

# 48:23-2

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 35

**NJSA:** 48:23-2 (Authorizes NJN to broadcast emergency information)

**BILL NO:** S1211 (Substituted for A2446)

**SPONSOR(S):** Madden and others

**DATE INTRODUCED:** February 24, 2004

**COMMITTEE:** **ASSEMBLY:** Law and Public Safety  
**SENATE:** Law and Public Safety and Veterans' Affairs

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** January 24, 2005

**SENATE:** June 17, 2004

**DATE OF APPROVAL:** February 25, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) Original version of bill enacted

**S1211**

**[SPONSOR'S STATEMENT:](#)** (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **[ASSEMBLY:](#)** [Yes](#)

**[SENATE:](#)** [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**A2446**

**[SPONSOR'S STATEMENT:](#)** (Begins on page 3 off original bill) [Yes](#)

**COMMITTEE STATEMENT:** **[ASSEMBLY:](#)** [Yes](#)

**[SENATE:](#)** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

IS 3/12/07

P.L. 2005, CHAPTER 35, *approved February 25, 2005*

Senate, No. 1211

1 AN ACT concerning the public broadcasting powers of the New Jersey  
2 Public Broadcasting Authority during an emergency, and amending  
3 P.L.1968, c.405 and P.L.1989, c.133.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 2 of P.L.1968, c.405 (C.48:23-2) is amended to read as  
9 follows:

10 2. For the purposes of this act, unless otherwise indicated by the  
11 context:

12 "Authority" means the New Jersey Public Broadcasting Authority.

13 "Commission" means the New Jersey Public Broadcasting  
14 Commission.

15 "Public broadcasting" includes all aspects of noncommercial radio  
16 and television, open and closed circuit, including the production and  
17 dissemination of public and community affairs, educational, cultural  
18 and instructional information to the public at large within the State.  
19 For purposes of this act, public broadcasting does not include radio  
20 and television transmissions for internal communications, as presently  
21 used by public and private agencies in fields such as law enforcement,  
22 safety, transportation, traffic control, civil defense and the like, except  
23 that this limitation shall not apply when an emergency condition exists  
24 and notification of the emergency condition is received by the  
25 authority pursuant to section 3 of P.L.1989, c.133 (C.53:1-21.6) nor  
26 shall this limitation apply with regard to preparations or planning for  
27 such an emergency condition.

28 "Public broadcasting telecommunications" includes all public  
29 broadcasting services relating to public broadcasting including  
30 intercommunications, datacasting, closed circuit Instructional  
31 Television Fixed Service (ITFS) and other services requiring Federal  
32 Communications Commission spectrum allocations for transmission of  
33 electrical impulses that specifically and integrally relate to New Jersey  
34 public broadcasting. Facilities typical for application of these services  
35 would encompass micro-wave interconnection, aural and video TV  
36 transmission, multiplexing, laser beam utilization, satellite  
37 interconnection systems and other appropriate technological devices.  
38 (cf: P.L.1968, c.405, s.2)

39  
40 2. Section 1 of P.L.1989, c.133 (C.48:23-11) is amended to read  
41 as follows:

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       1. [In order to qualify for funding provided pursuant to section 4  
2 of this act, the] The New Jersey Public Broadcasting Authority shall,  
3 upon notification by the Director of the State Office of Emergency  
4 Management in the Division of State Police that an emergency  
5 condition exists, immediately operate its [television stations in order]  
6 public broadcasting telecommunications stations to broadcast news  
7 and information concerning the emergency condition. If the  
8 emergency condition affects less than the entire State, the authority  
9 may limit its broadcast to its [television] public broadcasting  
10 telecommunications stations which broadcast in the affected region or  
11 regions. The authority shall then operate its [television] public  
12 broadcasting telecommunications stations for the duration of the  
13 emergency, or longer, as is necessary to provide information  
14 concerning the emergency [information to the public].

15 (cf: P.L.1989, c.133, s.1)

16

17       3. Section 3 of P.L.1989, c.133 (C.53:1-21.6) is amended to read  
18 as follows:

19       3. The Director of the State Office of Emergency Management in  
20 the Division of State Police shall notify the New Jersey Public  
21 Broadcasting Authority when an emergency condition exists or is  
22 imminent. The director shall give the authority all information  
23 necessary for the authority to operate its [television] public  
24 broadcasting telecommunications stations in order to alert and inform  
25 the public about the emergency condition or broadcast information  
26 concerning the emergency condition. For the purpose of this section  
27 "emergency" means any flood, hurricane, storm, tornado, high water,  
28 wind driven water, tidal wave, fire, explosion, civil disorder or other  
29 catastrophe which is or threatens to be of sufficient severity and  
30 magnitude to substantially endanger the health, safety and property of  
31 the citizens of this State.

