

SENATE RESOLUTION No. 28

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1996

By Senator INVERSO

1 **A SENATE RESOLUTION** encouraging the New Jersey Congressional
2 Delegation to support federal legislation providing for greater local
3 television coverage for the State of New Jersey.
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5 **WHEREAS**, The residents of New Jersey have a strong desire to receive
6 television coverage of local news and information of their immediate
7 community; and
8 **WHEREAS**, The small number of full power television stations allocated to the
9 State of New Jersey is inadequate to meet the television coverage needs
10 of the State; and
11 **WHEREAS**, There are five licensed Low Power Television (LPTV) stations on
12 the air, which cover local news and community information, and the
13 Federal Communications Commission (FCC) has authorized the
14 construction of 16 additional LPTV stations in the State of New Jersey;
15 and
16 **WHEREAS**, LPTV stations do not have the right, enjoyed by full power
17 stations, to be carried on the local cable systems within New Jersey
18 because of a provision in the Cable Television Consumer Protection and
19 Competition Act of 1992, which limits "Must Carry" to LPTV stations
20 outside the largest 160 Metropolitan Statistical Areas and communities of
21 license with populations less than 35,000; and
22 **WHEREAS**, The cable operators of New Jersey have been very reluctant to
23 carry LPTV stations unless legally compelled to do so, even when LPTV
24 stations are broadcasting local news and community information; and
25 **WHEREAS**, This provision in the federal law and the conduct of cable systems
26 severely hamper the ability of LPTV stations to provide local news and
27 community information desired by residents of New Jersey; and
28 **WHEREAS**, The FCC is planning the transition of television broadcasting from
29 analog to digital but has not provided for the same transition for LPTV
30 stations, and the FCC's failure to preserve LPTV service during and after
31 the transition to digital broadcasting threatens the future of the local news
32 and community information provided by those stations to the State of New
33 Jersey; and

1 **WHEREAS**, It is altogether fitting and proper for this House to urge the New
2 Jersey Congressional Delegation to introduce and support legislation to
3 grant "Must Carry" rights for LPTV stations within the State of New Jersey
4 when those stations broadcast local news and community information on
5 a regular basis and to ensure the preservation of LPTV service during and
6 after the transition from analog to digital television, as such legislation will
7 greatly benefit the citizens of the State of New Jersey; now, therefore,

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9 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

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11 1. The New Jersey Congressional Delegation is urged to introduce and
12 support legislation to grant "Must Carry" rights for Low Power Television
13 stations within the State of New Jersey when those stations broadcast local
14 news and community information on a regular basis and to ensure the
15 preservation of Low Power Television service during and after the transition
16 from analog to digital television.

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18 2. Duly authenticated copies of this resolution, signed by the President of
19 the Senate and attested by the Secretary thereof, shall be transmitted to each
20 member of Congress elected thereto from this State.

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23 **STATEMENT**
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25 This Senate Resolution urges the New Jersey Congressional Delegation to
26 introduce and support legislation to grant "Must Carry" rights for Low Power
27 Television (LPTV) stations within the State of New Jersey when those stations
28 broadcast local news and community information on a regular basis and to
29 ensure the preservation of LPTV service during and after the transition from
30 analog to digital television.

31 LPTV stations provide television coverage of local news and community
32 information. There are five licensed LPTV stations on the air in New Jersey
33 and the Federal Communications Commission (FCC) has authorized the
34 construction of 16 additional stations. However, LPTV stations do not enjoy
35 the same right as full power stations to be carried on local cable systems under
36 the Cable Television Consumer Protection and Competition Act of 1992.
37 Further, while the FCC is planning the transition from analog to digital
38 television broadcasting, it has not made transitional arrangements for LPTV
39 stations. As such, it is vital that legislation granting "Must Carry" rights for
40 LPTV stations and ensuring the preservation of Low Power Television after
41 the transition to digital broadcasting be passed.

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3 Urges NJ Congressional Delegation to support federal legislation providing for
4 greater local television coverage.