

# MAINE STATE LEGISLATURE

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5/28/15  
ROBS

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Date: 5/28/15

L.D. 465  
(Filing No. H-219)

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 304, L.D. 465, Bill, "An Act To Eliminate the Broadband Sustainability Fee"

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Amend the bill in section 2 in subsection 6 in the first paragraph in the 4th line (page 2, line 1 in L.D.) by striking out the following: "municipal governments in developing plans to" and inserting the following: 'and'

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**SUMMARY**

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This amendment requires the ConnectME Authority to use any remaining funds from the broadband sustainability fund to support and promote broadband service in unserved or underserved areas. The bill directs the funds to municipal governments for the development of plans to promote broadband.

**FISCAL NOTE REQUIRED  
(See attached)**

**COMMITTEE AMENDMENT**

**127th MAINE LEGISLATURE****LD 465****LR 1181(02)****An Act To Eliminate the Broadband Sustainability Fee****Fiscal Note for Bill as Amended by Committee Amendment****Committee: Energy, Utilities and Technology****Fiscal Note Required: Yes***A (H-219)*

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**Fiscal Note**

Current biennium revenue decrease - Broadband Sustainability Fund

**Fiscal Detail and Notes**

The bill eliminates the broadband sustainability fee and requires funds in the Broadband Sustainability Fund (BSF) within the ConnectME Authority (ConnectME) to be used to support and promote broadband service in unserved or underserved areas. ConnectME is a legally separate entity from the State and is a component unit of the State that is not funded using state funds. Under current law, 95% of the funds from this fee go to the BSF and 5% go to the ConnectME Fund. Eliminating the broadband sustainability fee will reduce revenue to the two funds at ConnectME by an estimated \$350,000 in fiscal year 2015-16, \$900,000 in fiscal year 2016-17 and \$750,000 in fiscal year 2017-18. Under current law, this fee will end on December 31, 2017. There is currently \$343,728 in the BSF, but ConnectME has indicated that the BSF will have a substantially smaller balance before this bill becomes law due to certain companies requesting disbursements from the BSF as allowed under current law. There is a Superior Court case pending concerning delinquent broadband sustainability fee payments owed to ConnectME. ConnectME estimates a \$320,000 judgment if ConnectME prevails in the court case. This \$320,000 would not be disbursed to certain companies if the case is resolved after the bill becomes law and that additional revenue could potentially be available to support and promote broadband service in unserved or underserved areas.