

MAINE STATE LEGISLATURE

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P. O. S.

Date: 3/4/10

UTILITIES AND ENERGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1174, L.D. 1646, Bill, "An Act To Establish a Broadband Policy for Maine"

Amend the bill by striking out everything after the title and before the enacting clause and inserting the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the availability of broadband service to all residents of the State is important for economic growth and opportunity; and

Whereas, facilitating increased use of broadband in this State will spur further broadband infrastructure investment and result in benefits to the users and to the economy of the State; and

Whereas, the federal American Recovery and Reinvestment Act of 2009 has set aside \$7,200,000,000 for broadband expansion in unserved and underserved areas of the Nation, and over \$25,000,000 of those funds have been granted to a middle-mile broadband project in the State that will result in further private investment in last-mile infrastructure in the State; and

Whereas, the State will be benefited by attracting and receiving further federal funding for additional broadband projects in this State; and

Whereas, part of the process for receiving federal funds includes a review by the State to determine whether each grant application is consistent with the State's broadband policy; and

Whereas, all grant awards under the federal American Recovery and Reinvestment Act of 2009 are scheduled to be awarded prior to the commencement of the 125th Legislature; and

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

COMMITTEE AMENDMENT

P. 25

1 immediately necessary for the preservation of the public peace, health and safety; now,
2 therefore,'

3 Amend the bill by striking out everything after the enacting clause and before the
4 emergency clause and inserting the following:

5 'Sec. 1. 35-A MRSA §9202-A is enacted to read:

6 **§9202-A. State broadband policy**

7 **1. Goal.** It is the goal of the State that:

8 A. Broadband service become and remain, as nearly as possible, universally
9 available in this State, including to all residential and business locations and
10 community anchor institutions in the State; and

11 B. A secure, reliable and sustainable forward-looking infrastructure that can meet
12 future broadband needs is developed.

13 **2. Policy.** It is the policy of the State to:

14 A. Maximize sustainable private investment in broadband infrastructure in the State
15 and to promote broadband infrastructure deployment and availability to all
16 individuals, businesses and institutions in this State, including those that require ultra
17 high-speed Internet access;

18 B. Maximize federal grant resources and private investment opportunities to support
19 the deployment of broadband infrastructure in unserved and underserved areas of the
20 State in a manner consistent with paragraph A;

21 C. Prioritize the use of state broadband resources to assist private infrastructure
22 deployment in unserved and underserved areas of the State;

23 D. Maximize the number of state permits and licenses that may be obtained or
24 renewed online at rates equal to or less than the rates set for obtaining or renewing
25 the permits or licenses in person;

26 E. Increase the number of subscribers to broadband services in the State so as to
27 ensure that all residents of the State are able to fully take advantage of the economic
28 opportunities available through broadband Internet connectivity, including by:

29 (1) Educating residents of the State about the benefits and opportunities
30 associated with broadband services, such as distance learning opportunities,
31 opportunities in telemedicine, as defined in Title 24-A, section 4316, and state
32 programs available online; and

33 (2) Educating small businesses regarding the advantages of broadband access,
34 such as online business reporting and tax filings and national and global sales
35 opportunities; and

36 F. Seek to expand computer ownership and training in this State and ensure
37 appropriate computer equipment is available for use by public school students.

RWS

COMMITTEE AMENDMENT "A" to H.P. 1174, L.D. 1646.

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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, a definition of "broadband."

SUMMARY

This amendment replaces the bill. The amendment establishes certain broadband goals and policies to promote broadband infrastructure deployment and availability in this State.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1646

LR 2173(02)

An Act To Establish a Broadband Policy for Maine

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Utilities and Energy

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - All Funds
Minor revenue decrease - All Funds

Fiscal Detail and Notes

This bill does not specifically require any action by state agencies. However, some goals, most notably the goal of rates for on-line renewal of permits and licenses at rates equal to or less than rates for in-person renewals, may result in reductions of fee revenue to the extent that the fees are established administratively rather than by statute and other goals may result in additional expenditures by state agencies. The impact on fee revenue is not expected to be significant and any additional activities necessitating additional costs are expected to be implemented within existing budgeted resources.