

1 H.360

2 _____ recommends that the bill be amended as follows:

3 First: In Sec. 1, findings and intent, in subsection (a), by adding subdivision
4 (18) to read as follows:

5 (18) The Department of Public Service estimates that 82 percent of
6 Vermont addresses (254,000 locations) lack access to 100 Mbps symmetrical
7 service. The total cost to provide 100 Mbps symmetrical service to each of
8 these locations is approximately \$1,000,000,000.00. This figure is based on
9 estimates in the Magellan Advisors’ report commissioned by the Department,
10 and it includes estimates of both fixed and variable capital costs for fiber to the
11 premise infrastructure (*Feasibility Study of Electric Companies Offering*
12 *Broadband in Vermont*, dated December 31, 2019).

13 Second: In Sec. 2, 30 V.S.A. chapter 91A, in section 8087, the Community
14 Broadband Preconstruction Grant Program, by adding subsection (c) to read as
15 follows:

16 (c) To ensure the expeditious allocation of funds prior to the organization
17 of the Vermont Community Broadband Authority, the Department of Public
18 Service is authorized to allocate up to \$5,000,000.00 under this Program on or
19 before September 30, 2021.

20 Third: In Sec. 2, 30 V.S.A. chapter 91A, by striking out section 8088 in its
21 entirety and inserting in lieu thereof a new section 8088 to read as follows:

1 § 8088. CONSTRUCTION GRANT AND SUBORDINATED DEBT

2 PROGRAM

3 (a) The Authority shall establish the Construction Grant and Subordinated
4 Debt Program for communications union districts to support projects that are
5 consistent with the funding priorities established in section 8086 of this
6 chapter, including by supplementing financing under the Vermont Economic
7 Development Authority’s Broadband Expansion Loan Program.

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

15 Fourth: In Sec. 4a, position transfer, after the first sentence, by adding a
16 new second sentence to read as follows: The position shall remain in the
17 classified service created in 3 V.S.A. chapter 13.

18 Fifth: By striking out Sec. 23, appropriations; fund transfers, in its entirety
19 and inserting in lieu thereof a new Sec. 23 to read as follows:

1 Sec. 23. APPROPRIATIONS; GRANT ADMINISTRATION

2 (a)(1) To the extent necessary, for appropriations using federal funds
3 provided to the State by the American Rescue Plan Act of 2021 (ARPA), the
4 Commissioner of Finance and Management is authorized to expend the funds
5 in anticipation of receipts.

6 (2) In fiscal year 2021, to the extent permitted by federal law and
7 guidance, \$200,000,000.00 of federal funds allocated to the State by the ARPA
8 shall be appropriated as follows:

9 (A) \$40,000,000.00 to the Vermont Community Broadband Fund to
10 support the Community Broadband Preconstruction Grant Program established
11 in Sec. 2, 30 V.S.A. § 8087, of this act; and

12 (B) \$160,000,000.00 to the Vermont Community Broadband Fund to
13 support the Construction Grant and Subordinated Debt Program established in
14 Sec. 2, 30 V.S.A. § 8088, of this act.

15 (b) In fiscal year 2022, the Authority is authorized to expend \$500,000.00
16 in anticipated receipts pursuant to 30 V.S.A. § 7523(b) (0.4 percent of the
17 Vermont Universal Service Charge) to support the start-up costs of the
18 Vermont Community Broadband Authority.

19 (c) In fiscal year 2021, a one-time General Fund appropriation in the
20 amount of \$100,000.00 shall be made to the Department of Labor to support
21 the broadband occupational needs survey required by Sec. 20 of this act and

1 the broadband installer apprenticeship program established in Sec. 22 of this
2 act as follows:

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

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

8 (C) \$7,000.00 to support non-federally funded work related to
9 developing, conducting, and reporting on the occupational needs survey.

10 (d) The Vermont Community Broadband Authority shall be redesignated as
11 the responsible entity for administering the \$1,000,000.00 grant award to the
12 Department of Public Service by the Northern Border Regional Commission
13 (NBRC) for the purpose of supporting communications union districts. Any
14 position funded by the grant shall be overseen and managed by the Authority
15 in a manner that is consistent with grant terms and conditions.