

SENATE No. 1822

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph A. Boncore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Massachusetts next generation network initiative promoting gigabit broadband networks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	
<i>Martin J. Walsh, Mayor of Boston</i>		<i>1/20/2017</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>	<i>2/3/2017</i>

SENATE No. 1822

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 1822) of Joseph A. Boncore, Kevin G. Honan, Daniel J. Ryan, Martin J. Walsh, Mayor of Boston and others for legislation relative to the Massachusetts next generation network initiative promoting gigabit broadband networks. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the Massachusetts next generation network initiative promoting gigabit broadband networks.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after
2 section 2VVVV the following section:-

3 Section 2XXXX.

4 (a) There is hereby established and set up on the books of the commonwealth a separate
5 fund to be known as the Next Generation Network Initiative Grant Fund, hereinafter referred to
6 as the Next Generation Grant Fund, to which shall be credited any appropriations, bond proceeds
7 or other monies authorized by the general court and specifically designated to be credited to that
8 fund, and any additional funds designated by the corporation for deposit into the Next
9 Generation Grant Fund, including pension funds, federal grants or loans, or private donations
10 made available to the Massachusetts office of information technology. The Massachusetts office

11 of information technology shall hold the Next Generation Grant Fund in an account or accounts
12 separate from other funds or accounts.

13 (b) The public purpose of the Next Generation Grant Fund shall be to issue public grants
14 to municipalities and other public instrumentalities to research and plan for gigabit-speed
15 networks throughout the Commonwealth, evaluation of consumer focused municipal broadband
16 service offerings, planning and research intended to support the entrance of private market
17 players committed to providing next generation broadband services, planning to support the
18 creation or expansion of institutional gigabit networks, the exploration of public/private
19 collaboration to create gigabit broadband offerings, and the creation of regional broadband
20 partnerships. The program may be used to match other public and private funding sources to
21 advance next generation broadband services.

22 (c) There shall be at least 1 open solicitation period each year to accept and consider new
23 applications. Not less than 12 weeks before the annual open solicitation period, the
24 Massachusetts office of information technology shall release the criteria upon which the
25 applications shall be judged including, but not limited to, a minimum project standard, overall
26 spending targets by project type, preferences for projects that align with the state's broadband
27 principles, and other preferences applying to that funding round. Grants may be made outside of
28 the open solicitation period at the discretion of the Massachusetts office of information
29 technology.

30 (d) An eligible city or town, acting by and through its municipal officers or by and
31 through any agency designated by such municipal officers to act on their behalf, may apply to
32 the program for a grant in a specific amount to fund a specified project. Two or more

33 municipalities may apply jointly, with 1 municipality acting as fiscal agent, or through a regional
34 planning agency acting as fiscal agent. Receipt of a grant which is part of a joint application shall
35 not preclude a city or town from receiving additional funds under a separate application. The
36 grants may be made in addition to other forms of local, state, and federal assistance.

37 (e) The Massachusetts office of information technology shall file a report annually with
38 the clerks of the House of Representatives and the Senate on the activities and status of the
39 program. The report shall include the following: (i) a list of grant recipients, (ii) the associated
40 grant amounts, (iii) the amounts of non-state funding leveraged as a result of the grants, (iv) the
41 purposes of the grants, (v) an annual statement of cash inflows and outflows detailing the sources
42 and uses of funds, (vi) a forecast of future payments based on current binding obligations, and
43 (vii) a detailed analysis of the results of each project.