

SENATE BILLS 394

BLUE MOUNTAIN TRANSLATOR DISTRICT

ALEX MCHADDAD, EXECUTIVE DIRECTOR



TRANSLATOR DISTRICTS IN OREGON

- Translator: A broadcast transmitter device which repeats the signal of a radio or television station to an area not covered by the signal of the originating station.
- Translator District: Special district that manages TV translators. Translator districts are common throughout the western United States.
- Oregon Districts: Oregon legislature authorized translator districts in 1975. Blue Mountain Translator District has served Baker and Union Counties since 1978. Maupin Translator District closed in 2008.



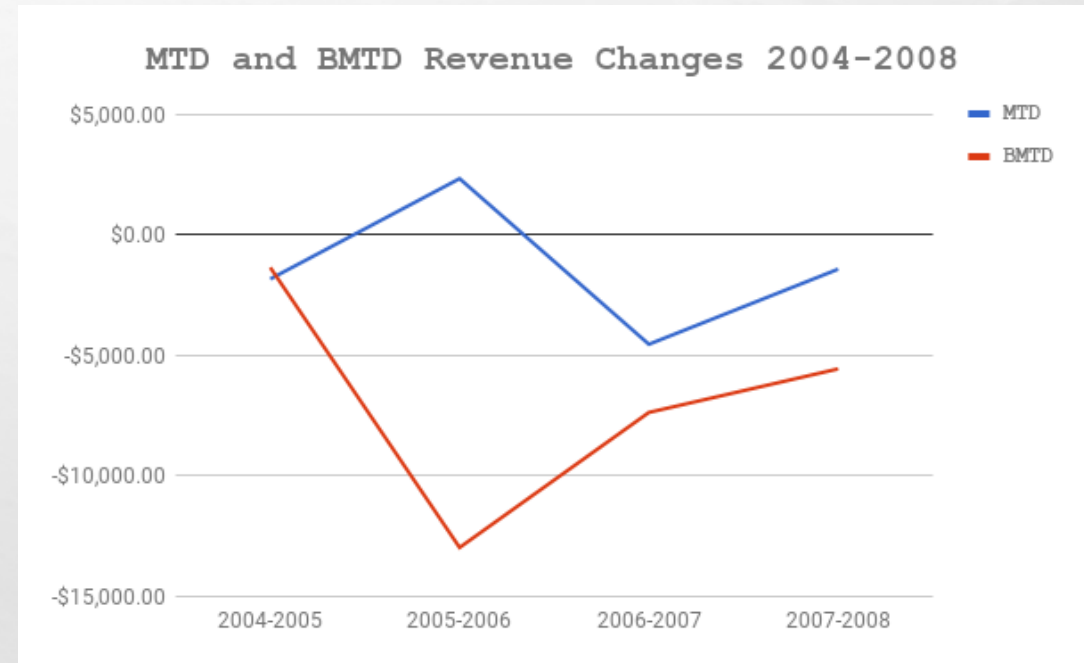
ADMINISTRATIVE PROCEDURES

- In-District Revenue: BMTD sends service charge letters to the owners of all properties where signals can be received. Property owners pay a voter-approved \$100 annual service charge, or request an exemption.
 - If the letter is not returned, the property owner receives the charge on their property taxes.*
- Out-of-District: BMTD entirely surrounds but does not incorporate 10 cities. Revenue can only be collected from signal users in cities after a physical inspection confirms the presence of an antenna.
- BMTD mails service charge letters to local property owners located throughout North America, including 41 Oregon House Districts.
 - 11 District properties are owned by constituents of Representatives Lewis, Neron, Wilde, and Zika

* Upheld in *Wilhelm v. BMTD*, 2003

REVENUE VOLATILITY

- Translator district revenue is extremely volatile and difficult to predict.
 - From 2004-2008, Maupin Translator District saw revenue fluctuate from decreases of \$4,350 to increases of \$2,346. BMTD saw revenue fluctuate between decreases of \$1,343 to \$12,967.
- Local city properties were inspected in fall 2018.
- Over 320 unregistered antennas were discovered. A majority of homes in Haines and North Powder have antennas.



You charge viewers for free TV?

- “Free TV” refers to Full Power and Class A Low Power TV.
- BMTD is a non-Class A low power secondary TV transmission service.
- Copyright Act of 1976:
 - “the secondary transmission is not made by a cable system but is made by a governmental body, or other nonprofit organization, without any purpose of direct or indirect commercial advantage, and without charge to the recipients of the secondary transmission other than assessments necessary to defray the actual and reasonable costs of maintaining and operating the secondary transmission service.”

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- Educate viewers, increase our competitiveness against other TV services, and improve local emergency management infrastructure.
 - Transmit local emergency alerts on signals.
 - Own and operate or lease or own channel or subchannel, and stream this channel online. Sell advertisements on such channel or subchannel. Best opportunity to educate viewers about service charge.
 - Transmit signals using ATSC 3.0 standards. ATSC 3.0 expands the delivery of televised content to include additional content from the Internet.
 - Distribute Video On Demand content (feature of ATSC 3.0)
 - Abolish provision permitting content replacement. Implementation of this feature is cost-prohibitive.
- Supporters:
 - Baker and Union Counties
 - Cities of Elgin, North Powder, Baker City, Haines, Imbler, Island City
 - Union County Chamber of Commerce
 - Emergency Alert Supporters:
 - Union County Farm Bureau
 - Rural Fire Protection Districts serving Haines, Imbler/Summerville, La Grande, Keating, Medical Springs, Union
 - Senate: 25 Yes, 5 Excused

SPECIAL THANKS

- The Board of Directors thanks the Committee for conducting the first House hearing on translator district legislation since 1997.

