

ASSEMBLY, No. 2225

STATE OF NEW JERSEY

INTRODUCED JUNE 27, 1996

By Assemblywoman FARRAGHER

1 AN ACT providing for a State telecommunications network,
2 establishing a commission to implement the installation of the
3 network, providing for the revenue necessary therefor and
4 supplementing Title 52 of the Revised Statutes.

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

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9 1. The Legislature finds and declares:

10 a. The increasing ability of telecommunications technology to
11 provide immediate access to information sources and other resources
12 throughout the world via the so-called information superhighway
13 offers the State and its residents increasing opportunities, especially in
14 employing this advanced technology for distance learning, and it is
15 imperative that the State provide the means by which its citizens may
16 benefit from this technology.

17 b. It is in the best interest of the State and its citizens to provide
18 schools, libraries and local governments throughout the State access
19 to the information superhighway through the establishment of a State
20 Telecommunications Network, thereby allowing the residents of this
21 State to benefit from the resources available through the use of
22 telecommunications technology.

23 c. It is appropriate to establish a State Telecommunications
24 Network Commission to oversee the planning, design and
25 implementation of a State telecommunications network, and an
26 appropriate funding source for the establishment, maintenance and
27 operation of this network is the imposition of a monthly surcharge on
28 each subscriber's phone bill.

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30 2. As used in this act:

31 "Board" means the Board of Public Utilities.

32 "Commission" means the State Telecommunications Network
33 Commission established by section 3 of this act.

34 "Office" means the Office of Telecommunications and Information
35 Systems in the Department of the Treasury.

36 "Network" means the State Telecommunications Network
37 established pursuant to this act to provide schools, libraries and local

1 governments access to the information superhighway by implementing
2 a telecommunications network with universal interconnectivity
3 throughout the State.

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5 3. There is established in the Department of the Treasury a
6 commission to be known as the State Telecommunications Network
7 Commission which shall oversee the planning, design and
8 implementation of a State telecommunications network to be
9 established pursuant to this act to provide schools, libraries and local
10 governments throughout the State access to the information
11 superhighway.

12 The commission shall consist of 15 members as follows: two
13 members of the Senate appointed by the President of the Senate who
14 shall not both be of the same political party; two members of the
15 General Assembly, appointed by the Speaker of the General Assembly
16 who shall not both be of the same political party; the following
17 members ex officio: the Commissioner of Education, the State
18 Librarian, the President of the Board of Public Utilities; the
19 Commissioner of Community Affairs, the Administrator of the Office
20 of Telecommunications and Information Systems in the Department of
21 the Treasury; the following public members appointed by the Governor
22 with the advice and consent of the Senate: a representative of the
23 New Jersey School Boards Association, a representative of the New
24 Jersey Education Association, a representative of the New Jersey
25 Library Association, a representative of the telephone industry, a
26 representative of the cable television industry, and a representative of
27 the New Jersey State League of Municipalities.

28 The members of the Senate and General Assembly appointed to the
29 commission shall serve for terms which shall be for the term for which
30 they were elected. Of the public members first appointed by the
31 Governor with the advice and consent of the Senate, two shall be
32 appointed for terms of three years, two shall be appointed for terms of
33 two years, and two shall be appointed for terms of one year.
34 Thereafter, the public members of the commission shall be appointed
35 for terms of three years. Vacancies on the commission shall be filled
36 in the same manner as the original appointment but for the unexpired
37 term. Members may be removed by the appointing authority for cause.
38 The initial members shall be appointed within 30 days of the effective
39 date of this act. The commission shall have the authority to establish
40 subcommittees as it deems appropriate to carry out the purposes of
41 this act.

42 b. Members of the commission shall serve without compensation
43 but the public and legislative members shall be entitled to
44 reimbursement for expenses incurred in performance of their duties,
45 within the limits of any funds appropriated or otherwise made available
46 for that purpose.

1 c. Each ex officio member may designate an employee of the
2 member's department or agency to represent the member at meetings
3 or hearings of the commission. All designees may lawfully vote and
4 otherwise act on behalf of the members for whom they constitute the
5 designees.

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7 4. a. The office shall, subject to review by the commission, and in
8 consultation with the board, design, implement, administer and
9 coordinate the State Telecommunications Network to be established
10 pursuant to this act.

11 b. To this end, the office shall establish, after review and approval
12 by the commission, a State plan for the establishment and operation of
13 the network, which plan shall include: the configuration of, and
14 requirements for, the network; technical and operational standards for
15 the operation of the network, including the requirement that the
16 network provide universal connectivity; and the role and
17 responsibilities of the schools, libraries and local governments in the
18 implementation of the network.

