

SENATE BILL NO. 117

INTRODUCED BY DOVER, HAZELBAKER,
VAN VALKENBURG, QUILICI, LORY,
STIMATZ, KEATING, CONNELLY

BY REQUEST OF THE BOARD OF CRIME CONTROL

IN THE SENATE

January 12, 1983	Introduced and referred to Committee on Business and Industry.
January 13, 1983	Fiscal Note requested.
January 18, 1983	Fiscal Note returned.
January 25, 1983	Committee recommend bill do pass. Report adopted. Statement of Intent attached.
January 26, 1983	Bill printed and placed on members' desks.
January 27, 1983	Second reading, pass consideration.
January 28, 1983	Second reading, do pass.
January 29, 1983	Correctly engrossed.
January 31, 1983	Third reading, passed. Ayes, 41; Noes, 8. Transmitted to House.

IN THE HOUSE

February 1, 1983	Introduced and referred to Committee on Business and Industry.
March 11, 1983	Committee recommend bill be concurred in. Report adopted.

March 12, 1983

Second reading, concurred
in.

March 14, 1983

Third reading, concurred in.

IN THE SENATE

March 15, 1983

Returned to Senate. Sent to
enrolling.

Reported correctly enrolled.

1 Senate BILL NO. 117
2 INTRODUCED BY Dore Hofflander & Volkerding
3 BY REQUEST OF THE BOARD OF CRIME CONTROL for
4 Security System Comm
5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
6 DEPARTMENT OF ADMINISTRATION TO DEVELOP AND MAINTAIN A LAND
7 MOBILE PUBLIC SAFETY RADIO FREQUENCY UTILIZATION PLAN; AND
8 PROVIDING AN EFFECTIVE DATE."

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

11 Section 1. Legislative recognition -- FCC contact
12 agency. The legislature recognizes that prior to issuing a
13 land mobile public safety radio license, the federal
14 communications commission (FCC) attempts to coordinate the
15 license application with other licenses to minimize the
16 interference caused by the overlapping of frequencies on the
17 same channel or an adjacent channel. The department of
18 administration is the contact agency within the state of
19 Montana to assist the FCC in the coordination of land mobile
20 public safety radio frequencies.

21 Section 2. Land mobile public safety radio frequency
22 utilization plan. (1) In order to assist the federal
23 communications commission in the coordination of land mobile
24 public safety radio frequencies, the department of
25 administration shall develop and maintain a land mobile

1 public safety radio frequency utilization plan.

2 (2) The plan must include but is not limited to:

3 (a) frequency usage and allocation standards relating
4 to radio antenna height and power, types of use intended for
5 the requested frequency, and other technical features of
6 proposed radio systems;

7 (b) technical standards applying to types of radio
8 usage;

9 (c) policies and procedures for the management of
10 statewide mutual aid frequencies.

11 Section 3. Rulemaking authority. (1) The department of
12 administration may adopt rules to implement the land mobile
13 public safety radio frequency utilization plan provided for
14 in [section 2].

15 (2) The department shall obtain input from all state
16 and local users of public safety radio services.

17 Section 4. Effective date. This act is effective July
18 1, 1983.

-End-

STATE OF MONTANA

097-83

REQUEST NO. _____

FISCAL NOTE

Form BD-15

In compliance with a written request received January 13, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 117 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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:

Senate Bill 117 designates the Department of Administration as the contact agency within the State of Montana to assist the Federal Communications Commission (F.C.C.) in the coordination of land mobile public safety radio frequencies; requests that the department develop and maintain a land mobile public safety radio frequency utilization plan; enables the department to adopt rules to implement the plan; and requires the department to obtain input from all state and local users of public safety radio services.

ASSUMPTIONS:

- 1) There are 942 radio licenses in the state. There will be approximately 100 requests for F.C.C. license renewals or new applications per year, generating annual revenues of approximately \$5,000.
- 2) There will be a 14 person frequency utilization advisory council. Five members will require per diem and travel expenses for 6 meetings.
- 3) One-half FTE above the current staffing level and related travel and expenses will be absorbed by the communications revolving fund. This position is needed to process license applications, manage an automated frequency and license file, and assist with the advisory council.

FISCAL IMPACT:

	<u>FY 84</u>	<u>FY 85</u>
Revenue:		
Under Current Law	\$ 0	\$ 0
Under Proposed Law	<u>5,000</u>	<u>5,000</u>
Increase In Revenue	5,000	5,000
Expenditures:		
Personal Services		
Under Current Law	\$ 0	\$ 0
Under Proposed Law	<u>7,107</u>	<u>7,107</u>
Increase	7,107	7,107
Operating Expenses		
Under Current Law	0	0
Under Proposed Law	<u>4,610</u>	<u>4,610</u>
Increase	4,610	4,610
Total Expenditures	<u>11,717</u>	<u>11,717</u>
Net Effect	(6,717)	(6,717)

Continued
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-18-83

COMMENTS:

Excess expenditures (net effect) will be absorbed by Communications Revolving Fund.

LOCAL IMPACT:

Preparing a plan and filing it with the F.C.C. will result in fewer rejections by F.C.C. and Canada and less time for both local and state agencies, thus resulting in cost savings.

Approved by Committee
on Business and Industry

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(2) The plan must include but is not limited to:

(a) frequency usage and allocation standards relating
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and local users of public safety radio services.

Section 4. Effective date. This act is effective July
1, 1983.

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1 STATEMENT OF INTENT

2 SENATE BILL 117

3 Senate Business and Industry Committee

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5 A Statement of Intent is required for this bill because
6 it grants rulemaking authority to the Department of
7 Administration in Section 3.

8 (1) The Legislature intends that in developing a
9 statewide frequency utilization plan, the Department address
10 the following:

11 (a) interagency communications,

12 (b) a statewide mutual aid frequency; and

13 (c) participation by state and local radio users.

14 (2) The Legislature does not intend that rules adopted
15 by the Department make entry into the plan by local
16 government undits mandatory.

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REFERENCE BILL

SB 117

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