

# HOUSE BILL No. 5731

May 9, 1990, Introduced by Reps. Clack, Hoffman, Wallace, Stallworth, Gire and DeMars and referred to the Committee on Public Utilities.

A bill to amend section 4 of Act No. 206 of the Public Acts of 1913, entitled as amended

"An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates,"

being section 484.104 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 206 of the Public Acts of  
2 1913, being section 484.104 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 4. (1) If any telephone company doing business within  
5 this state ~~shall~~ directly or indirectly by any special rate,  
6 rebate, drawback, or other device, ~~charge, demand, collect or~~

1 ~~receive~~ CHARGES, DEMANDS, COLLECTS, OR RECEIVES from any person  
2 or persons, copartnership, or corporation ~~a~~ greater or less  
3 compensation for any service rendered, furnished, or performed  
4 than it charges, demands, collects, or receives from any other  
5 person or persons, copartnership, or corporation for rendering,  
6 furnishing, or performing ~~for him or them~~ a like contemporane-  
7 ous service, ~~such~~ THE telephone company ~~shall be~~ IS guilty of  
8 unjust discrimination which is hereby prohibited and declared to  
9 be unlawful. ~~It shall further be~~ EXCEPT AS PROVIDED IN  
10 SUBSECTION (2), IT ALSO IS unlawful for any person,  
11 copartnership, or corporation directly or indirectly to ask,  
12 demand, or accept any rebate, drawback, or other device whereby  
13 ~~he shall obtain~~ THE PERSON, COPARTNERSHIP, OR CORPORATION  
14 OBTAINS telephone service for any less rate than that charged  
15 others in like circumstances.

16 (2) SUBSECTION (1) DOES NOT PROHIBIT THE DEPARTMENT OF COR-  
17 RECTIONS FROM COLLECTING FROM A COMPANY PROVIDING LONG DISTANCE  
18 TELEPHONE SERVICES A COMMISSION FOR LONG DISTANCE TELEPHONE CALLS  
19 MADE BY PRISONERS UNDER ITS JURISDICTION. ANY CONTRACT BETWEEN  
20 THE DEPARTMENT OF CORRECTIONS AND A TELEPHONE COMPANY FOR LONG  
21 DISTANCE TELEPHONE SERVICES SHALL CERTIFY AND GUARANTEE THAT ALL  
22 RATES AND CHARGES FOR CALLS ORIGINATING FROM TELEPHONES USED BY  
23 PRISONERS SHALL BE IN ACCORDANCE WITH THE COMPANY'S APPROVED TAR-  
24 IFFS OR, IF UNREGULATED, THAT THOSE RATES AND CHARGES ARE NOT  
25 HIGHER THAN RATES AND CHARGES RENDERED TO OTHER CUSTOMERS UTILIZ-  
26 ING THE SAME OR SIMILAR SERVICES.