



STATE OF MAINE

OFFICE  
OF THE  
SECRETARY OF STATE

MATTHEW DUNLAP  
SECRETARY OF STATE

Testimony of Peggy Schaffer  
In favor of LD 31  
An Act Regarding Rules Adopted by the ConnectME Authority  
January 31, 2019

Senator Lawrence, Representative Berry, members of the Energy, Utilities and Technology Committee, I am Peggy Schaffer. I serve as the Small Business Advocate in the Secretary of State's Office, and for the past four years as Co-Chair of the Maine Broadband Coalition.

Maine Broadband Coalition gives voice to internet users across the state to secure universal, affordable and equitable access to broadband connectivity that serves both current and future needs. We lead statewide engagement, education and lobbying centered on the importance of expanded connectivity for all Maine residents. We believe that users must have a strong voice in this work. We have about 230 members across the state, including towns, businesses, small ISPs, economic development organizations and individuals.

This bill is really simple. It reduces the bureaucracy at the ConnectME Authority around its rule adoption. Currently the rules are "major substantive", which requires AFTER the normal prescribed APA process that rules come before the legislature for final adoption. This final step can add often up to a year to the adoption of rules. And it makes it very difficult to amend the rules as times and programs need adjusting. One thing we know about the broadband universe is that it is constantly changing and innovating. Making ConnectME's rules routine technical would enable the Authority's ability to respond to the changing nature of this work.

The legislature usually requires major substantive when it is new. ConnectME has been around since 2006. It is likely this change in rule making status has not been back before this committee simply because the last rule the Authority officially adopted was in 2007. You will have the current rule back up before you next week, as there was a bit of a mix-up in the order of adoption, so the rule has not been officially adopted. But, going forward, now is the time to change this process to a simpler, faster method that still requires all the public input and timelines outlined in the APA, but just not a final approval by the legislature.

I urge you to pass this simple piece of legislation. I am happy to answer any questions you may have.