

House Bill 310

In The House

January 17, 1981	Introduced and referred to Committee on Business and Industry.
January 20, 1981	Fiscal note requested.
January 26, 1981	Fiscal note returned.
February 2, 1981	Committee recommend bill do not pass.

1 HOUSE BILL NO. 310

2 INTRODUCED BY *Monahan STEVE BROWN July*  
3 *Roush, Fagerlund*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBJECT COMMUNITY  
5 ANTENNA SYSTEMS, COMMONLY REFERRED TO AS CABLE TV, TO THE  
6 SUPERVISION, REGULATION, AND CONTROL OF THE PUBLIC SERVICE  
7 COMMISSION; AMENDING SECTION 69-3-101, MCA."

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

9 ~~NEW SECTION.~~ Section 1. Regulation of cable TV. The  
10 public service commission has full power of supervision,  
11 regulation, and control of community antenna systems,  
12 commonly referred to as cable TV. The provisions of Title  
13 69, chapter 3, apply to the supervision, regulation, and  
14 control of community antenna systems, and references to  
15 public utilities in Title 69, chapter 3, include community  
16 antenna systems.

17 Section 2. Section 69-3-101, MCA, is amended to read:  
18 "69-3-101. Meaning of term public utility. (1) The  
19 term "public utility", within the meaning of this chapter,  
20 shall embrace every corporation, both public and private,  
21 company, individual, association of individuals, their  
22 lessees, trustees, or receivers appointed by any court  
23 whatsoever, that now or hereafter may own, operate, or  
24 control any plant or equipment, any part of a plant or  
25

1 equipment, or any water right within the state for the  
2 production, delivery, or furnishing for or to other persons,  
3 firms, associations, or corporations, private or municipal:  
4 (1)(a) heat;  
5 (2)(b) street-railway service;  
6 (3)(c) light;  
7 (4)(d) power in any form or by any agency;  
8 (5)(e) water for business, manufacturing, household  
9 use, or sewerage service, whether within the limits of  
10 municipalities, towns, and villages or elsewhere;  
11 (6)(f) telegraph or telephone service.

12 ~~(2) For the purpose of supervision, regulation, and~~  
13 ~~control of community antenna systems as provided for in~~  
14 ~~[section 1], the term "public utility" includes community~~  
15 ~~antenna systems, commonly referred to as cable TV."~~

16 Section 3. Codification instruction. Section 1 is  
17 intended to be codified as an integral part of Title 69,  
18 chapter 3, and the provisions of Title 69, chapter 3, apply  
19 to section 1.

-End-

INTRODUCED BILL  
HB 310

## STATE OF MONTANA

REQUEST NO. 165-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 21, 19 81, there is hereby submitted a Fiscal Note for House Bill 310 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act to include cable television systems as a public utility.

## ASSUMPTIONS:

1. There are approximately 15 cable television companies in Montana.
2. All existing and future rate tariff schedules for cable TV companies will have to be analyzed for compliance.
3. To insure that construction, extension, and operation of Cable TV companies is provided as a public convenience a complete staff analysis must include engineering data from a communications engineer and a rate analyst.

## FISCAL IMPACT:

	<u>FY 82</u>	<u>FY 83</u>
Revenue	\$ 100	\$ 100
Less: Expenditures		
Personal Services	43,720	44,628
Operating Expenses	4,000	4,500
Capital Outlay	1,100	0
Total Expenditures	<u>48,720</u>	<u>49,128</u>
NET EFFECT	<u>\$48,620</u>	<u>\$49,028</u>

Local Impact: None.

*David M Lewis*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-26-81