

RESOLUTION

A Resolution of the Town of Easton Opposing Legislative Document No. 920 in Maine Legislature Imposing Additional Financial Burdens on the Citizens of Easton

WHEREAS, Town of Easton regulates cable franchising within the municipality limits;

WHEREAS, State law recognizes “the importance of municipal control of franchising and regulation in order to ensure that the needs and interests of local citizens are adequately met;”

WHEREAS, Town of Easton exercises its franchising authority based on the local needs and interest of **Town of Easton’s** residents;

WHEREAS, Town of Easton believes that it is in the best interest of **Town of Easton’s** residents to minimize the tax and fee burden borne by **Town of Easton’s** cable subscribers, and therefore has chosen to assess franchise fees below the maximum allowed by federal law;

WHEREAS, Congress in the federal Cable Act enacted in 1984 permitted, but did not require, local franchising authorities to charge a cable franchise fee of up to five percent of a cable operator’s gross revenues derived from the operation of the cable system to provide cable services;

WHEREAS, Congress deliberately chose this language in order to give local communities the discretion and flexibility to choose between imposing additional costs on cable subscribers by requiring a franchise fee or keeping their rates lower by refraining from charging such a fee;

WHEREAS, Town of Easton believes it is better to keep money in the hands of the people than for the government to impose excess fees to the maximum extent allowed by federal law;

WHEREAS, Legislative Document No. 920 (“LD920”) negates Congressional intent by usurping **Town of Easton’s** authority and judgment to act “in the best interests of the municipality” governing franchises in **Town of Easton’s** public ways;

WHEREAS, LD920 moves certain control and responsibility for local cable franchising from **Town of Easton** to the Maine Public Utilities Commission (“PUC”);

WHEREAS, LD920 mandates that cable franchise fees be assessed at the maximum amount allowed by federal law;

WHEREAS, LD920 imposes an additional state-mandated fee to fund the PUC’s new role over local cable franchising;

WHEREAS, Town of Easton has proven that it is fully capable of exercising its cable franchising authority in the best interests of the community and does not need additional state oversight;

WHEREAS, LD920 replaces **Town of Easton's** judgement regarding what is in the best interest of **Town of Easton's** residents with that of the state, and will unnecessarily increase cable bills for all **Town of Easton's** cable subscribers;

WHEREAS, the pandemic has highlighted the importance of cable service to allow **Town of Easton's** residents, particularly seniors, to stay connected to news, entertainment and weather information;

WHEREAS, particularly when so many are struggling economically, increasing the cost of cable service with additional unnecessary state-mandated fees is against the interest of **Town of Easton** residents;

NOW, THEREFORE, BE IT RESOLVED THAT TOWN OF EASTON AS FOLLOWS:

SECTION 1: The Recitals above a incorporated as part of Section 1 as though set forth herein in their entirety.

SECTION 2: It is resolved the **Town of Easton** opposes LD920 as proposed by the Maine Legislature.

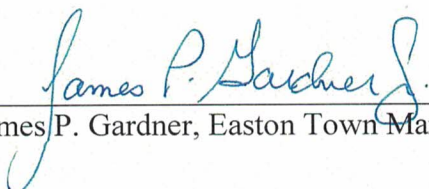
SECTION 3: It is further resolved that **Town of Easton** is committed to exercising its cable franchising authority in the best interest of **Town of Easton's** residents, which means working to decrease, not increase, the tax and fee burden on **Town of Easton's** cable subscribers.

SECTION 4: It is further resolved that this Resolution shall be in full force and effect after its approval, passage and publication as provided by law, and shall be transmitted to the Maine Legislature for consideration.

ADOPTED this 10th day of May, 2021.

AYES: 4
NAYS: 0
ABSENT: 1

APPROVED this 10th day of May, 2021


James P. Gardner, Easton Town Manager

ATTEST:


Cheryl J. Clark, Easton Town Clerk