

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

August 2015

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STATE OF MAINE

127TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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those facilities, while ensuring public safety.

LD 1167 An Act To Modernize Maine's Broadband Standards

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON	ONTP	

This bill requires the ConnectME Authority to review its definition of broadband service on an annual basis and consider how broadband service is defined by the Federal Communications Commission. This bill also requires the ConnectME Authority to consider other indicators of nationally competitive broadband performance expectations when defining broadband service. This bill requires that if the ConnectME Authority amends its definition of broadband service, it must strengthen the definition to ensure it contributes to the State's nationally competitive economic development status. This bill also requires that the ConnectME Authority enhance broadband service in Maine to achieve actual speeds for downloads and uploads that are at least equal to or greater than the average of all the New England states' actual speeds.

LD 1185 An Act To Establish the Municipal Gigabit Broadband Network Access Fund

PUBLIC 323

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS WOODSOME	OTP-AM OTP-AM	H-288 S-257 WOODSOME

This bill establishes the Municipal Gigabit Broadband Network Access Fund within the Department of Economic and Community Development to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The bill establishes funding for the department to award planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

Committee Amendment "A" (H-288)

This amendment is the majority report of the committee. This amendment does the following.

1. It changes the entity in charge of administering the Municipal Gigabit Broadband Network Access Fund from the Department of Economic and Community Development to the ConnectME Authority.
2. It reduces the minimum number of implementation grants to be awarded from 50 to 25.
3. It removes the provision requiring a minimum number of implementation grants to be awarded to economically disadvantaged communities.
4. It reduces the maximum number of planning grants to be awarded from 50 to 25.
5. It includes submission requirements for those awarded planning grants.
6. It removes those sections of the bill that require the ConnectME Authority to review laws, rules and regulations related to high-speed broadband access and that direct the Public Utilities Commission to eliminate barriers regarding ultra high-speed broadband infrastructure.
7. It reduces the overall amount to be allocated from the General Fund from approximately \$12,000,000 to

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approximately \$6,000,000 and makes corresponding reductions to initiatives to achieve the reduction in the overall amount to be allocated.

Committee Amendment "B" (H-289)

This amendment is the minority report of the committee. This amendment replaces the bill with a resolve that directs the Department of Economic and Community Development and the ConnectME Authority to work with broadband providers, communities and regional economic development groups throughout the State to determine where existing broadband access provides economic benefits and where additional broadband access may increase economic opportunities within a community or region. This amendment directs the department and authority to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2016. The amendment provides that the committee may report out a bill based on the report.

Senate Amendment "A" To Committee Amendment "A" (S-257)

This amendment:

1. Removes General Fund allocations that provide funds to support the Municipal Gigabit Broadband Network Access Fund;
2. Provides that the ConnectME Authority may receive and deposit in the Municipal Gigabit Broadband Network Access Fund federal funds, the proceeds from bonds and funds from any other public or private source;
3. Removes the minimum number of implementation and planning grants the ConnectME Authority is required to award;
4. Removes the requirement that the ConnectME Authority establish a timeline and standards for grants under the Municipal Gigabit Broadband Network Access Fund and perform an evaluation of the Municipal Gigabit Broadband Network Access Fund; and
5. Makes other changes to reflect the removal of the General Fund allocation to fund the Municipal Gigabit Broadband Network Access Fund.

This amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 323 establishes the Municipal Gigabit Broadband Network Access Fund within the ConnectME Authority to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The law provides that to extent funds are available they must be used to provide planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

LD 1215 An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust

PUBLIC 255

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON KATZ	OTP-AM ONTP	H-113

This bill corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy