

1 **Revisions Highlighted in Yellow**

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

15           (d) The public members shall serve terms of three years beginning on  
16           February 1 of the year of appointment. However, the public member first  
17           appointed by the Governor shall serve an initial term of one year; and the  
18           public members first appointed by the Speaker and the Committee on  
19           Committees shall serve initial terms of two years. A vacancy occurring among  
20           the public members shall be filled by the respective appointing authority for  
21           the balance of the unexpired term. A member may be 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 shall hire three employees to support the  
11           Authority and communications union districts in the areas of finance, network  
12           planning and technical design, and grant writing to effect the purposes and  
13           programs of this chapter and also to perform administrative functions. The  
14           Executive Director may fix the qualifications, duties, and compensation of  
15           employees hired pursuant to this subsection may retain or employ technical  
16           experts and other officers, agents, employees, and contractors as are necessary  
17           to give effect to the purposes of this chapter, including in the areas of finance,  
18           network planning, technical design, and grant writing, and may fix their  
19           qualifications, duties, and compensation. The Authority shall use the Office of  
20           the Attorney General for legal services, as well as contract for legal services as  
21           needed.

1     § 8084. VERMONT COMMUNITY BROADBAND FUND

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

10          (b) The money transferred to the Fund pursuant to subsection 7523(b) of  
11          this title shall be used to fund the operational expenses of the Authority,  
12          including a Rural Broadband Technical Assistance Specialist, whose duties  
13          shall include providing outreach, technical assistance, and other support  
14          services to communications union districts.

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

21     § 8085. GENERAL POWERS AND DUTIES; CONFIDENTIALITY

1       (a) The Authority shall have all the powers necessary and convenient to  
2       carry out and effectuate the purposes and provisions of this chapter, including  
3       those general powers provided to a business corporation by Title 11A and  
4       those general powers provided to a nonprofit corporation by Title 11B and  
5       including, without limitation of the general powers under Title 11A and 11B,  
6       the power to:

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

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

15              (3) facilitate partnerships between communications union districts and  
16              potential partners, including incumbent and competitive communications  
17              providers and electric transmission and distribution utilities;

18              (4) advocate at the federal level for programs and policies that will  
19              accelerate the deployment of universal, 100 Mbps symmetrical broadband in  
20              rural Vermont;

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

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

8           (7) consult with the Vermont Economic Development Authority and the  
9           Vermont Municipal Bond Bank with regard to financing community  
10           broadband projects;

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

16           (9) assist communications union districts with pursuing route  
17           identification for fiber-optic infrastructure and with obtaining pole surveys and  
18           negotiating pole attachments;

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

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

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

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

9           § 8086. ALLOCATION SYSTEM; FUNDING PRIORITIES

10           In reviewing funding proposals and determining the allocation of funds  
11           pursuant to programs administered by the Authority, the Authority shall give  
12           priority to projects that:

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

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

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

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

20           (5) promote geographic diversity of fund allocations;

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



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 obtained by a communications union district under  
6           the Vermont Economic Development Authority’s Broadband Expansion Loan  
7           Program. Loans under this section shall be made upon such terms and  
8           conditions as may reasonably be expected 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 by the end of the year 2024, as required in 30

9 V.S.A. § 202c(b)(10).

10 § 8089a. SUNSET; TRANSFER PLAN

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

12 (b) As part of its annual report submitted on or before January 15, 2029, the

13 Authority shall develop a plan for transferring its assets, liabilities, and legal

14 and contractual obligations to another appropriate State entity. The Authority

15 may include in its report a recommendation regarding the continued existence

16 of the Authority beyond its statutory sunset date.

17 Sec. 3. ORGANIZATIONAL MEETING; SPACE ALLOCATION

18 (a) Within 60 days of the effective date of this act, the Vermont

19 Community Broadband Authority Board of Directors shall hold its initial

20 organizational meeting. The Department of Public Service shall provide

21 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 of the effective date of this act, the Commissioner of  
4 Buildings and General Services shall allocate space for the Vermont  
5 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);

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

12 **Sec. 4. 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.

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

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

21 § 7516. CONNECTIVITY FUND

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

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

1 ~~support the Connectivity Initiative established under section 7515b of this title.~~

2 [Repealed.]

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

4 (b) Beginning on July 1, 2019, the rate of charge established under  
5 subsection (a) of this section shall be increased by four-tenths of one percent of  
6 retail telecommunications service, and the monies collected from this increase  
7 shall be transferred to the ~~Connectivity Fund established under section 7516 of~~  
8 ~~this title~~ Vermont Community Broadband Fund established under section 8084  
9 of this title.

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

11 Sec. 7. TRANSFER OF FIBER-OPTIC ASSETS

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

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

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

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

7 § 7515b. CONNECTIVITY INITIATIVE

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

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

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

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

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

19 (2) the price to consumers of services;

20 (3) the proposed cost to consumers of any new construction, equipment  
21 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.

