

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1364

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Dennis Halliwell  
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10/3/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1364

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1364

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 1-30-03

Tape Number	Side A	Side B	Meter #
1		x	11.1-26.9
Committee Clerk Signature <i>Joey Burke</i>			

Minutes: Chairman Klein: called the hearing to order on HB 1364. All committee members were present.

Representative Burnstein: appeared in favor of HB 1364. This bill was put in on request of some of the building movers. It would clear up a gray area. The cable company always told us that we are not under the PSC.

Representative Klein: at the present time when you have to move a structure, your contact is with who and how does that proceed, who do you contact?

Representative Burnstein: Power companies involved, telephone, REC, Exel, etc.

The cable company doesn't always cooperate.

Ilona Jeffcoat-Sacco, Director, Public Utilities Division, PSC: appeared in favor of HB 1364.

**(SEE ATTACHED TESTIMONY).**

Representative Amerman: rural co-ops are not under the jurisdiction of PSC, correct?

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*Dorinda Hallworth*  
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*10/3/03*  
Date

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House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1364  
Hearing Date 1-30-03

Illona Jeffcoat-Sacco: they are under part of our jurisdiction, that is a fairly lengthy answer, they are under this jurisdiction.

Tim Burnstein: I would urge you to have a DO PASS on this bill, one of the questions that was asked is, when we go and ask permission to go underneath lines there is a 96 hour notice, that we have to give. Right now the cable television can say we need 2 weeks, 5 weeks, or 6 months before we allow you to pass. Right now it is a 2 way street, we have to notify them we have to give them 96 hours. Tele-communications are the last line on the pole. We need this to be put in under the PSC, so we have recourse for the tele-communication companies saying we are not going to do anything for you.

Representative Haas: moved a **DO PASS** on HB 1364.

Representative Potter: **SECOND** the motion.

**VOTE 13 YES 0 NO 1 ABSENT** (Williams)

**Motion carried.**

Representative Tieman will carry the bill to the floor.

Meeting adjourned.

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Date

Date: 1-30-03  
Roll Call Vote #: 1364

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House GOVERNMENT AND VETERANS AFFAIRS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken D.P.

Motion Made By Rep. Haas Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	A	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemm	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent 1 Rep. Williams

Floor Assignment Rep. Tieman

If the vote is on an amendment, briefly indicate intent:

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Deanna Halliwell 10/3/03  
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
January 30, 2003 11:36 a.m.

Module No: HR-18-1343  
Carrier: Tleman  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1364: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).  
HB 1364 was placed on the Eleventh order on the calendar.

(2) DEBK, (3) COMM

Page No. 1

HR-18-1343

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*Diana Hall*  
Operator's Signature

*10/3/03*  
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1364

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Deanne H. H. H. H.  
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10/3/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1364

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 03/14/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		4800-end
Tape 2		x	0-3100
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

**Senator Karen Krebsbach, Chairman** opens HB 1364. All senators present.

**Representative Bernstein**, sponsor of bill, goes through bill. This law was put into effect in 9147. We want to clear up this gray area.

**Senator Brown:** the city currently regulates cable and they have not be responsive to your needs?

**Rep. Berstein:** My son will respond to that but, that is correct.

**Senator Wardner :** What is the procedure then?

**Rep. Bernstein:** They come out and remove them or even cut them. They can raise or lower them also.

**Senator Wardner:** If you were moving a home that would all be part of the cost of the move?

**Rep. Berstein:** That is true, so the companies don't lose any money. They think it is an inconvenience.

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*[Signature]*  
Operator's Signature

10/3/03  
Date



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Senate Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1364  
Hearing Date 03/14/03

**Senator Krebsbach** : The 1947 law applied to telephone and communication lines.

**Rep. Bernstein**: Correct, but does not contain anything regarding to cable lines.

**Illona Jeffcoat-Sacco, Director, Public Utilities Division, PSC.** (Testimony attached)

**Senator Wardner** : Unless there is a real dispute where the cable companies refuse to take down there lines, it wouldn't come to you?

**Sacco**: Not as of right now.

**Tim Berstein, Valley Movers**, in support of HB 1364.

We have had more and more problems to work with the cable companies. Even to move a simple garage is difficult. It requires 14 signatures we have to get to move anything. we just want the cable companies to be included just as everyone else. We have a limited amount of time.

**Senator Krebsbach** : the others are complying because they are required and cable does not have to?

**Berstein**: Yes.

**Senator Wardner** : You are just asking for a place to appeal this?

**Berstein**: Yes

**Senator Nelson** : When in the country area do you have to get permission from every township you go through?

**Berstein**: A lot has to do with the road we take. Whatever roads we are on we need permission.

**Senator Krebsbach** : What is Minnesota law?

**Berstein**: It is covered in the same place as the phone company's are.

**Scott Geston, General manager , Cable One, Fargo** (Testimony attached ) in opposition

**Senator Wardner**: I see this would be a place for both sides to appeal.

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Date

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Senate Government and Veterans Affairs Committee

Bill/Resolution Number HB 1364

Hearing Date 03/14/03

**Geston:** We are already heavily regulated by the FCC and the City of Fargo. I think this will be more of a local issue.

**Senator Wardner :** Is there an entity that wither sides can appeal now?

**Geston:** there are people that oversee the cable.

**Senator Wardner :** How does this work in Moorhead?

**Geston:** We have a separate franchise with the city of Moorhead.

**Jack McDonald, ND Cable Television Association (Testimony attached)**

It says in Bismarck the city Administrator handles final decision.

**Senator Krebsbach :** I have 3 wires overhead, I go to the Public Service Commission for 2 of these and have to go somewhere else for the other one.

**McDonald:** I don't think you have to go to the PSC, I think you go to the city.

**Senator Dever :** We are responsible for regulation statewide, what about rural areas.

**McDonald:** the cable doesn't really effect the rural agreements very often.

Closed HB 1364

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1364

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date 03/20/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	3100-3880

Committee Clerk Signature

Minutes:

Discussion by committee regarding HB 1364. Senator Brown is absent.

Senator Wardner : I don't see the bill solving this problem.

Senator Nelson: The fiber optics are very hard to splice sometimes they need to speak with engineers and it takes a little bit of time.

Senator are going to speak with movers in their communities to see what opinion they have.

Closed HB 1364

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