

MAINE STATE LEGISLATURE

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Report B

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L.D. 1975

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Date: 2/18/26

(Filing No. H-803)

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ENERGY, UTILITIES AND TECHNOLOGY

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Reproduced and distributed under the direction of the Clerk of the House.

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STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

132ND LEGISLATURE

8

SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "B" to H.P. 1319, L.D. 1975, "An Act to Eliminate the ConnectMaine Authority by Repealing the Advanced Technology Infrastructure Act"

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Amend the bill by striking out all of section 1 and inserting the following:

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'Sec. 1. 5 MRSA §1541-B, sub-§1, ¶A, as enacted by PL 2019, c. 468, §1, is amended to read:

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A. "Advanced communications technology infrastructure" ~~has the same meaning as in Title 35-A, section 9202, subsection 1~~ means any communications technology infrastructure or infrastructure improvement that expands the deployment of, or improves the quality of, broadband availability and connectivity.

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Amend the bill by striking out all of section 6 and inserting the following:

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'Sec. 6. 30-A MRSA §5225, sub-§1, ¶C, as amended by PL 2025, c. 310, §§1 and 2, is further amended by amending subparagraph (10) to read:

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(10) Costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ~~ConnectMaine~~ Maine Connectivity Authority as provided in Title 35-A, section ~~9204-A, subsection 1~~ 9405, subsection 3-A, broadband and fiber optics expansion projects may serve residential or other nonbusiness or noncommercial areas in addition to business or commercial areas within the municipality or plantation;'

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Amend the bill by striking out all of sections 8 to 13 and inserting the following:

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'Sec. 8. 35-A MRSA §711, sub-§4, as amended by PL 2017, c. 199, §1, is further amended to read:

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4. Rules. The commission shall adopt rules governing the resolution of pole attachment disputes and the rates, terms and conditions of joint use. The rules must promote competition, further the state ~~broadband policy~~ connectivity goals set forth in section ~~9202-A~~ 9403, subsection 1 and ensure safe, nondiscriminatory access on just and

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COMMITTEE AMENDMENT

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1 reasonable terms. The rules must also include a process for ensuring that a new joint use
2 entity seeking access to the poles, ducts, conduits or rights-of-way of another joint use
3 entity meets the requirements of subsection 1, paragraph D. In establishing rates, the
4 commission shall consider various formulas, including, but not limited to, the formula
5 adopted by the Federal Communications Commission as codified in 47 Code of Federal
6 Regulations, Part 1, Subpart J, as amended. Rules adopted or amended pursuant to this
7 subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

8 **Sec. 9. 35-A MRSA §2503, sub-§2**, as amended by PL 2019, c. 625, §4, is further
9 amended to read:

10 **2. Notice.** The applicant may give public notice of the application by publishing its
11 description of the proposed facility once in a newspaper circulated in the municipality or
12 municipalities encompassing the limits of the proposed location. The applicant shall send
13 a copy of any application filed with the Department of Transportation to the municipal
14 clerk of each municipality in which the facilities are located, or to the clerk of the county
15 commissioners in the case of facilities within an unorganized township, except that the
16 applicant may, without publication of its application, place its facility described in its
17 application on receipt of a permit from the licensing authority as may be otherwise
18 provided. If a proposed facility is located underground and is in excess of 500 feet in
19 length, the applicant shall, within 5 business days of submitting an application to the
20 applicable licensing authority, provide the ~~ConnectMaine~~ Maine Connectivity Authority
21 established in Title 5, section 12004-G, subsection ~~33-F~~ 33-H a notice that includes a
22 description and the location of the proposed facility.

23 **Sec. 10. 35-A MRSA §2524, sub-§1, ¶C**, as enacted by PL 2019, c. 127, §1, is
24 amended to read:

25 C. "Unserved or underserved area" ~~has the same meaning as in section 9202,~~
26 ~~subsection 5~~ means an area determined by the Maine Connectivity Authority, pursuant
27 to section 9405, subsection 3-A, to meet criteria established by the authority by rule
28 adopted pursuant to section 9405, subsection 3.