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

1 capital improvements only, not for operating and maintenance expenses. The  
2 ~~Department~~ Authority shall give priority to proposals that reflect the lowest  
3 cost of providing services to unserved and underserved locations; however, the  
4 ~~Department~~ Authority also shall consider:

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

16 (c) In order to ensure that grants are disbursed based on the value of work  
17 completed, the ~~Department~~ Authority shall develop with each grantee a  
18 payment schedule that reflects the verified percentage of project completion.  
19 To verify project completion, the grantee shall retain a ~~Department-approved~~  
20 an Authority-approved third party to conduct independent field testing, which  
21 the ~~Department~~ Authority may supplement with provider-supplied data and

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

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

11 \* \* \* Telecommunications and Connectivity Advisory Board \* \* \*

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

13 § 202f. TELECOMMUNICATIONS AND CONNECTIVITY ADVISORY  
14 BOARD

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

20 (1) the State Treasurer or designee;

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

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

5           (4) the Secretary of Transportation or designee.

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

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

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

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

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

18 (e) In performing its duties, the Connectivity Advisory Board may use the  
19 legal and technical resources of the Department of Public Service. The  
20 Department of Public Service shall provide the Board with administrative  
21 services.

1 (f) The Connectivity Advisory Board shall:

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

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

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

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

15 (5)(2) annually provide the Commissioner with recommendations on the  
16 appropriate Internet access speeds for publicly funded telecommunications and  
17 connectivity broadband projects.

18 (g) ~~The Commissioner shall make an initial determination as to whether a~~  
19 ~~proposal submitted under the Connectivity Initiative meets the criteria of the~~  
20 ~~request for proposals. The Commissioner shall then provide the Connectivity~~  
21 ~~Advisory Board a list of all eligible proposals and recommendations. The~~

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

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

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

15       ~~(j)~~(i) At least annually, the Connectivity Advisory Board and the  
16 Commissioner or designee shall jointly hold a public meeting to review and  
17 discuss the status of State telecommunications policy and planning, the  
18 Telecommunications Plan, the Connectivity Fund, the Connectivity Initiative,  
19 the High-Cost Program, and any other matters they deem necessary to fulfill  
20 their obligations under this section.

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

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

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

13       § 280ee. BROADBAND EXPANSION LOAN PROGRAM

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

19       (b) Intent. It is understood that loans under the Program may be high-  
20 risk loans to likely start-up businesses and therefore losses in the Program may  
21 be higher than the Authority's historical loss rate. Loans shall be underwritten

1 by the Authority utilizing underwriting parameters that acknowledge the higher  
2 risk nature of these loans. The Authority shall not make a loan unless the  
3 Authority has a reasonable expectation of the long-term viability of the  
4 business. The Program is intended to provide start-up loans until such time as  
5 the borrower can refinance the loans through, for example, the municipal  
6 revenue bond market.

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

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

16 (A) loans may be made in an amount of up to \$4,000,000.00  
17 \$8,000,000.00;

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

21 (i) communications union districts;

1                   (ii) Internet service providers working in conjunction with a  
2                   communications union district to expand broadband service to unserved and  
3                   underserved locations as part of a plan to achieve universal broadband  
4                   coverage in the district; and

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

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

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

12                   (E)(D) a maximum of \$10,800,000.00 ~~\$36,000,000.00~~ in Authority  
13                   loans may be ~~made~~ outstanding under the Program commencing on June 20,  
14                   2019; and

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

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

20                   (3) To ensure the limited funding available through the Program  
21                   supports the highest-quality broadband available to the most Vermonters and

1 prioritizes delivering services to the unserved and underserved, the Authority  
2 shall consult with the Department of Public Service and the Vermont  
3 Community Broadband Authority.

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

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

14 § 280ff. FUNDING

15 (a) The State Treasurer, in consultation with the Secretary of  
16 Administration, shall negotiate an agreement with the Authority incorporating  
17 the provisions of this section and consistent with the requirements of this  
18 subchapter.

19 (b) ~~Repayment or appropriation~~ State appropriations to the Authority ~~in~~  
20 ~~years 2021 and until the Program terminates is~~ are based on the Authority's  
21 contributions to loan loss reserves for the Program in accordance with

1 generally accepted accounting principles. Any difference between the actual  
2 loan losses incurred by the Authority in a fiscal year ~~2020 through Program~~  
3 ~~termination~~ shall be adjusted in the following year's appropriation.

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

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

10 (3)~~(2)~~ The accumulated total of the appropriation shall not exceed  
11 ~~\$8,500,000.00 over the life of the Program~~ ~~\$27,000,000.00.~~

12 (4)~~(3)~~ The Authority shall absorb its historical loan loss reserve rate  
13 before any State funds are expended.

14 (5)~~(4)~~ Additionally, the Authority shall absorb up to ~~\$3,000,000.00~~  
15 ~~\$9,000,000.00~~ in Program losses shared with the State on a pro rata basis.

