

AMENDMENTS TO HOUSE BILL NO. 2071

Sponsor: REPRESENTATIVE MATZIE

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1 Amend Bill, page 1, line 4, by inserting after "unserved"
2 and underserved

3 Amend Bill, page 2, line 4, by inserting after "unserved"
4 and underserved

5 Amend Bill, page 2, line 9, by striking out "A
6 nongovernmental" and inserting

7 An

8 Amend Bill, page 2, line 11, by striking out the period after
9 "process." and inserting

10 , including, but not limited to, a cooperative, nonprofit
11 organization, public-private partnership, private company,
12 public or private utility, public utility district or local
13 government.

14 Amend Bill, page 2, by inserting between lines 17 and 18

15 "Community anchor institution." An entity, including any
16 school, library, health clinic, health center, hospital or other
17 medical provider, public safety entity, institution of higher
18 education, public housing organization or community support
19 organization, that facilitates greater use of broadband service
20 by vulnerable populations, including low-income individuals,
21 unemployed individuals and aged individuals, that lack access to
22 gigabit-level broadband service.

23 Amend Bill, page 2, lines 20 through 26, by striking out all
24 of said lines

25 Amend Bill, page 2, line 28, by inserting after "having"
26 a latency sufficient to support real-time, interactive
27 applications and

28 Amend Bill, page 3, line 1, by striking out "or"

1 Amend Bill, page 3, line 3, by striking out ", whichever is
2 greater." and inserting

3 ; or
4 (3) minimum speeds otherwise required to comply with
5 funding opportunities from the Federal Government, whichever
6 is greater.

7 Amend Bill, page 3, line 5, by inserting after "unserved"
8 or underserved

9 Amend Bill, page 3, lines 11 through 28, by striking out all
10 of said lines and inserting

11 "Underserved area." A project area that is not an unserved
12 location and lacks access to reliable broadband service offered
13 with a speed of not less than 100 megabits per second for
14 downloads and 20 megabits per second for uploads and a latency
15 sufficient to support real-time, interactive applications.

16 "Unserved area." A project area that has no access to
17 broadband service or lacks access to reliable broadband service
18 with a speed of not less than 25 megabits per second for
19 downloads and three megabits per second for uploads and a
20 latency sufficient to support real-time, interactive
21 applications.

22 Amend Bill, page 4, line 24, by striking out the period after
23 "section" and inserting

24 , unless otherwise extended by the General Assembly. No later
25 than six months prior to the dissolution of the authority under
26 this subsection, the authority shall submit a report to the
27 General Assembly. The report shall include a status of all
28 projects under this chapter, a recommendation of whether the
29 authority needs additional time to accomplish the purposes of
30 this chapter and the anticipated timeline for completion of the
31 authority's work.

32 Amend Bill, page 5, line 15, by striking out "chair" and
33 inserting

34 executive director

35 Amend Bill, page 5, lines 19 and 20, by striking out

36 "executive director of the Governor's Office of Broadband
37 Initiatives" and inserting

38 Secretary of General Services

1 Amend Bill, page 5, line 21, by striking out "One individual
2 appointed by the Governor" and inserting

3 The Secretary of the Budget or a designee

4 Amend Bill, page 5, line 30, by striking out "appointed"

5 Amend Bill, page 6, line 1, by striking out "may" and
6 inserting

7 shall

8 Amend Bill, page 6, line 7, by striking out "Five" and
9 inserting

10 Six

11 Amend Bill, page 6, line 9, by striking out "five" and
12 inserting

13 six

14 Amend Bill, page 6, lines 10 and 11, by striking out "being
15 appointed" and inserting

16 as specified

17 Amend Bill, page 6, line 12, by striking out "or" where it
18 occurs the second time and inserting

19 and

20 Amend Bill, page 6, lines 13 through 30; page 7, lines 1
21 through 14; by striking out "for any of the" in line 13, all of
22 lines 14 through 30 on page 6 and all of lines 1 through 14 on
23 page 7 and inserting

24 under section 6121(1), (2), (3), (4), (5) and
25 (6) (relating to corporate powers and duties in
26 general).

27 Amend Bill, page 7, line 19, by striking out "once a month"
28 and inserting

29 a quarterly basis

30 Amend Bill, page 8, line 3, by striking out "may" and
31 inserting

1 shall

2 Amend Bill, page 8, lines 9 through 12, by striking out "The
3 members of the board" in line 9 and all of lines 10 through 12

4 Amend Bill, page 8, line 24, by striking out "December" and
5 inserting

6 March

7 Amend Bill, page 9, line 7, by striking out "may" and
8 inserting

9 shall

10 Amend Bill, page 9, lines 20 through 24, by striking out
11 "disbursal" in line 20 and all of lines 21 through 24 and
12 inserting

13 the authority's purposes under this chapter, including the
14 following:

15 (1) Adopt bylaws, if necessary.

16 (2) Make and execute contracts, grants and other
17 instruments.

18 (3) Apply for and receive money from any source
19 consistent with the purposes of this chapter, including
20 letters of intent and proposals under section 6122(f)
21 (relating to specific powers and duties).

22 (4) Establish priorities for and allocate and disburse
23 money received consistent with the purposes of this chapter.

