

1 H.738

2 Representatives Kornheiser of Brattleboro, Ancel of Calais, Beck of St.
3 Johnsbury, Brennan of Colchester, Canfield of Fair Haven, Durfee of
4 Shaftsbury, Elder of Starksboro, Masland of Thetford, Mattos of Milton, Ode
5 of Burlington, and Till of Jericho move that the House concur in the Senate
6 proposal of amendment with further proposals of amendment as follows:

7 First: By striking out Secs. 6 and 7, 32 V.S.A. §§ 5824 and 7402(8), and
8 their reader assistance heading in their entirety and inserting in lieu thereof
9 the following:

10 Sec. 6. [Deleted.]

11 Sec. 7. [Deleted.]

12 Second: By adding a new section to be Sec. 19a to read as follows:

13 Sec. 19a. REPORT; GRANT-FUNDED BROADBAND NETWORK

14 ASSETS

15 On or before January 15, 2023, the Vermont Community Broadband Board
16 shall submit a written report to the Senate Committees on Finance, on
17 Appropriations, and on Economic Development, Housing and General Affairs
18 and the House Committees on Commerce and Economic Development, on
19 Ways and Means, on Energy and Technology, and on Appropriations that
20 analyzes 30 V.S.A. § 8086(c)(3), particularly with regard to the removal of the
21 requirement that ownership of grant-funded network assets be transferred to

1 the State if a grantee materially fails to comply with the terms and conditions
2 of a grant. The Board shall review all financing contracts or agreements
3 entered into by a communications union district on or after May 11, 2022 and
4 make a determination as to whether publicly funded network assets are at risk
5 of privatization due to financial insolvency or default under the terms and
6 conditions of such contracts or agreements and whether additional statutory
7 requirements should be enacted to protect the State’s broadband investments.

8 Third: In Sec. 20, 30 V.S.A. § 8086(h), by striking out subdivision (h)(1) in
9 its entirety and inserting in lieu thereof a new subdivision (h)(1) to read as
10 follows:

11 (h)(1) The Board shall require a communications union district that
12 borrow funds for the purpose of financing a broadband project to immediately
13 provide written notice to the Board in the event the communications union
14 district becomes aware that it is at risk of financial insolvency or of defaulting
15 on the payment of principal or interest on a loan when due. The Board, in turn,
16 shall promptly provide written notice to the Governor, the Treasurer, and the
17 Joint Fiscal Committee of such risk of insolvency or default and shall include
18 in its notification a description of any potential ramifications of the insolvency
19 or default under the terms and conditions of the applicable loan.

20 Fourth: In Sec. 28, effective dates, in subsection (j), by striking out “19 and
21 20” and inserting lieu thereof “19–20”

1 Fifth: In Sec. 28, effective dates, by striking out subsection (c) in its
2 entirety and by relettering the remaining subsections to be alphabetically
3 correct.

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6 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE