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FISCAL IMPACT REPORT

ORIGINAL DATE 2/28/19
 SPONSOR Pinto LAST UPDATED 3/09/19 HB _____
 SHORT TITLE Develop & Expand Community Media Access SB 589/aSPAC
 ANALYST Gaussoin

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
	\$1,000.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB622
 Relates to an appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

No Responses Received

Department of Information Technology (DoIT)
 Independent Community Colleges
 Branch Community Colleges

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 589 broadens the Local Government Division options for contracting for the development and expansion of locally produced community access programming by changing “a program” to “organizations.” It also broadens the type of programming that can be developed by changing “media” to “multimedia.”

Community access channels in other states list among their “multimedia” offerings online live streaming of public meetings, electronic bulletin board, and on-demand access to programming.

Synopsis of Original Bill

Senate Bill 589 appropriates \$1 million to the Local Government Division of the Department of Finance and Administration to contract with an entity that provides public access and “local

origination” programs statewide to develop and expand community media access.

FISCAL IMPLICATIONS

The appropriation of \$1 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY20 shall revert to the general fund.

SIGNIFICANT ISSUES

DFA reported four stations currently provide locally produced programming and facilities, equipment, and production and technical assistance: Quote Unquote Inc., <http://www.quote-unquote.org/>, in Albuquerque; Los Alamos Public Access Channel 8 – PAC8, <http://cinelines.com/siteref/Pactv/generalinfo.html>; Santa Fe Community Television SCTV16, <https://www.sfcc.edu/offices/santa-fe-community-televison-sfctv16/>; and CATS Community Access TV of Silver <http://www.catsilver.org/>, in Silver City.

The Federal Communications Act allows local television franchising authorities to require cable providers to set aside channels for public, education, or governmental use. Public access channels are available for use by the general public. They are usually administered either by the cable operator or by a third-party designated by the franchising authority.

Educational access channels are used by educational institutions for educational programming. Time on these channels is typically allocated among local schools, colleges and universities by either the franchising authority or the cable operator.

Governmental access channels are used for programming by local governments. In most jurisdictions, the local governments directly control these channels.

Under federal rules, franchising authorities may require cable operators to provide services, facilities, or equipment for the use of set-aside channels and can adopt rules regarding content. (<https://www.fcc.gov/media/public-educational-and-governmental-access-channels-peg-channels>)

ADMINISTRATIVE IMPLICATIONS

SB589 would require the Local Government Division to develop a new program, procure a contract with an organization that provides public access and locally produced and focused programs statewide, and oversee and monitor the contract. DFA stated it may need an additional FTE to administer the new program.

DFA raised concerns that, with several new programs and appropriations proposed to be administered through the division each year, the division’s resources are redirected toward numerous small specialty projects, and the division might not be able to meet its statutory duties and its overall mission.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Duplicates HB622.

HFG/gb/al/sb