Vermont Community Broadband Authority shall be
20 redesignated as the responsible entity for the \$1,000,000.00 grant award to the

1 Department of Public Service by the Northern Border Regional Commission
2 (NBRC) for the purpose of supporting communications union districts.

3 * * * Legislative Priorities for Federal Funds * * *

4 Sec. 24. LEGISLATIVE PRIORITIES; FEDERAL FUNDS

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

12 * * * Effective Dates * * *

13 Sec. 25. EFFECTIVE DATES

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

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

17 (2) Sec. 9 (administration of the Connectivity Initiative by the Vermont
18 Community Broadband Authority) and Sec. 10 (Telecommunications and
19 Connectivity Advisory Board) shall take effect on January 1, 2022.