Sponsored by:
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)

SYNOPSIS
Requires certain CATV companies to provide Internet service at public libraries with business customer class Internet access bandwidth and circuit capacity proportional to public libraries' needs.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning Internet service to public libraries and amending P.L.1972, c.186.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 28 of P.L.1972, c.186 (C.48:5A-28) is amended to read as follows:

28. Each application for a municipal consent or system-wide franchise shall contain:
   a. A description of the initial area to be served 
   b. A description of the proposed service in terms of the number of channels of cable television reception service 
   c. Sufficient evidence that the applicant has the financial and technical capacity and the legal, character, and other qualifications to construct, maintain, and operate the necessary installations, lines, and equipment to provide the service proposed in a safe, adequate, and proper manner 
   d. Evidence of sufficient bond, or commitment therefor, with sureties to be approved by the office, in the penal sum of not less than $25,000 for the faithful performance of all undertakings by the applicant as represented in the application; the sufficiency of which shall be subject to review by the director and approval by the board 
   e. An undertaking to hold the board and all municipalities served harmless from any liability arising out of the applicant's operation and construction of its CATV system 
   f. Evidence of sufficient insurance insuring the board, all municipalities served, and the applicant with respect to all liability for any death, personal injury, property damage, or other liability arising out of the applicant's construction and operation of its CATV system, the sufficiency of which shall be subject to review by the director and approval by the board. This insurance shall be no less than: (1) $150,000 for bodily injury or death to any one person, within the limit, however, of $500,000 for bodily injury or death resulting from any one accident; (2) $100,000 for property damage resulting from any one accident; and (3) $50,000 for all other types of liability, the sufficiency of which shall be subject to review by the director and approval by the board 
   g. A schedule of proposed rates for cable television reception service, which shall not be altered during the term for which the municipal consent is issued, except by application to the board for amendment of the terms and conditions of the consent

EXPLANATION – Matter enclosed in bold-faced brackets in the above bill is not enacted and is intended to be omitted in the law. Matter underlined thus is new matter.
after public hearing, subject to the rules of the office, review by the
director, and approval by the board, or amendment pursuant to the
provisions of subsection b. of section 11 of P.L.1972,
c.186 (C.48:5A-11) [1]

h. (1) With regard only to applications for a system-wide franchise, a commitment [as] to those municipalities that are
served by a CATV company at the time of the application, to match or surpass any line extension policy operative at the time the
system-wide franchise is granted and placed into effect prior to the
enactment of P.L.2006, c.83 (C.48:5A-25.1 et al.) by a local franchise or certificate of approval, for the duration of the system-wide franchise. In any event, the CATV company shall extend its plant along public rights-of-way to all residences and businesses within 150 aerial feet of the CATV company’s existing plant at no cost beyond the normal installation rate, and to all residences and businesses within 100 underground feet of the CATV company’s plant at no cost beyond the normal installation rate, and shall set a minimum house per mile density of not less than 35 homes per square mile.

(2) This commitment shall be in addition to any and all board orders and rules that impact upon the extension of plant, except that [such] the commitment shall supersede the board’s regulations adopted as N.J.A.C. 14:3-8.1 et seq., which shall not apply to CATV companies, including telecommunications service providers, that have obtained a system-wide franchise [2].

i. With regard only to applications for a system-wide franchise, a commitment to provide to each municipality that is served by a CATV company, with two public, educational, and governmental access channels. In the event that two or more access channels are requested by a municipality, the municipality shall demonstrate that its cable-related needs require the provision of such additional access channels. Any and all CATV companies operating in a municipality shall provide interconnection to all other CATV companies on reasonable terms and conditions, and the board shall adopt regulations for procedures by which disputes between [such] CATV companies shall be determined and expeditiously resolved. Each municipality or its non-profit designee shall assume responsibility for the management, operations and programming of the public, educational, and governmental access channels [3].

j. With regard only to applications for a system-wide franchise, a commitment to install and retain or provide, without charge, one service outlet activated for basic service to any and all fire stations, public schools, police stations, public libraries, and other [such] buildings used for municipal purposes [4].

k. With regard only to applications for a system-wide franchise, a commitment to provide free Internet service, without
charge, through one service outlet activated for basic service to any
and all fire stations, public schools, police stations, public libraries,
and other [such] buildings used for municipal purposes. The free
Internet service provided to a public library shall have a business
customer class Internet access bandwidth and circuit capacity
proportional to the public library’s needs;
1. With regard only to applications for a system-wide
franchise, a commitment to provide equipment and training for
access users, without charge, on a schedule to be agreed upon
between the municipality and the CATV company [l.];
2. This bill amends existing law to require cable television
companies having a system-wide franchise to install free Internet
access at public libraries within its franchise area that has a business
customer class Internet access bandwidth and circuit capacity
proportional to the public libraries’ needs.