



# Legislative Update

A 501c3 organization founded in 2001

Your Municipal Communications Resource

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## News from Trenton & Washington, DC

by Dave Garb, Legislative Committee Chair

On Thursday May 16, JAG (Jersey Access Group) will be hosting our yearly conference ([jagconference.com](http://jagconference.com)) at the Crowne Plaza Hotel in Edison, New Jersey. This event brings together many facets of the community media world, including access television stations, municipal and elected officials, advocates/supporters of community media and telecommunication issues and services.

One of the main topics we will be discussing will be on different areas of legislation and regulations that are currently out there or will be coming in the near future. These special sessions are in areas that we, not only need to be aware of, but some of which we must have a proactive mentality about.

At 12:00pm we will be presenting a special session: ***Why PEG Stations Should Care about Broadband Deployment***. Come and understand how the broadband landscape will change how Access TV stations distributes their content to their residents.

- You will discover how the cable companies and the existence of your channels will change in the immediate future and what you might need to do now to prepare for it?
- Other questions to be answered will include how could this work for us to quickly obtain HDTV? Will broadband help to end the digital discrimination/black holes that now exist in many NJ community and how?

At 1:30pm comes a very important session that all of us need to prepare for: ***ADA Compliance- Updates on the DOJ Rulings and Closed Captioning for Municipal Websites and PEG Channels***. Last December we held a special webinar about what might be coming out about closed captioning. One fact resonated among all else, start budgeting for it just in case we must need to start doing so quickly.

- For this forum, we are going to expand on this issue by comprehending the latest information that municipalities and PEG stations need to be concerned about. Don't be afraid! We all must be educated on what may occur.
- Find out if PEG Channels are safe to 'not' caption as stated under the FCC rulings or is this something that is now a must now because of the DOJ's Rulings?
- Also discover how long we have to comply with these rulings? What can be done if a station just doesn't have the funds to make this happen? What should we focus on when it comes to captioning. (public meetings, sports, concerts, etc.). Scary? Maybe. But right after this eye-opening session, we will then be holding another one to help you further understand what is out there to make closed captioning a reality.

At 2:30pm we will continue with: ***Understanding Franchising and What to Know When Renegotiating***. Learn what the main differences are between a State Franchise and the ones negotiated at the municipal level? Which one is a better choice and can a municipality have a say on which one they prefer? Franchise monies are going down due to the streaming industry, so what can we do during negotiations to curb this?

- Bills are being introduced around the country that are trying to force streamers to pay a per subscriber fee to municipalities. Find out how this going and, if successful, what does that mean for the local access station.

At 3:30pm will be: ***Closed Captioning - Easy Solutions and Cost Considerations to Make it Happen***  
This special workshop will explore the components TV facilities need to know about in order to

incorporate closed captioning into your work flow.

- This will offer an understanding of what products are currently out there, the ease of use and time constraints on the user, dual language abilities for the make-up of your community, and of course, the costs associated with incorporating it.

### **2024 Legislator of the Year Award Presentation at the Annual JAG Conference**

The Jersey Access Group recognizes New Jersey's US Senator Cory Booker as our 2024 Legislator of the Year.

Senator Booker recognizes the importance of communicating to residents through their municipal access television channels. He understands its essential need as it provides transparent, and sometimes vital, information that is specific to each community as well as its need to continue to thrive at the local levels.

Senator Booker was invited and sent a staff representative to last year's JAG Conference to learn more about the work of the Jersey Access Group. At that conference JAG requested Senator Booker's help in protecting community television which resulted in his signing on as a co-sponsor of the Protecting Community Television Act S340.

There has been quite a lot of actions happening in New Jersey as well as down in our nation's capital this past month. Here is a brief rundown of current issues and upcoming actions that may affect local governments and well as federal and state internet policies and programs.

### **Bill to Reform OPRA Delayed**

Last month New Jersey's Assembly Appropriations Committee pulled legislation that would modernize the Open Public Records Act ([A-4045](#)) from its agenda. The Act had been fast-tracked through the legislature, despite outcries from activists who insist if this was to pass, it would make government significantly less transparent.

Assembly Speaker Craig Coughlin has slowed down this legislation in order to allow it to be relooked at, and work with parties on all sides of the bill to find compromises to some points of disagreement with it.

*From "The New Jersey Globe":*

"We have an open and transparent process where anyone can walk into the State House and have an open and honest discussion with their elected representatives on any legislation being considered. I am inspired that so many people have taken an interest and engaged in this legislation," Coughlin said. "Understanding how important it is to maintain transparency and the right of the public to know what their government is doing, I appreciate the concerns raised about [A-4045](#). Right now, we are working on various amendments to ensure we get the bill right."

