

1 Introduced April 8, 2008, by Councilman
2 Canada, seconded by Councilman Hursey

3
4 **RESOLUTION R08-28**

5 A resolution by the Slidell City Council opposing the enactment of a
6 "Competitive Cable and Video Act" by the Louisiana State Legislature and requesting the
7 St. Tammany Parish legislative delegation resist the lobbying efforts of the
8 telecommunications industry to impose franchise restrictive laws upon Parish and
9 Municipal Governments.

10 WHEREAS, the Louisiana State Legislature adopted House Bill No. 699
11 during the 2006 Regular Session to enact the Competitive Cable and Video Services Act
12 restricting local governmental subdivisions from issuing cable and video franchises, and
13 establishing pre-emptive state law for the franchising or otherwise regulating of cable or
14 video services within the state; and
15
16

17
18 WHEREAS, then Louisiana Governor Kathleen Blanco vetoed House Bill
19 No. 699 citing concerns with the actual impact of the bill on revenue loss to local
20 governments, legal rights to right-of-way access under the law, and interference with
21 existing contractual obligations between local governments and current franchisees; and
22 she encouraged advocates and opponents of the bill to work together in formulating a
23 model local ordinance for the franchising of telecommunication services; and
24
25
26
27

28 WHEREAS, lobbying efforts by the telecommunications industry have
29 already begun in seeking the 2008 Legislature to again adopt a cable and video anti-local
30 franchise law at its Spring 2008 regular session; and
31
32

33 WHEREAS, the Slidell City Council is opposed to the adoption of anti-local
34 franchising legislation by the Legislature for the following reasons;
35

- 36 - Control of local rights-of-way must remain with local government.
37
38
39

1
2 **RESOLUTION R08-28**
3 **PAGE 2**

- 4 - Local government must have access to local television to ensure emergency
5 communications.
6
7 - Cable/video franchises are necessary to require build-out provisions to
8 ensure that all areas have affordable access to services.
9
10 - Build-out provisions are essential for small business development.
11
12 - Cable/video franchises are necessary to provide local programming for
13 public, educational and government access stations.
14
15 - Cable/video franchises are non-exclusive and encourage competition among
16 service providers.
17
18 - Cable/video franchises are essential in assuring proper customer service by
19 providers.
20
21 - Cable/video franchises are essential in assuring upgrading of services as
22 technology improves and avoidance of substandard systems adversely
23 impacting future economic development within regions of the state.
24
25 - State preemption reduces or eliminates franchise fees essential for right-of-
26 way maintenance and assistance in paying state mandated costs.
27
28 - State preemption permits transferable "certificates" without verification of the
29 holder's ability to properly provide services and maintain infrastructure; and
30
31
32

33
34 WHEREAS, the Slidell City Council respectfully requests the St. Tammany
35 Legislative Delegation resist the lobbying efforts of the telecommunications industry to
36
37
38
39

1
2 **RESOLUTION R08-28**
3 **PAGE 3**

4 obtain support for franchise restrictive state laws; and to vote against any bill imposing said
5 laws upon parish and municipal governments; and
6

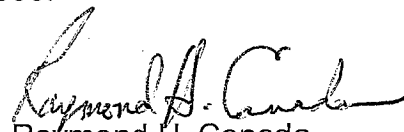
7
8 WHEREAS, the Slidell City Council respectfully requests the Louisiana State
9 Legislature not adopt franchising restrictive cable and video legislation in the 2008 session.

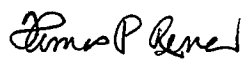
10
11 NOW THEREFORE BE IT RESOLVED by the Slidell City Council that it does
12 hereby oppose the adoption of franchise restrictive cable and video laws by the Louisiana
13 State Legislature in the 2008 Legislative Sessions for the reasons herein above stated.

14
15 BE IT FURTHER RESOLVED that the St. Tammany Parish Legislative
16 Delegation is respectfully requested to resist the lobbying efforts of the
17 telecommunications industry for support of franchise restrictive laws adversely affecting
18 parish and municipal governments.
19
20
21

22 BE IT FINALLY RESOLVED that a copy of this Resolution be delivered to the
23 Louisiana Municipal Association with a request that it be distributed among their respective
24 memberships; and that a copy be provided to the Clerk of the Louisiana House of
25 Representatives, the Secretary of the Louisiana Senate and Governor Bobby Jindal.
26
27

28
29 ADOPTED this 8th day of April, 2008.

30
31 
32 Raymond H. Canada
33 President of the Council
34 Councilman, District E

35 
36 Thomas P. Reeves
37 Council Administrator
38
39