



126th MAINE LEGISLATURE

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Legislative Document

No. 876

S.P. 301

In Senate, March 5, 2013

**Resolve, To Establish a Working Group To Study Issues Relating to
Broadband Infrastructure Deployment**

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative THERIAULT of Madawaska and
Senators: CLEVELAND of Androscoggin, JACKSON of Aroostook, MAZUREK of Knox,
Representative: RUSSELL of Portland.

1 **Sec. 1. Working group to study issues relating to broadband**
2 **infrastructure deployment. Resolved:** That the ConnectME Authority, established
3 in the Maine Revised Statutes, Title 35-A, section 9203 and referred to in this resolve as
4 "the authority," shall convene a working group to identify technical, legal, funding and
5 jurisdictional challenges to the deployment of broadband conduit for fiber-optic
6 communications and to develop solutions necessary to achieve and facilitate the
7 deployment of broadband infrastructure. The working group shall consider access to
8 public facilities and rights-of-way for broadband conduit installation, particularly as
9 rights-of-way are disturbed for infrastructure projects, including, but not limited to, road
10 and bridge construction, reconstruction and maintenance. The working group shall
11 develop policies focused on increasing coordination between government agencies,
12 including, but not limited to, state and municipal entities, and utility companies to
13 decrease the frequency of highway excavation while expanding broadband capacity in the
14 State; and be it further

15 **Sec. 2. Participants. Resolved:** That the authority shall invite the following to
16 participate in the working group:

- 17 1. The chair of the Public Utilities Commission or the chair's designee;
- 18 2. The Chief Information Officer within the Department of Administrative and
19 Financial Services or the officer's designee;
- 20 3. The Commissioner of Economic and Community Development or the
21 commissioner's designee;
- 22 4. The Commissioner of Transportation or the commissioner's designee;
- 23 5. The executive director of the Maine Turnpike Authority or the executive
24 director's designee;
- 25 6. A member of the public with significant knowledge of communications
26 technology;
- 27 7. A representative of the Maine School and Library Network;
- 28 8. A representative of the Maine Municipal Association; and
- 29 9. Other parties at the discretion of the authority; and be it further

30 **Sec. 3. Duties. Resolved:** That the duties of the working group are as follows:

- 31 1. To review the so-called federal dig once policy;
- 32 2. To review other states' experiences and strategies relating to broadband
33 infrastructure deployment, including the so-called dig once policies in other states;
- 34 3. To review state laws and rules and agency policies relating to highway and bridge
35 construction and reconstruction and utility accommodation, including an evaluation of the
36 feasibility and need for broadband conduit as part of the highway construction process;