### **Bipartisan Problem Solvers Caucus Backs Legislation to Protect Internet Access for Low-Income Families:**

*Press Release from the Bipartisan Problem Solvers Caucus:*

The Problem Solvers Caucus, Co-Chaired by Congressmen Brian Fitzpatrick (PA-01) and Josh Gottheimer (NJ-05), has sixty-two Members evenly split between Republicans and Democrats. On March 28th, The caucus announced its endorsement of the Affordable Connectivity Program Extension Act: ([HR-6929/S-3565](#)). This Legislation will facilitate the continuation of the Affordable Connectivity Program through the end of 2024 while lawmakers work to identify a more permanent solution. The program is currently on track to shut down at the end of April, disrupting broadband access for tens of millions of Americans.

The Affordable Connectivity Program was established in January 2022 and has connected over 23 million U.S. households – more than one in six – with access to high-speed, reliable internet. Under the program, low-income households can receive up to \$30 each month to supplement the cost of internet service as well as a one-time discount of up to \$100 to purchase a computer or tablet.

"In the twenty-first century, broadband connectivity is essential to maximizing educational opportunities, stimulating economic growth, lowering health care costs, investing in a skilled workforce, and connecting individuals with their loved ones," said Problem Solvers Caucus Co-Chair Congressman Josh Gottheimer (NJ-05). "I'm glad that the members of the Problem Solvers Caucus came together to endorse the Affordable Connectivity Program Extension Act of 2024, which will ensure the 23 million households who rely on ACP stay connected."

## FCC TO VOTE ON RESTORING NET NEUTRALITY

*Press Release from the FCC:*

FCC Chairwoman Jessica Rosenworcel announced the Commission will vote during its open meeting on April 25, to restore Net Neutrality, which would bring back a national standard for broadband reliability, security and consumer protection. If adopted, the Chairwoman's proposal would ensure that broadband services are treated as an essential resource deserving of FCC oversight under Title II authority." <https://www.youtube.com/watch?v=9CFIYDEs4Ww>

"The pandemic proved once and for all that broadband is essential," said Chairwoman Rosenworcel. "A return to the FCC's overwhelmingly popular and court-approved standard of net neutrality will allow the agency to serve once again as a strong consumer advocate of an open internet." If adopted, the proposal would:

- Return Popular Net Neutrality Protections – Prevent broadband providers from blocking, slowing down, or creating pay-to-play internet fast lanes.
- Provides Oversight of Broadband Outages.
- Boost Security of Broadband Networks.
- Increase Consumer Protections – Protect consumers data information.
- Restore Widely Accepted National Standard – Keeps internet access fast, open, and fair.

The meeting will be open to the public and streamed live at [www.fcc.gov/live](http://www.fcc.gov/live). If adopted, the reclassification and rules would largely go into effect 60 days after Federal Register publication.

### **All-In Pricing for Cable and Satellite Television Service:**

*From "NATOA - National Association of Telecommunications Officers and Advisors":*

On March 19, the FCC posted the All-In Pricing order on its website. The rules, adopted in a 3-2 vote, require cable and satellite TV operators to provide a single price for programming on bills and promotional materials, including ads. The rules take effect nine months from this date or "after the Office of Management and Budget completes review of any information collection requirements that may be required under the Paperwork Reduction Act of 1995 (PRA), whichever is later." Small cable operators received three months more to comply or one year in total. The FCC's definition of small is "those with annual receipts of \$47 million or less."

<https://docs.fcc.gov/public/attachments/FCC-24-29A1.pdf>

### **Additional from the FCC All-In Order:**

- This action was taken by the FCC to benefit video consumers by requiring cable operators and direct broadcast satellite (DBS) providers to specify the "all-in" price for video programming in their promotional materials that include pricing information and on subscribers' bills. This action enables consumers to make purchasing decisions with access to clear, easy-to-understand, and accurate information disclosing the price of video programming. The FCC believes that an "all-in" price for video service also will increase transparency and have a positive effect on competition in the video programming marketplace by allowing consumers to make better informed choices among the ranges of video programming service options available to them.

**JAG (Jersey Access Group) is an organization that advocates, promotes, and preserves the right to media production, distribution, civic engagement, and education in support of diverse community voices, through Public, Educational and Government access facilities and other forms of media.**

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