32 (cf: P.L.1989, c.133, s.3)

33

34       4. This act shall take effect immediately.

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#### STATEMENT

38

39       The Office of Counter-Terrorism, the Attorney General and New  
40 Jersey Network (NJN) have developed a cooperative program  
41 proposal in which the State would be able to utilize NJN's facilities to  
42 broadcast emergency response information to law enforcement  
43 agencies and other emergency response personnel.

44       Those types of broadcast transmissions, however, are considered  
45 "internal communications" and, under current law, public broadcasters  
46 are expressly prohibited from making such transmissions.

1       This bill amends current law to effectuate this State emergency  
2 broadcast proposal by permitting those types of internal  
3 communications whenever the Director of the State Office of  
4 Emergency Management in the Division of State Police notifies NJN  
5 that an emergency condition exists. The bill also would permit those  
6 types of internal communications as part of any planning or  
7 preparation for an emergency condition.

8

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11

12       Authorizes NJN to broadcast emergency information to law  
13 enforcement agencies and other emergency personnel.

**SENATE, No. 1211**

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**STATE OF NEW JERSEY**

**211th LEGISLATURE**

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INTRODUCED FEBRUARY 24, 2004

**Sponsored by:**

**Senator FRED MADDEN**

**District 4 (Camden and Gloucester)**

**Senator ELLEN KARCHER**

**District 12 (Mercer and Monmouth)**

**Assemblywoman LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman DAVID R. MAYER**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

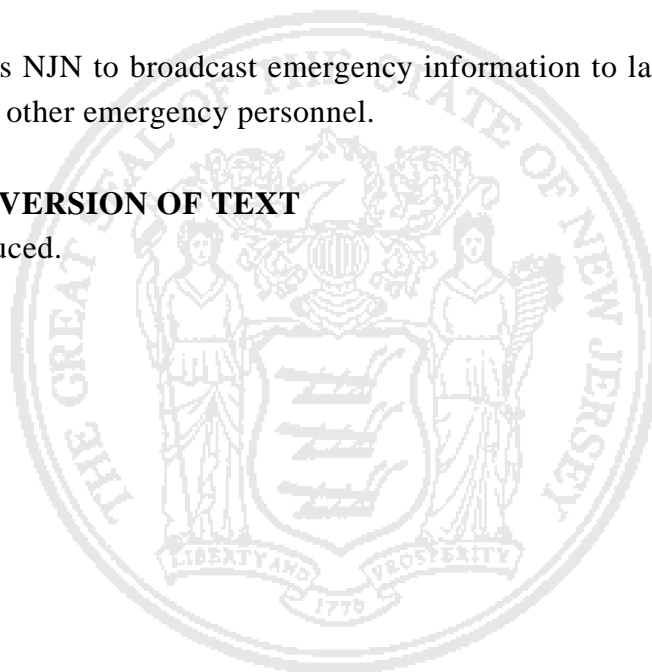
**Senator Allen and Assemblyman R.Smith**

**SYNOPSIS**

Authorizes NJN to broadcast emergency information to law enforcement agencies and other emergency personnel.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/25/2005)**

1 AN ACT concerning the public broadcasting powers of the New Jersey  
2 Public Broadcasting Authority during an emergency, and amending  
3 P.L.1968, c.405 and P.L.1989, c.133.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. Section 2 of P.L.1968, c.405 (C.48:23-2) is amended to read as  
9 follows:

10 2. For the purposes of this act, unless otherwise indicated by the  
11 context:

12 "Authority" means the New Jersey Public Broadcasting Authority.

13 "Commission" means the New Jersey Public Broadcasting  
14 Commission.