29 **Sec. 11. 35-A MRSA §7104-B, sub-§5, ¶I**, as amended by PL 2019, c. 625, §5,
30 is further amended to read:

31 I. To provide, within existing resources, support for qualified libraries in rural areas of
32 the State with greatest need, as determined in consultation with the State Librarian, the
33 Commissioner of Education and the ~~ConnectMaine~~ Maine Connectivity Authority, to
34 offer portable wireless access points, or hotspots, for mobile Internet access.'

35 Amend the bill by inserting after section 14 the following:

36 **'Sec. 15. 35-A MRSA §9405, sub-§3-A** is enacted to read:

37 **3-A. Establish criteria defining unserved and underserved areas.** To establish, by
38 rule pursuant to subsection 3, criteria to define unserved and underserved areas with respect
39 to broadband service. Criteria established by the authority to define unserved and
40 underserved areas must include the percentage of households with access to broadband
41 service within a municipality or other appropriate geographic area. The authority shall use
42 these criteria to determine those areas of the State that are unserved or underserved areas
43 with respect to broadband service;

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Sec. 16. Appropriations and allocations. The following appropriations and allocations are made.

CONNECTMAINE AUTHORITY

ConnectMaine Fund Z294

Initiative: Deallocates funding from the ConnectMaine Fund beginning in fiscal year 2026-27 to reflect the elimination of the ConnectMaine Authority.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$0	(\$1,716,285)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,716,285)

Sec. 17. Effective date. This Act takes effect June 30, 2027.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes the following changes to the bill.

1. It replaces a cross-reference in the bill with the definition of "advanced communications technology infrastructure" in the laws governing connectivity infrastructure.

2. It replaces references struck in the bill in the sections of the bill related to development districts and related to municipal access to poles with references to definitions established by the Maine Connectivity Authority. The amendment also adds a provision requiring the Maine Connectivity Authority to establish criteria to define unserved and underserved areas with respect to broadband service.

3. It replaces a reference to the state broadband policy with a reference to the state connectivity goals.

4. It requires that notice of proposed facilities located underground and in excess of 500 feet in length be provided to the Maine Connectivity Authority instead of the ConnectMaine Authority.

5. It adds an effective date of June 30, 2027.

6. It adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



132nd MAINE LEGISLATURE

LD 1975

LR 1304(03)

An Act to Eliminate the ConnectMaine Authority by Repealing the Advanced Technology Infrastructure Act

Fiscal Note for Bill as Amended by Committee Amendment "B" (H-803)
Committee: Energy, Utilities and Technology
Fiscal Note Required: Yes

Fiscal Note

Current biennium revenue decrease - Maine Connectivity Authority
Potential future biennium cost increase - General Fund

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 20 ²⁶ - ²⁷
Appropriations/Allocations				
Other Special Revenue Funds	\$0	(\$1,716,285)	(\$1,716,285)	(\$1,716,285)

Fiscal Detail and Notes

This bill repeals the Advanced Technology Infrastructure Act. The repeal eliminates the ConnectMaine Authority (CMA), its associated accounts, and its statutory authority to levy assessments and surcharges effective June 30, 2027.

The repeal eliminates the Municipal Gigabit Broadband Network Access Fund (MGBNA) and the ConnectMaine Fund (CMF). The MGBNA is currently inactive and has no spending authorizations; as a result, no additional action is required to eliminate the account. The CMF currently includes an annual allocation of \$1,716,285. The bill includes a corresponding deallocation beginning in fiscal year 2026-27 to reflect the account's elimination.

Under current law, the CMA is authorized to collect an assessment equal to 0.25% of intrastate communications service provider revenue and a surcharge of \$0.10 per line or number. Because the CMA operates as a unit within the Maine Connectivity Authority (MCA), revenues from these sources are currently deposited with the MCA. Repeal of this authority would eliminate approximately \$2.0 million in annual revenue to the MCA. The MCA has indicated that these funds are used to support the administration of federal broadband grants and related compliance activities. Elimination of this revenue source may require replacement funding from the General Fund or other state resources to maintain existing administrative and compliance functions.