MAINE STATE LEGISLATURE

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amended to read:

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Date:	41	()	

L.D. 850 (Filing No. H-64)

3	UTILITIES AND ENERGY
4	Reproduced and distributed under the direction of the Clerk of the House.
.5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	124TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT "A" to H.P. 585, L.D. 850, Bill, "An Act To Ensure Local Broadband Coverage"
11 12	Amend the bill by inserting after the title and before the enacting clause the following:
13 14	'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
15 16 17 18	Whereas, by April 30, 2009, the ConnectME Authority will initiate the 3rd round of its grant program to expand access to broadband service in the State and, particularly, to expand access in areas where there is presently no broadband or high-speed Internet service available; and
19 20	Whereas, more than \$750,000 is expected to be available for the 3rd round of grants; and
21 22	Whereas, access to broadband service is a necessity for residents and businesses in the State; and
23 24 25	Whereas, certain changes in law must be put into effect as soon as possible in order to affect the ConnectME Authority's implementation of the 3rd round of the grant program; and
26 27 28 29	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'
30 31	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
32	'Sec. 1. 35-A MRSA §9204, sub-§1, as enacted by PL 2005, c. 665, §3, is

Page 1 - 124LR1281(02)-1



- 1. Establish criteria defining unserved and underserved areas. The authority, by rule adopted pursuant to section 9205, subsection 3, shall establish criteria to define unserved and underserved areas. The authority shall establish criteria that ensure that an area is not determined to be an unserved or underserved area if the effect of that determination would inhibit or impede private investment in any area or diminish the value of prior investment in advanced communications technology infrastructure within any area. Criteria established by the authority must include but are not limited to whether investment is planned in an area within a reasonable time. Criteria established by the authority to define unserved and underserved areas with respect to broadband service must include the percentage of households with access to broadband service within a municipality or other appropriate geographic area.
- Sec. 2. 35-A MRSA §9204, sub-§2, ¶C, as enacted by PL 2005, c. 665, §3, is amended to read:
 - C. Expand the availability of broadband <u>service</u> to residential and small business customers in unserved or underserved areas. <u>In awarding grants</u>, the authority shall give priority to those proposals that, relative to other proposals, extend access to <u>broadband service to a higher percentage of an unserved area within a municipality or other appropriate geographic area;</u>

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

This amendment replaces the bill. The amendment requires the ConnectME Authority to give priority to grant proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area. The amendment also requires the ConnectME Authority to consider the percentage of households with access to broadband service when establishing criteria to define unserved and underserved areas.

FISCAL NOTE REQUIRED

(See attached)

Page 2 - 124LR1281(02)-1



124th MAINE LEGISLATURE

LD 850

LR 1281(02)

An Act To Ensure Local Broadband Coverage

Fiscal Note for Bill as Amended by Committee Amendment " Committee: Utilities and Energy
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to ConnectME to define and modify criteria related to the grants awarded under the program and provide other administrative duties can be absorbed within existing budgeted resources.