

House BILL NO. 460

Larson
Wester

INTRODUCED BY

Luisi Mills HARP

Deak (FRIVOL) *W. H. ...* *Ernie* *Burditt* *John Johnson*

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A BLUE RIBBON TELECOMMUNICATIONS TASK FORCE TO EXAMINE MONTANA'S TELECOMMUNICATIONS INFRASTRUCTURE AND TO MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE TO ENSURE THE IMPLEMENTATION OF POLICIES, PRACTICES, AND STATUTES REGARDING ACCESS TO ADVANCED TELECOMMUNICATIONS SERVICES; ESTABLISHING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING A GENERAL FUND APPROPRIATION OF \$50,000; AUTHORIZING ADDITIONAL SPENDING OF NONGENERAL FUND REVENUE; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, telecommunications services are integral to every aspect of our lives, including health, education, and safety, to each business, and to each public program and service; and

WHEREAS, access to advanced telecommunications services is essential to ensure continued economic growth, Montana's competitive position in the global market, and a superior quality of life for Montanans; and

WHEREAS, a robust, competitive telecommunications marketplace is most likely to provide the advanced telecommunications services Montana requires to ensure Montana's competitive advantage in the global economy, foster the creation of new, higher-paying jobs for Montanans, bring the benefits promised by the Information Age to all Montanans, and continue Montana's commitment to universal service; and

WHEREAS, advanced telecommunications services are critical to providing a quality education for Montana's students and ensuring their technical literacy; and

WHEREAS, as we Montanans approach the 21st century, our vision for the state and its use of advanced telecommunications services includes an environment in which:

(1) consumers enjoy the benefits of greater choices among high-quality, affordable telecommunications products and services that respond to the diverse demands of the state's growing population;

(2) businesses enjoy heightened productivity by choosing freely from a rich menu of improved telecommunications products and services, ranging from basic telephone service to the most sophisticated

1 high-speed services;

2 (3) telecommunications services increase access to and improve the quality, efficiency, and service
3 delivery costs of vital services, such as education and health care, for all; and

4 (4) the people of the state, regardless of social or economic circumstances, enjoy ready access to,
5 and knowledge of, the fundamental telecommunications services necessary to participate in the changing
6 social and commercial fabric of Montana, the nation, and the world.

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

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10 NEW SECTION. **Section 1. Task force -- purpose and scope.** (1) There is a blue ribbon
11 telecommunications task force (task force) to examine Montana's telecommunications infrastructure. The
12 task force shall recommend policies, practices, and statutory changes that are required to meet customer
13 needs, remove barriers, enhance competitiveness and economic development, and identify ways of securing
14 other identified values and benefits. The task force shall examine but not limit itself to:

15 (a) current and anticipated trends in telecommunications technologies and services and their impact
16 on the economic health and general well-being of all Montana citizens;

17 (b) ways of defining "basic telecommunications service" in a competitive environment, addressing
18 consumer protection regarding availability, subsidies from other services and providers, and access by
19 low-income consumers and consumers with special needs;

20 (c) ways of defining "telecommunications infrastructure and services" and the evolving role of
21 telecommunications providers;

22 (d) ways of defining "universal service", the extent to which it has been achieved, and its role in
23 a competitive telecommunications environment;

24 (e) policies regarding extended local calling areas;

25 (f) strategies to promote the development and transition to a fully competitive telecommunications
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28 state regulation in light of new federal legislation;

29 (h) policies, practices, and statutes that create barriers and disincentives to invest in
30 telecommunications deployment and use;

1 (i) ways to stimulate private sector deployment of enhanced telecommunications services;

2 (j) ways to ensure that Montana's K-12 and university educational system and public libraries have
3 access to advanced telecommunications services; and

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5 telecommunications services.

6 (2) The task force is allocated to the department of administration for administrative purposes only
7 as provided in 2-15-121.

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9 **NEW SECTION. Section 2. Membership -- appointments -- vacancies.** (1) The task force is
10 composed of the following members:

11 (a) 13 members, appointed by the governor, who are broadly representative of telecommunications
12 users and providers in Montana;

13 (b) one member of the senate, appointed by the president of the senate; and

14 (c) one member of the house of representatives, appointed by the speaker of the house.

15 (2) Task force members must be appointed and designated no later than September 1, 1995.

16 (3) The governor shall appoint the presiding officer of the task force.

