



**House
Legislative
Analysis
Section**

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JUL 16 1987

ELIMINATE OBSOLETE PROVISIONS

House Bill 4637 as introduced
Sponsor: Rep. Alma Stallworth

House Bill 4639 as introduced
Sponsor: Rep. David Gubow

House Bill 4650 as introduced
Sponsor: Rep. Robert DeMars

First Analysis (6-9-87)
Committee: Public Utilities

H.B. 4637 et al (6-9-87)

THE APPARENT PROBLEM:

The Public Service Commission has cited several statutory provisions as obsolete because they require the PSC to carry out duties that, for one reason or another, they no longer perform due to changes in other laws at the federal and state level.

THE CONTENT OF THE BILL:

House Bill 4637 would repeal Public Act 131 of 1927 (MCL 484.301-307), which requires the "public utilities commission" to make regulations to prohibit the interference in radio reception caused by the simultaneous broadcasting of two or more radio stations. The Federal Communications Commission has pre-empted state regulation of broadcasting.

House Bill 4639 would amend Public Act 72 of 1883 (MCL 484.51), which regulates telegraph and telephone companies, to delete references to "telephones" (that is, the instrument). The instrument is no longer subject to regulation. House Bill 4650 would delete references to "telephones" in Public Act 206 of 1913 (MCL 484.101-102), and would add an updated definition of "telephone line". The term would mean any facility designed for the transmission of two-way switched access voice communications, including facilities employing hard wire, microwave, or fiber optics. The term would not include facilities designed for one-way noninterconnected radio paging services and services elsewhere exempted by Public Act 305 of 1986 (the telephone deregulation act): those of telecommunication service providers not owning telephone lines or exchanges, and those of municipally franchised cable television companies.

FISCAL IMPLICATIONS:

There is no fiscal information at present.

ARGUMENTS:

For:

The bills would remove outdated provisions dealing with the Public Service Commission from the statute books. One bill would remove an act requiring the commission to regulate radio broadcasting that was long ago preempted by federal communications law. The other bills would delete references to telephones as instruments, which are no longer regulated as a result of recent deregulation of the telephone industry (for example House Bill 5158 of the 1985-1986 session, which became Public Act 305 of 1986).

POSITIONS:

The Michigan Public Service Commission supports the bills.
(6-4-87)