24 (5) Establish subcommittees composed of members of the
25 board or nonmembers of the board to consult with and advise
26 the authority.

27 (6) Adopt a Statewide broadband plan.

28 (7) Perform other operational activities necessary or
29 appropriate to further the purposes of this chapter.

30 Amend Bill, page 10, line 23, by striking out "guidance" and
31 inserting

32 best practices

33 Amend Bill, page 10, line 24, by striking out "guidelines"
34 and inserting

35 best practices

36 Amend Bill, page 11, lines 2 and 3, by striking out "an
37 enforceable" and inserting

1 a
2 Amend Bill, page 11, line 4, by inserting after "buildout"
3 , including equitable access and digital literacy components,
4 Amend Bill, page 11, line 6, by striking out "nongovernmental
5 entities" and inserting
6 applicants
7 Amend Bill, page 11, line 7, by inserting after "Government."
8 The Statewide broadband plan shall also incorporate
9 opportunities to utilize Commonwealth assets to the extent
10 practicable.
11 Amend Bill, page 11, lines 10 and 11, by striking out "submit
12 a localized broadband plan to the authority and"
13 Amend Bill, page 11, lines 14 and 15, by striking out "a
14 program" and inserting
15 one or more programs
16 Amend Bill, page 11, line 19, by striking out "A
17 nongovernmental entity" and inserting
18 An applicant
19 Amend Bill, page 11, line 25, by striking out
20 "nongovernmental entity" and inserting
21 applicant
22 Amend Bill, page 11, line 26, by striking out "of 25%" and
23 inserting
24 amount
25 Amend Bill, page 11, line 27, by inserting after "project"
26 as determined by the authority in accordance with Federal
27 law and guidance
28 Amend Bill, page 11, lines 29 and 30, by striking out "a
29 nongovernmental entity" and inserting
30 an applicant
31 Amend Bill, page 12, lines 2 and 3, by striking out ". A
32 nongovernmental entity" and inserting

1 unless otherwise determined by the authority. An applicant
2 Amend Bill, page 12, line 9, by striking out the comma after
3 "Federal" and inserting

4 or

5 Amend Bill, page 12, line 10, by striking out "or local
6 government"

7 Amend Bill, page 12, line 14, by striking out "annual"

8 Amend Bill, page 12, line 16, by striking out "annual"

9 Amend Bill, page 12, line 17, by striking out "90" and
10 inserting

11 60

12 Amend Bill, page 12, line 18, by striking out "150" and
13 inserting

14 120

15 Amend Bill, page 12, lines 21 through 30; page 13, lines 1
16 through 30; page 14, lines 1 through 9; by striking out "all of
17 the following information:" in line 21, all of lines 22 through
18 30 on page 12, all of lines 1 through 30 on page 13 and all of
19 lines 1 through 9 on page 14 and inserting

20 information required by Federal law or guidance or any
21 other information required by the authority. The authority
22 shall develop an application form and post and make the
23 application form available on the authority's publicly
24 accessible Internet website.

25 Amend Bill, page 14, line 10, by striking out "five" and
26 inserting

27 10

28 Amend Bill, page 14, line 12, by striking out "applications
29 received" and inserting

30 proposed unserved or underserved areas and the community
31 anchor institutions

32 Amend Bill, page 14, lines 15 through 20, by striking out

1 "Within 45 days of the authority" in line 15 and all of lines 16
2 through 20 and inserting

3 Before awarding grant funds under section 6123, the
4 authority shall ensure a transparent, evidence-based and
5 expeditious challenge process under which a unit of local
6 government, nonprofit organization or broadband service provider
7 may challenge a proposed project

8 Amend Bill, page 14, line 22, by striking out "A" and
9 inserting

10 After resolving each challenge under this subsection, and
11 not later than 60 days before awarding grant funds under section
12 6123, the authority shall provide public notice of the final
13 classification of each unserved and underserved location or
14 community anchor institution within the Commonwealth. A unit of
15 local government, nonprofit organization or other

16 Amend Bill, page 14, line 27, by inserting after "unserved"
17 or underserved

18 Amend Bill, page 15, line 5, by inserting after "unserved"
19 or underserved

20 Amend Bill, page 15, line 16, by inserting after "unserved"
21 or underserved

22 Amend Bill, page 16, lines 12 and 13, by striking out "except
23 as required under applicable Federal or State law,"

24 Amend Bill, page 16, lines 14 through 17, by striking out
25 "including open-access network" in line 14 and all of lines 15
26 through 17 and inserting

27 except as required under applicable Federal or State law.

28 Amend Bill, page 16, lines 18 through 21, by striking out
29 "Applicants shall be" in line 18, all of lines 19 and 20 and
30 "grants under section 6123." in line 21 and inserting

31 Applicants shall deploy the broadband network and begin
32 providing service to each customer that desires service not
33 later than four years after the date in which the applicant
34 receives a grant unless otherwise extended by the authority as
35 allowed by Federal law and guidance.

1 Amend Bill, page 16, line 23, by striking out "a reasonable
2 length of time" and inserting
3 four years, unless otherwise extended by the authority,
4 Amend Bill, page 16, line 24, by striking out "and" and
5 inserting
6 or