§9211-A. Municipal Gigabit Broadband Network Access Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Applicant" means a municipality or group of municipalities that apply for a grant under this section. [PL 2021, c. 362, §3 (AMD).]

B. [PL 2021, c. 362, §3 (RP).]

C. "Fund" means the Municipal Gigabit Broadband Network Access Fund established in this section. [PL 2015, c. 323, §1 (NEW).]

D. [PL 2021, c. 362, §3 (RP).]

E. "Gigabit fiber-optic broadband network" means a network of fiber-optic cable capable of offering upload and download speeds of at least one gigabit per second. [PL 2021, c. 362, §3 (NEW).]

F. "Open-access network" means an Internet network that is neutral and independent, is available to any Internet service provider based on standardized and transparent pricing and does not compete with Internet service providers to offer retail service of any kind. [PL 2021, c. 362, §3 (NEW).]

G. "Symmetrical high-speed Internet" means retail Internet service that meets minimum standards defined by the authority, which, until 2025, must include at least 100 megabits per second upload and download speeds. Beginning in 2025, the standards must be defined annually by the authority and include upload and download speeds that are at least equal to or better than the minimum speeds available to residents of the majority of urban census blocks in the United States. [PL 2021, c. 362, §3 (NEW).]

[PL 2021, c. 362, §3 (AMD).]

2. Fund established. The Municipal Gigabit Broadband Network Access Fund is established as a nonlapsing, revolving fund administered by the authority for the purposes of supporting the activities and projects of the authority under this section. All money in the fund must be continuously applied by the authority to carry out this section. The authority may receive and deposit in the fund funds from the following sources:

A. Federal funds and awards that may be used for the purposes of this section; [PL 2015, c. 323, §1 (NEW).]

B. The proceeds of bonds issued for the purposes of this section; and [PL 2015, c. 323, §1 (NEW).]

C. Any other funds from public or private sources received in support of the purposes for which the fund is established. [PL 2015, c. 323, §1 (NEW).]

[PL 2015, c. 323, §1 (NEW).]

3. Purpose of the fund. The fund is established to address the need in the State for access to broadband infrastructure that will enhance the State's competitiveness in national and international economies. Except as described in subsection 3-A, to the extent funds are available, the fund must be used to provide grants to municipalities to support public-private partnerships to support a municipal gigabit fiber-optic broadband network in their regions with the following goals:

A. Provide high-speed broadband access to attract, create and grow the State's economy and market the products and services of businesses in the State in national and international markets with symmetric connectivity and address challenges in geography; [PL 2021, c. 362, §3 (AMD).]

B. Provide expanded health care services by facilitating access to telehealth, as defined in Title 24-A, section 4316, subsection 1, and state and local services for senior citizens and persons with disabilities; [PL 2021, c. 293, Pt. B, §11 (AMD).]

C. Expand educational opportunities for students across the State through virtual and distance learning; [PL 2015, c. 323, §1 (NEW).]

D. Facilitate broader access for the public to services provided by municipal and county governments, including, but not limited to, law enforcement entities, the judicial system and child, youth and family social services; and [PL 2015, c. 323, §1 (NEW).]

E. Provide expanded residential services to support employment opportunities. [PL 2015, c. 323, §1 (NEW).]

In order to facilitate the achievement of the goals and policies of this section, the authority shall establish and regularly update, after opportunity for public comment and taking into consideration relevant federal policies, definitions of "gigabit fiber-optic broadband network" and "broadband infrastructure."
[PL 2021, c. 616, §2 (AMD).]

