

**H.657 – Proposals of Amendment by Senators Wrenner and MacDonald**  
**Summary of Each Instance of Amendment**

- First:** Concerns the \$0.72 universal service fee (Sec. 3). Keeps the House-passed language, except for the 17% transfer to the Vermont Community Broadband Board.
- Second:** Concerns distributions from the VT Universal Service Fund (Sec. 5). Keeps the House-passed language, except replaces the “Connectivity Fund” with the “Vermont Community Broadband Board.”
- Third:** Concerns the taxation of communications property (Sec. 10). Keeps the House-passed language and adds an additional provision requiring PVR to seek input from VTrans in the creation of the required inventories and also to share valuations with VTrans for inclusion in its ROW database.
- Fourth:** Concerns one-time appropriations (Sec. 13). Keeps the \$150K appropriation to PVR and adds an additional appropriation for the VTrans inventory and study required in new Secs. 15 and Sec. 16 proposed in this amendment. Amount TBD. Source is the \$11M appropriated to the Department of Public Safety from the GF for regional dispatch.
- Fifth:** Concerns VTrans ROW rent (Sec. 13a renumbered as Sec. 14). Removes any specific reference to communications property; i.e., all property (communications, electric, natural gas) in the ROW required to pay rent pursuant to a schedule of rental rates developed by the Secretary of Transportation after consideration of PVR’s property valuations and the standard contract and standard contract procedure developed by the Secretary of Digital Services with regard to wireless telecommunications on State-owned buildings, structures, or land. Rates may be adjusted for inflation. VTrans submits annual report to Legislature itemizing all rent collected.

Adds new Sec. 15, which requires VTrans to contract for an inventory of all communications and utility property in the public ROW to be completed on or before July 1, 2025. VTrans consults with ADS and PVR on data specifications for collection and revenue modeling; must specify GIS location and person liable for property tax and/or ROW rent. VTrans and ADS create a portal through which data can be submitted and routinely updated. All data shall be shared with relevant State entities, but are exempt from public inspection and copying until the report on confidentiality (see Sec. 16) is submitted. Contemplates penalties for companies that fail to comply with data collection requirements.

Adds new Sec. 16, which requires VTrans to contract for a study and report concerning the confidentiality and transparency of the data collected to pursuant to Sec. 15 (see above), with additional recommendations specific to CUDs. The report is due December 15, 2024.

Adds new Secs. 17 and 18, which amend existing law concerning contracts for the use of State-owned buildings, structures, and land by wireless telecommunications facilities. Existing law references the Secretary of Administration as the exclusive agent. However, in 2019, the Secretary of Digital Services was given this responsibility. In that sense,

some of the amendments are conforming in nature. In addition, the new language specifies that the Secretary's authority does not extend to management and use of the ROW by the Secretary of Transportation with respect to property under the jurisdiction of VTrans; i.e., 19 V.S.A. § 26a.

Amends the effective dates sections, which is re-numbered as Sec. 19, to better accommodate all the exceptions to the original July 1, 2024 effective date.