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CALIFORNIA PUBLIC EVENLY DIVIDED OVER CONTROVERSIAL PAY TV INITIATIVE

by Mervin D. Field

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The California public continues to be sharply divided over the merits of a proposed constitutional amendment that would prohibit the development of subscription or "pay TV". According to the latest measurement obtained by the California Poll, about as many people favor the amendment as disapprove of it.

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During the first week in May a statewide cross section of voters was interviewed and asked for its reaction to the initiative constitutional amendment, which, if passed, would ban subscription TV in California. The title of the amendment as it will appear on the November ballot was shown to this sampling of representative voters throughout the state and each was asked: "If you were voting today, would you approve or disapprove of this addition to the State Constitution?"

The results show almost an even distribution of those favoring or opposing the measure with a substantial segment having a qualified or undecided view.

Disapprove of amendment	42%
Approve of amendment	41
Qualified	3
No opinion	14

At the present time pay-television programs can be transmitted either over the air or by cable. One over the air experiment has been authorized by the Federal Communication Commission for Hartford, Connecticut. Currently one company, Subscription TV, Inc. is planning to use a cable system to transmit programs to subscribers in Los Angeles and San Francisco some time this summer.

The Los Angeles Dodgers and San Francisco Giants have a stake in this company and will allow their baseball games not now seen on television to be transmitted in subscriber homes. Costs per family for each game has been reported to be \$1.50. First run movies and other entertainment vehicles have been promised and will cost in the range of 25 cents to \$3.00 for each program watched.

(MORE)

Opponents of the pay-TV concept claim that it will eventually result in viewers having to pay for what they now see on free-TV. They fear that a large segment of the public will embrace enough of pay TV to reduce the audience for commercial or free TV. They argue that diminishing the audience to the present entertainment portions of television which are now sponsored by advertisers will not permit TV stations to perform their present public service broadcasting.

Proponents of the idea say that pay TV will not replace free TV but will be an adjunct to it. Pay TV people say they are opening up new areas of home entertainment and that the public will decide by their acceptance or rejection whether pay TV should be in their homes. Further, they argue that the initiative goes against our free enterprise system and violates the first and fourteenth amendments to the Constitution.

The issue affects the whole entertainment industry and the stakes are very high. California appears to be the battleground, and the outcome of this issue will certainly have an effect on the future course of pay TV throughout the country for some time to come.

The California Poll will continue to follow this campaign between now and November and will report the trend of opinion (in the _____). Tomorrow the California Poll will report on current public thinking about the lottery measure which has also qualified for the November ballot.

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TELEVISION PROGRAMS. INITIATIVE. Declares it contrary to public policy to permit development of subscription television business. Provides no charge shall be made to public for television programs transmitted to home television sets. Contracts inconsistent with free transmission made after effective date of Act or still executory are void. Act does not apply to community, hotel, or apartment antenna systems, or non-profit educational television systems. Injured person may seek damages or injunction for violation of Act. Repeals Sections 35001-35003, Revenue and Taxation Code, relating to subscription television.