3-A. Purpose of the fund; grant match funding. In addition to grants provided in accordance with subsection 3, the fund may be used to provide grant match funding to municipal entities applying for project grants from other sources that require applicants to provide matching funds. To the extent that funds are available, grant match funding may be awarded for a project under this subsection only if the authority finds the project is consistent with the purposes stated in subsection 3. A municipal entity selected for grant match funding under this subsection must provide services to any unserved community anchor institution in the project area to which the municipal entity is extending services that provides or will provide open access to the Internet for the public. For purposes of this subsection, "municipal entity" means a municipality or a group of municipalities working together to support a gigabit fiber-optic broadband network project. The authority shall, by rule, define an applicant's "project area" and "unserved community anchor institution" for the purposes of this subsection. The authority may also adopt other rules to administer grant match funding awards under this subsection.
[PL 2021, c. 616, §3 (NEW).]

4. Implementation grants; maximum awards. To the extent funds are available, the authority shall award implementation grants to achieve the purpose of the fund as described in subsections 3 and 3-A as follows.

A. [PL 2021, c. 362, §3 (RP).]

B. [PL 2021, c. 362, §3 (RP).]

C. An applicant selected for funding, other than grant match funding in accordance with subsection 3-A, must be required to provide a 25% cash match. [PL 2021, c. 616, §4 (AMD).]

D. ConnectMaine funds may not be used to fund more than 50% of the total cost of a project. [PL 2021, c. 362, §3 (NEW).]

E. An applicant must demonstrate either that no more than one Internet service provider already offers symmetrical high-speed Internet to a majority of the premises to be served or that the grant will be used to construct or expand an open-access network. [PL 2021, c. 362, §3 (NEW).]
[PL 2021, c. 616, §4 (AMD).]

5. Planning grants; requirements for applicants. In order to assist applicants with completion of the planning process necessary to achieve the goals of this section, to the extent funds are available, the authority may award planning grants to applicants that meet the cash match and other application requirements for the award of planning grants, as established by the authority.

A. [PL 2021, c. 362, §3 (RP).]

B. [PL 2021, c. 362, §3 (RP).]

C. [PL 2021, c. 362, §3 (RP).]

D. [PL 2021, c. 362, §3 (RP).]

E. [PL 2021, c. 362, §3 (RP).]
[PL 2021, c. 362, §3 (AMD).]

6. Planning grant report requirements. An applicant awarded a planning grant under subsection 5 must provide to the authority, at a minimum:

A. Identification of the local broadband needs and goals; [PL 2015, c. 323, §1 (NEW).]

B. An inventory of existing broadband infrastructure assets within the municipality, municipalities or region; [PL 2015, c. 323, §1 (NEW).]

C. The results of a gap analysis that defines the additional broadband infrastructure necessary to meet identified needs and goals; [PL 2015, c. 323, §1 (NEW).]

D. One or more potential network designs, cost estimates, operating models and potential business models, based on input from broadband providers operating within the municipality, municipalities or region and any other parties that submit a network design solution, to address any broadband gaps identified in the analysis described in paragraph C; and [PL 2015, c. 323, §1 (NEW).]

E. An assessment of all existing municipal procedures, policies, rules and ordinances that may have the effect of delaying or increasing the cost of broadband infrastructure deployment. [PL 2015, c. 323, §1 (NEW).]
[PL 2021, c. 362, §3 (AMD).]

7. Cash match for planning grants; restrictions.
[PL 2021, c. 362, §3 (RP).]

8. Technical assistance; contract for services. The authority may provide technical assistance to applicants that request assistance with the grant application process. The authority may contract for services to assist in the administration, management and evaluation of the fund.
[PL 2015, c. 323, §1 (NEW).]

9. Rules; application procedure.
[PL 2021, c. 362, §3 (RP).]

10. Report. Beginning December 15, 2016, the authority shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters on the grants distributed from the fund and an analysis of the fund's activities that have addressed the need for expansion of broadband access in the State.
[PL 2021, c. 362, §3 (AMD).]

SECTION HISTORY

PL 2015, c. 323, §1 (NEW). PL 2019, c. 343, Pt. QQ, §§5, 6 (AMD). PL 2021, c. 293, Pt. B, §11 (AMD). PL 2021, c. 362, §3 (AMD). PL 2021, c. 616, §§2-4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.