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24 (3) In addition to the expenditures in subsections (1) and (2), task force funds may be spent for
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(a) \$50,000 from the general fund; and

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(b) \$175,000 from the account provided for in [section 6].

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(2) The appropriations provided for in subsection (1) are biennial appropriations.

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(3) As provided in 17-2-108, the task force, to the extent possible, shall expend revenue
18 appropriated in subsection (1)(b) before expending general fund money appropriated in subsection (1)(a).

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(4) Funds appropriated to the department of administration pursuant to subsection (1) but not
20 expended prior to June 30, 1997, revert to the general fund.

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22 NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 1995.

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24 NEW SECTION. Section 9. Termination. [This act] terminates June 30, 1997.

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STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0460, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A act establishing a blue ribbon telecommunications task force to examine Montana's telecommunications infrastructure and to make recommendations to the governor and the legislature to ensure the implementation of policies, practices, and statutes regarding access to advanced telecommunications services; establishing a state special revenue account; providing a general fund appropriation of \$50,000; authorizing additional spending of nongeneral fund revenue.

ASSUMPTIONS:

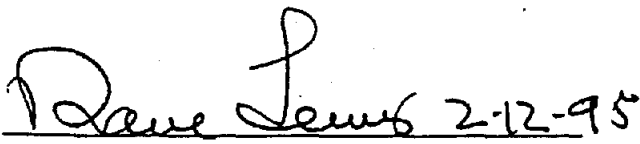
1. The fiscal impact is assumed to be consistent with the appropriations provided in the bill.
2. Operating expenses include consulting services, and task force costs (per diem, travel reimbursements, etc.). Expenditures reflected below are appropriated for the biennium rather than by fiscal year.

FISCAL IMPACT:

<u>Expenditures:</u>	<u>1997 Biennium</u>	<u>Difference</u>
Operating Expenses		225,000
<u>Funding:</u>		
General Fund (01)	50,000	
Special Revenues (02)	<u>175,000</u>	
Total	225,000	

TECHNICAL NOTE:

To the extent that revenues deposited to the state special revenue account established in HB460 are contributed from private sources, no appropriation would be necessary.


DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

JOE QUILICI, PRIMARY SPONSOR DATE

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HB 460

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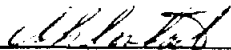
-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 29, 1995

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration HB 460 (third reading copy -- blue), respectfully report that HB 460 be amended as follows and as so amended be concurred in.

Signed: 
Senator Gary Aklestad, Chair

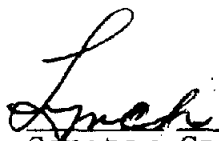
That such amendments read:

1. Page 3, line 16.
Strike: "president"
Insert: "committee on committees"

-END-


SP

Amd. Coord.
Sec. of Senate


Senator Carrying Bill

HB 460
SENATE

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3 **NEW SECTION. Section 4. Meetings -- report to governor and legislature.** (1) The task force shall
4 meet by October 1, 1995, and at the request of the presiding officer thereafter.

5 (2) The task force shall submit its findings and recommendations to the governor and the legislature
6 on or before September 1, 1996.

7

8 **NEW SECTION. Section 5. Gifts and grants.** The task force may accept payments, contributions,
9 gifts, and grants, in money or otherwise, for the purposes set forth in [section 1]. All payments, monetary
10 contributions, gifts, and grants received by the task force must be deposited in an account in the state
11 special revenue fund provided for in [section 6].

12

13 **NEW SECTION. Section 6. Special revenue account.** There is an account in the state special
14 revenue fund. The account consists of all payments, monetary contributions, gifts, and grants received by
15 the task force.

16

17 **NEW SECTION. Section 7. Appropriation -- funding.** (1) For the purposes of [sections 1 through
18 6], there is appropriated to the department of administration:

19 (a) ~~\$50,000~~ \$20,000 from the general fund; and

20 (b) \$175,000 from the account provided for in [section 6].

21 (2) The appropriations provided for in subsection (1) are biennial appropriations.

22 (3) As provided in 17-2-108, the task force, to the extent possible, shall expend revenue
23 appropriated in subsection (1)(b) before expending general fund money appropriated in subsection (1)(a).

24 (4) Funds appropriated to the department of administration pursuant to subsection (1) but not
25 expended prior to June 30, 1997, revert to the general fund.

26

27 **NEW SECTION. Section 8. Effective date.** [This act] is effective July 1, 1995.

28

29 **NEW SECTION. Section 9. Termination.** [This act] terminates June 30, 1997.

30

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