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

17 ~~(d) In order to ensure the maintenance of the debt service reserve~~  
18 ~~requirement in each debt service reserve fund established by the Authority,~~  
19 ~~there may be appropriated annually and paid to the Authority for deposit in~~  
20 ~~each such fund, such sum as shall be certified by the Chair of the Authority, to~~  
21 ~~the Governor, the President of the Senate, and the Speaker of the House, as is~~

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

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

15 ~~(a)(1) The Authority may issue its negotiable notes and bonds in such~~  
16 ~~principal amount as the Authority determines to be necessary to provide~~  
17 ~~sufficient funds for achieving any of its corporate purposes, including the~~  
18 ~~payment of interest on notes and bonds of the Authority, establishment of~~  
19 ~~reserves to secure the notes and bonds including the reserve funds created~~  
20 ~~under section 8065 of this title, and all other expenditures of the Authority~~  
21 ~~incident to and necessary or convenient to carry out its corporate purposes and~~

1 ~~powers. However, the bonds or notes of the Authority outstanding at any one~~  
2 ~~time shall not exceed \$34,000,000.00 \$22,000,000.00. No bonds shall be~~  
3 ~~issued under this section without the prior approval of the Governor and the~~  
4 ~~State Treasurer or their respective designees. In addition, before the Authority~~  
5 ~~may initially exercise its bonding authority granted by this section, it shall~~  
6 ~~submit to the Emergency Board of the State a current business plan, including~~  
7 ~~an explanation of the bond issue or issues initially proposed.~~

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

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

10 § 3084. CONFIDENTIALITY; LEGISLATIVE INTENT

11 The purpose of this section is to clarify that any records or information  
12 produced or acquired by a district that are trade secrets or confidential business  
13 information shall be exempt from public inspection and copying pursuant to  
14 1 V.S.A. § 317(c)(9). Such records or information shall be available for  
15 public inspection after project completion.

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

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

18 § 3802. PROPERTY TAX

19 The following property shall be exempt from taxation:

20 \* \* \*

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

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

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

18                (B) the broadband service is being provided pursuant to a contractual  
19                arrangement entered into between the Internet service provider and either a  
20                communications union district in which the broadband infrastructure is located  
21                or other municipality in which the broadband infrastructure is located,

1 provided such other municipality was not part of a communications union  
2 district prior to December 1, 2020.

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

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

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

8 § 3602a. FACILITIES USED IN THE GENERATION, TRANSMISSION,  
9 OR DISTRIBUTION OF ELECTRIC POWER

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

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

19 § 3620. ELECTRIC UTILITY POLES, LINES, AND FIXTURES

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

4                                \* \* \* Communications Workforce Development \* \* \*

5        Sec. 20. BROADBAND OCCUPATIONAL NEEDS **ANALYSIS SURVEY**

6        (a) The Commissioner of Labor shall conduct an occupational needs survey  
7        to determine workforce needs in the communications sector specific to  
8        broadband buildout and maintenance. In conducting this survey, the  
9        Commissioner shall solicit input from employers and subcontractors  
10       throughout the State. **The Department of Public Service and communications**  
11       **union districts shall assist the Department of Labor in identifying employers**  
12       **with workforce needs connected to this act. The purpose of the survey is to**  
13       **identify **current and future employment opportunities and the prerequisite** skills**  
14       **needed for **widespread worker recruitment and building the infrastructure****  
15       **necessary to accomplish the goals of this act, the workers needed to do so, and**  
16       **any regional needs and challenges a talent pipeline to support the goals of this**  
17       **act.**

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



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

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

7           (3) \$1,260,000.00 to the Vermont Economic Development Authority for  
8           loan loss reserves for the Broadband Expansion Loan Program established in  
9           10 V.S.A. § 280ee;

10           (3) \$100,000.00 to the Department of Labor to support the broadband  
11           occupational needs survey required by Sec. 21 and the Broadband Installer  
12           Apprenticeship Program established in Sec. 22 of this act as follows:

13           (A) \$50,000.00 \$3,000.00 to finance the development of the  
14           Apprenticeship Program;

15           (B) \$50,000.00 \$90,000.00 to support the development of related  
16           instruction tuition and on-the-job training contracts with employers building  
17           and maintaining broadband infrastructure employer-sponsors; and

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

20           (4) \$24,000,000.00 to the Vermont Community Broadband Authority  
21           for the subordinated loan program established in Sec. 2 of this act.

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

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

6            (2) Unexpended funds from the \$900,000.00 appropriated to the  
7        Department of Public Service in 2017 Acts and Resolves No. 84, Sec. 16c, as  
8        amended by 2018 Acts and Resolves No. 190, Sec. 14, and by 2019 Acts and  
9        Resolves No. 79, Secs. 27a and 27b, ~~shall fund loan loss reserves in~~  
10       ~~subdivision (a)(3) of this section.~~

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

13        (c) **Fund transfer.**

14           ~~(1) Any funds remaining in the Broadband Innovation Grant Program~~  
15       ~~established by 2019 Acts and Resolves No. 79, Sec. 10, shall be transferred to~~  
16       ~~the Vermont Community Broadband Fund.~~

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

