

HOUSE BILL NO. 106
INTRODUCED BY SWITZER

IN THE HOUSE

January 7, 1981	Introduced and referred to Committee on Business and Industry.
February 17, 1981	Committee recommend bill do pass as amended. Report adopted.
February 18, 1981	Bill printed and placed on members' desks.
February 19, 1981	Second reading, do pass.
February 20, 1981	Considered correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 98; Noes, 0. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on Business and Industry.
March 16, 1981	Committee recommend bill be concurred in. Report adopted.
March 18, 1981	Second reading, concurred in.
March 20, 1981	Third reading, concurred in. Ayes, 48; Noes, 0.

IN THE HOUSE

March 21, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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Approved by Committee
on Business and Industry

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE DEFINITION
5 OF RURAL AREA AS THE TERM APPLIES TO THE RURAL ELECTRIC AND
6 TELEPHONE COOPERATIVE ACT; AMENDING SECTION 35-18-102, MCA."
7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 35-18-102, MCA, is amended to read:

10 "35-18-102. Definitions. (1) Corporations organized
11 under this chapter and corporations which become subject to
12 this chapter in the manner hereinafter provided are
13 hereinafter referred to as "cooperatives".

14 (2) In this chapter, unless the context otherwise
15 requires the following definitions apply:

16 (a) "Cable television system" means a system that
17 receives and amplifies the signals broadcast by one or more
18 television stations and redistributes the signals to
19 subscribing members of the public for a fixed or periodic
20 fee by wire, cable, microwave, or other means, whether such
21 means are owned or leased.

22 (b) "Broadband" means transmission facilities capable
23 of handling frequencies greater than those required for high
24 grade voice communication (higher than 4 kilohertz).

25 (c) "Member" means each incorporator of a cooperative

1 and each person admitted to and retaining membership therein
2 and shall include a husband and wife admitted to joint
3 membership.

4 (d) "Person" includes any natural person, firm,
5 association, corporation, business trust, partnership,
6 federal agency, state or political subdivision or agency
7 thereof, or any body politic.

8 (e) "Rural area", as applied to all corporations
9 organized under the provisions of 35-18-105(1), means any
10 area not included within the boundaries of any incorporated
11 or unincorporated city, town, village, or borough having a
12 population in excess of 3,500 persons on March 17, 1939, or
13 subsequent thereto, and every incorporated municipality in
14 which 95% or more of the premises are served by an electric
15 cooperative on February 1, 1971; "rural area", as applied to
16 all corporations organized under the provisions of
17 35-18-105(2), means any area not included within the
18 boundaries of any incorporated or unincorporated city or
19 town having a population in excess of ~~4,500~~ 3,500 1,500
20 persons EXCEPT THAT AN INCORPORATED OR UNINCORPORATED CITY
21 OR TOWN WITH POPULATION MORE THAN 1,500 PERSONS IS
22 CONSIDERED A "RURAL AREA" FOR PURPOSES OF THIS CHAPTER IF
23 THE SYSTEM OR FACILITIES SERVING THE PERSONS IN THE CITY OR
24 TOWN IS ACQUIRED BY A COOPERATIVE BY AGREEMENT WITH THE
25 COMPANY OR ENTITY SERVING THE CITY OR TOWN, OR IF THE CITY

1 OR TOWN WAS SERVED BY THE COOPERATIVE WHEN IT HAD A
2 POPULATION OF LESS THAN 1,500 PERSONS AND SUBSEQUENTLY GREW
3 TO A POPULATION MORE THAN 1,500 PERSONS; BUT FOR THE
4 PURPOSES OF THIS CHAPTER A "RURAL AREA" MEANS AN AREA NOT
5 INCLUDED WITHIN THE BOUNDARY OF ANY INCORPORATED OR
6 UNINCORPORATED CITY OR TOWN HAVING A POPULATION IN EXCESS OF
7 3,500 PERSONS WHICH IS NOT ALREADY BEING SERVED BY A SYSTEM
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-End-

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