19 c. The State plan shall be established within nine months of the
20 effective date of this act, except that the technical and operational
21 standards specified in subsection b. of this section shall be established
22 within six months of the effective date of this act.

23 d. The office, after review and approval by the commission, may
24 update and revise the plan from time to time.

25 e. The office shall administer the monies in the State
26 Telecommunications Network Fund, established in section 6 of
27 P.L.19 , c. (C.)(now before the legislature as this bill).

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29 5. Notwithstanding any provision of law, rule, regulation or order
30 to the contrary, every company providing local exchange
31 telecommunications services shall collect, from every subscriber, a
32 surcharge of \$.50 per month per billing account. This surcharge shall
33 be paid over to the State Telecommunications Network Fund,
34 established in section 6 of P.L.19 , c. (C.)(now before the
35 legislature as this bill), on a monthly basis, and in a manner provided
36 by the Office of Telecommunications and Information Systems in the
37 Department of the Treasury.

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39 6. There is established in the Department of the Treasury a fund to
40 be known as the "State Telecommunications Network Fund." The
41 fund shall be credited with all monies collected pursuant to section 5
42 of P.L.199 , c. (C.)(now before the Legislature as this bill). All
43 interest earned on the investment moneys in the fund shall be credited
44 to the fund. The moneys in the fund shall be invested and reinvested
45 in the same manner as trust funds in the custody of the State
46 Treasurer. The moneys in the fund shall be administered by the Office

1 of Telecommunications and Information Systems in the Department of
2 the Treasury. Moneys in the fund shall be used only for the purpose
3 of establishing, maintaining and operating the State
4 Telecommunications Network.

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6 7. This act shall take effect immediately.

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9 STATEMENT

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11 This bill would provide for the establishment of the State
12 Telecommunications Network which would provide schools, libraries
13 and local governments throughout the State access to the information
14 superhighway.

15 The information superhighway can provide immediate access to
16 information sources and other resources throughout the world. The
17 State Telecommunications Network would provide access to these
18 resources to New Jersey's residents by providing that all schools,
19 libraries and local governments throughout the State would be able to
20 access the information superhighway. The State will be able to use
21 these resources, available through advanced telecommunications
22 technology, to provide greater opportunities, such as distance learning,
23 to its citizens.

24 The bill establishes the State Telecommunications Network
25 Commission to oversee the planning, design and implementation of the
26 network. The commission would comprise 15 members including:
27 two members of the Senate appointed by the President of the Senate
28 who shall not both be of the same political party; two members of the
29 General Assembly, appointed by the Speaker of the General Assembly
30 who shall not both be of the same political party; the following
31 members ex officio: the Commissioner of Education, the State
32 Librarian, the President of the Board of Public Utilities; the
33 Commissioner of Community Affairs, the Administrator of the Office
34 of Telecommunications and Information Systems in the Department of
35 the Treasury; the following public members appointed by the Governor
36 with the advice and consent of the Senate: a representative of the New
37 Jersey School Boards Association, a representative of the New Jersey
38 Education Association, a representative of the New Jersey Library
39 Association, a representative of the telephone industry, a
40 representative of the cable television industry, and a representative of
41 the New Jersey State League of Municipalities.

42 The bill designates the Office of Telecommunications and
43 Information Systems in the Department of the Treasury as the
44 administrator of the network. The office would design, implement
45 and coordinate the network. The office would establish a State plan
46 for the establishment and operation of the network, subject to the

1 review and approval of the commission. The State plan would include
2 the configuration of, and requirements for, the network; technical and
3 operational standards for the operation of the network, including the
4 requirement that the network provide universal connectivity; and the
5 role and responsibilities of the schools, libraries and local governments
6 in the implementation of the network.

7 The bill also authorizes a surcharge of \$.50 per month to be
8 imposed on those subscribing to local exchange telephone services.
9 The surcharge would be collected by telephone companies and paid
10 over to the State Telecommunications Network Fund, established in
11 the act. The State Telecommunications Network Fund would be
12 administered by the Office of Telecommunications and Information
13 Systems and monies in the fund would be used only for the purpose of
14 establishing, maintaining and operating the State Telecommunications
15 Network.

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20 Establishes State Telecommunications Network and State
21 Telecommunications Network Commission; imposes a surcharge on
22 telephone service to fund network.