

1 **NYSAC 2022 Legislative Conference**
2 **Standing Committee on Intergovernmental Affairs**
3 **Resolution #1**

4 **Resolution Applauding the Proposed ConnectALL Initiative and Urging**
5 **Waiver of all Right of Way Fees for Publicly Funded Broadband Projects**

6 **WHEREAS**, the State of New York in 2021 claimed that more than 98 percent of New
7 York’s residences and businesses had access to one or more high-speed wired and/or
8 wireless broadband services; and

9 **WHEREAS**, based on data gathered directly from schools, municipalities, and other
10 organizations, there continue to be large gaps in broadband service across rural and
11 upstate New York; and

12 **WHEREAS**, maps developed by the Federal Communications Commission (FCC)
13 misrepresent the accessibility of broadband service and are often referenced by agencies
14 and grantees; and

15 **WHEREAS**, even in areas where broadband is purported to be available, the level of
16 service is not sufficient to constitute true broadband access; and

17 **WHEREAS**, our residents need access to reliable and affordable broadband service for
18 school, employment, telehealth, and social aspects of life; and

19 **WHEREAS**, as we have seen in the face of this pandemic, broadband serves a vital
20 need for breaking down the digital divide that creates groups of haves and have-nots
21 within our state; and

22 **WHEREAS**, the State’s proposed ConnectALL initiative and new Federal funding will
23 help counties expand broadband access in their communities; and

24 **WHEREAS**, ConnectALL is designed to facilitate the distribution of over \$1 billion in
25 new public and private investments in rural and urban areas; and

26 **WHEREAS**, H.R. 3684, the Infrastructure Investment and Jobs Act (IIJA), includes
27 \$42.45 billion for broadband expansion, to be allocated through the states for local
28 coordination of funds; and

29 **WHEREAS**, broadband access provides a critical public infrastructure need for New
30 York residents, towns, municipalities, counties, emergency services, and more; and

31 **WHEREAS**, American Rescue Plan Act (ARPA) funding can also be used in support of
32 local broadband expansion projects; and

1 **WHEREAS**, other Federal funding streams, such as those through the US Department
2 of Agriculture and the National Telecommunication and Infrastructure Administration,
3 also support local and rural broadband expansion; and

4 **WHEREAS**, many counties are planning or executing broadband expansion projects in
5 their communities; and

6 **WHEREAS**, because of recently enacted New York State Department of Transportation
7 Right of Way (ROW) fees, these projects are costing more and covering fewer residents
8 and businesses.

9 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
10 Counties (NYSAC) applauds Governor Kathy Hochul for making broadband expansion a
11 priority through the ConnectALL initiative in the proposed SFY 2023 Executive Budget;
12 and

13 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and legislative leaders to
14 waive the state’s DOT ROW fees for all publicly-funded broadband projects; and

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16 **BE IT FURTHER RESOLVED**, NYSAC also applauds Senator Majority Leader
17 Charles Schumer and the New York Congressional delegation for ensuring that
18 broadband projects were included in the IIJA and ARPA Federal funding laws; and

19 **BE IT FURTHER RESOLVED**, that the Governor work with her administration to
20 maximize and expedite the flow of the most flexible funds to local governments so that
21 we can expand true broadband access to all areas of New York State; and

22 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
23 of New York encouraging member counties to enact similar resolutions; and

24 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
25 the New York State Congressional Delegation, Governor Kathy Hochul, the New York
26 State Legislature, and all others deemed necessary and proper.