



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 140

H.P. 98

House of Representatives, January 19, 2017

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**An Act To Authorize a General Fund Bond Issue To Support  
Entrepreneurial Activity, Attract Business and Enhance  
Demographic In-migration by Investing in High-speed Broadband  
Infrastructure and To Amend the Law Governing the Municipal  
Gigabit Broadband Network Access Fund**

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Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HIGGINS of Dover-Foxcroft.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: BERRY of Bowdoinham, FOLEY of Wells, GROHMAN of Biddeford,  
McCREA of Fort Fairfield, STEWART of Presque Isle, Senators: DION of Cumberland,  
MAKER of Washington, WOODSOME of York.





1 9211-A. Such grants must be used solely for open-access nondiscriminatory broadband  
2 infrastructure in unserved or underserved areas. A grant applicant may include a proposal  
3 that uses a public-private partnership arrangement with an existing Internet service  
4 provider.

5 **Sec. B-2. Contingent effective date.** This Part takes effect only if the General  
6 Fund bond issue proposed in Part A of this Act is approved by the voters of this State.

7 **PART C**

8 **Sec. C-1. 35-A MRSA §9211-A, sub-§4,** as enacted by PL 2015, c. 323, §1, is  
9 amended to read:

10 **4. Implementation grants.** To the extent funds are available, the authority shall  
11 award implementation grants to achieve the purpose of the fund as described in  
12 subsection 3 as follows.

13 A. An implementation grant to an applicant may not exceed \$200,000 for each  
14 municipality served by an eligible project selected for funding.

15 B. An implementation grant may be awarded only to an applicant that has  
16 demonstrated to the satisfaction of the authority that it has ~~participated in a~~ met the  
17 planning grant process as requirements described in ~~subsections~~ subsection 5,  
18 paragraph B and subsections 6 and 7.

19 C. Municipalities selected for funding must be required to provide a 25% cash  
20 match. Municipalities selected for funding that have satisfied paragraph B without  
21 planning grant funding from the authority may deduct the equivalent of municipal  
22 funds expended for the purpose of broadband infrastructure planning from the 25%  
23 cash match requirement.

24 **Sec. C-2. 35-A MRSA §9211-A, sub-§6, ¶¶D and E,** as enacted by PL 2015,  
25 c. 323, §1, are amended to read:

26 D. One or more potential network designs, cost estimates, operating models and  
27 potential business models, based on input from broadband providers operating within  
28 the municipality, municipalities or region and any other parties that submit a network  
29 design solution, to address any broadband gaps identified in the analysis described in  
30 paragraph C; ~~and~~

31 E. An assessment of all existing municipal procedures, policies, rules and ordinances  
32 that may have the effect of delaying or increasing the cost of broadband infrastructure  
33 deployment; ~~and~~

34 **Sec. C-3. 35-A MRSA §9211-A, sub-§6, ¶F** is enacted to read:

35 F. A summary of how the network will be built, operated and maintained once  
36 implemented, including a postconstruction plan generally describing the intended  
37 continued operation and maintenance of the newly built infrastructure.

38 **Sec. C-4. Contingent effective date.** This Part takes effect only if the General  
39 Fund bond issue proposed in Part A of this Act is approved by the voters of this State.

## SUMMARY

1  
2 Part A of this bill authorizes a General Fund bond issue, in the amount of  
3 \$10,000,000, to be allocated to the Municipal Gigabit Broadband Network Access Fund  
4 and distributed by the ConnectME Authority through implementation grants in order to  
5 expand high-speed broadband Internet infrastructure in unserved and underserved areas.

6 Part B of the bill limits the use of the funds under Part A to implementation grants  
7 awarded from the Municipal Gigabit Broadband Network Access Fund and requires the  
8 grants to be expended on open-access nondiscriminatory broadband infrastructure in  
9 unserved or underserved areas.

10 Part C of the bill amends the laws establishing the Municipal Gigabit Broadband  
11 Network Access Fund to require planning grant applicants to plan for postconstruction  
12 operation and maintenance. Part C clarifies that a municipality may be eligible for  
13 ConnectME Authority implementation grant funds without relying on planning grant  
14 funds from the authority if the municipality meets certain statutory planning  
15 requirements. Part C also clarifies that municipally financed planning expenditures may  
16 be deducted from the 25% cash match requirement of the implementation grant. The  
17 changes made in Part C are contingent on the ratification of the bond issue in Part A by  
18 the voters of the State.