



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1235

S.P. 402

In Senate, March 25, 2021

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**An Act To Authorize a General Fund Bond Issue To Connect Maine  
with a World-class Internet Infrastructure**

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Received by the Secretary of the Senate on March 23, 2021. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 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 BENNETT of Oxford.  
Cosponsored by Representative BERRY of Bowdoinham and  
Senator: MAXMIN of Lincoln, Representative: SKOLFIELD of Weld.

1           **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in  
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance  
3 of bonds on behalf of the State of Maine to provide funds as described in this Act,

4           **Be it enacted by the People of the State of Maine as follows:**

5           **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the  
6 direction of the Governor, to issue bonds in the name and on behalf of the State in an  
7 amount not exceeding \$100,000,000 for the purposes described in section 5 of this Act.  
8 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
9 a period longer than 10 years from the date of the original issue of the bonds.

10           **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State  
11 shall ensure that an account of each bond is kept showing the number of the bond, the name  
12 of the successful bidder to whom sold, the amount received for the bond, the date of sale  
13 and the date when payable.

14           **Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State  
15 may negotiate the sale of the bonds by direction of the Governor, but no bond may be  
16 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the  
17 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State  
18 upon warrants drawn by the State Controller, are appropriated solely for the purposes set  
19 forth in this Act. Any unencumbered balances remaining at the completion of the project  
20 in this Act lapse to the Office of the Treasurer of State to be used for the retirement of  
21 general obligation bonds.

22           **Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest  
23 due or accruing on any bonds issued under this Act and all sums coming due for payment  
24 of bonds at maturity.

25           **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.** The  
26 proceeds of the sale of the bonds authorized under this Act must be expended as designated  
27 in the following schedule under the direction and supervision of the agencies and entities  
28 set forth in this section.

29           **CONNECTMAINE AUTHORITY**

30           Provides funding for grants and loans to provide a world-class affordable high-speed  
31 Internet infrastructure to reach 98% of homes and businesses in the State within 5 years,  
32 to leverage federal, private and other funding. Grant and loan funding must target high-  
33 quality infrastructure in order to get the best return on investment over the next 20  
34 years. The infrastructure must be affordable, reliable, secure, fast and enduring. It  
35 must provide symmetrical-speed broadband expandable to gigabit speeds. Bond-  
36 funded backbone and middle-mile infrastructure must provide open-access  
37 infrastructure that allows for competition between service providers and choice for  
38 consumers and must provide for neutral networks prohibiting the blocking of websites  
39 and charging extra for not slowing down content. Bond-funded last-mile infrastructure  
40 may be open access at the discretion of the applicant.

41           Total \$100,000,000

1       **Sec. 6. Contingent upon ratification of bond issue.** Sections 1 to 5 do not  
2 become effective unless the people of the State ratify the issuance of the bonds as set forth  
3 in this Act.

4       **Sec. 7. Appropriation balances at year-end.** At the end of each fiscal year, all  
5 unencumbered appropriation balances representing state money carry forward. Bond  
6 proceeds that have not been expended within 10 years after the date of the sale of the bonds  
7 lapse to the Office of the Treasurer of State to be used for the retirement of general  
8 obligation bonds.

9       **Sec. 8. Bonds authorized but not issued.** Any bonds authorized but not issued  
10 within 5 years of ratification of this Act are deauthorized and may not be issued, except  
11 that the Legislature may, within 2 years after the expiration of that 5-year period, extend  
12 the period for issuing any remaining unissued bonds for an additional amount of time not  
13 to exceed 5 years.

14       **Sec. 9. Referendum for ratification; submission at election; form of**  
15 **question; effective date.** This Act must be submitted to the legal voters of the State at  
16 a statewide election held in the month of November following passage of this Act. The  
17 municipal officers of this State shall notify the inhabitants of their respective cities, towns  
18 and plantations to meet, in the manner prescribed by law for holding a statewide election,  
19 to vote on the acceptance or rejection of this Act by voting on the following question:

20                 "Do you favor a \$100,000,000 bond issue to provide funding for a world-  
21 class affordable high-speed Internet infrastructure that will reach 98% of  
22 homes and businesses in the State within 5 years?"

23       The legal voters of each city, town and plantation shall vote by ballot on this question  
24 and designate their choice by a cross or check mark placed within a corresponding square  
25 below the word "Yes" or "No." The ballots must be received, sorted, counted and declared  
26 in open ward, town and plantation meetings and returns made to the Secretary of State in  
27 the same manner as votes for members of the Legislature. The Governor shall review the  
28 returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall  
29 proclaim the result without delay and this Act becomes effective 30 days after the date of  
30 the proclamation.

31       The Secretary of State shall prepare and furnish to each city, town and plantation all  
32 ballots, returns and copies of this Act necessary to carry out the purposes of this  
33 referendum.

34                                                                 **SUMMARY**

35       The funds provided by this bond issue, in the amount of \$100,000,000, will be used to  
36 provide funding for a world-class affordable high-speed Internet infrastructure that will reach  
37 98% of homes and businesses in the State within 5 years.