15 "Public broadcasting" includes all aspects of noncommercial radio  
16 and television, open and closed circuit, including the production and  
17 dissemination of public and community affairs, educational, cultural  
18 and instructional information to the public at large within the State.  
19 For purposes of this act, public broadcasting does not include radio  
20 and television transmissions for internal communications, as presently  
21 used by public and private agencies in fields such as law enforcement,  
22 safety, transportation, traffic control, civil defense and the like, except  
23 that this limitation shall not apply when an emergency condition exists  
24 and notification of the emergency condition is received by the  
25 authority pursuant to section 3 of P.L.1989, c.133 (C.53:1-21.6) nor  
26 shall this limitation apply with regard to preparations or planning for  
27 such an emergency condition.

28 "Public broadcasting telecommunications" includes all public  
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31 Television Fixed Service (ITFS) and other services requiring Federal  
32 Communications Commission spectrum allocations for transmission of  
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34 public broadcasting. Facilities typical for application of these services  
35 would encompass micro-wave interconnection, aural and video TV  
36 transmission, multiplexing, laser beam utilization, satellite  
37 interconnection systems and other appropriate technological devices.  
38 (cf: P.L.1968, c.405, s.2)

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40 2. Section 1 of P.L.1989, c.133 (C.48:23-11) is amended to read  
41 as follows:

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43 of this act, the] The New Jersey Public Broadcasting Authority shall,

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

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1 upon notification by the Director of the State Office of Emergency  
2 Management in the Division of State Police that an emergency  
3 condition exists, immediately operate its [television stations in order]  
4 public broadcasting telecommunications stations to broadcast news  
5 and information concerning the emergency condition. If the  
6 emergency condition affects less than the entire State, the authority  
7 may limit its broadcast to its [television] public broadcasting  
8 telecommunications stations which broadcast in the affected region or  
9 regions. The authority shall then operate its [television] public  
10 broadcasting telecommunications stations for the duration of the  
11 emergency, or longer, as is necessary to provide information  
12 concerning the emergency [information to the public].  
13 (cf: P.L.1989, c.133, s.1)  
14

15 3. Section 3 of P.L.1989, c.133 (C.53:1-21.6) is amended to read  
16 as follows:

17 3. The Director of the State Office of Emergency Management in  
18 the Division of State Police shall notify the New Jersey Public  
19 Broadcasting Authority when an emergency condition exists or is  
20 imminent. The director shall give the authority all information  
21 necessary for the authority to operate its [television] public  
22 broadcasting telecommunications stations in order to alert and inform  
23 the public about the emergency condition or broadcast information  
24 concerning the emergency condition. For the purpose of this section  
25 "emergency" means any flood, hurricane, storm, tornado, high water,  
26 wind driven water, tidal wave, fire, explosion, civil disorder or other  
27 catastrophe which is or threatens to be of sufficient severity and  
28 magnitude to substantially endanger the health, safety and property of  
29 the citizens of this State.  
30 (cf: P.L.1989, c.133, s.3)  
31

32 4. This act shall take effect immediately.  
33  
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#### 35 STATEMENT

36  
37 The Office of Counter-Terrorism, the Attorney General and New  
38 Jersey Network (NJN) have developed a cooperative program  
39 proposal in which the State would be able to utilize NJN's facilities to  
40 broadcast emergency response information to law enforcement  
41 agencies and other emergency response personnel.

42 Those types of broadcast transmissions, however, are considered  
43 "internal communications" and, under current law, public broadcasters  
44 are expressly prohibited from making such transmissions.

45 This bill amends current law to effectuate this State emergency  
46 broadcast proposal by permitting those types of internal



**S1211 MADDEN, KARCHER**

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1 communications whenever the Director of the State Office of  
2 Emergency Management in the Division of State Police notifies NJN  
3 that an emergency condition exists. The bill also would permit those  
4 types of internal communications as part of any planning or  
5 preparation for an emergency condition.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**SENATE, No. 1211**

**STATE OF NEW JERSEY**

DATED: OCTOBER 21, 2004

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 1211.

This bill authorizes New Jersey Network (NJN) to broadcast emergency information to law enforcement agencies and other emergency personnel.

The Office of Counter-Terrorism, the Attorney General and NJN have developed a cooperative program proposal in which the State would be able to utilize NJN's facilities to broadcast emergency response information to law enforcement agencies and other emergency response personnel.

Those types of broadcast transmissions, however, are considered "internal communications" and, under current law, public broadcasters are expressly prohibited from making such transmissions.

This bill amends current law to effectuate this State emergency broadcast proposal by permitting those types of internal communications whenever the Director of the State Office of Emergency Management in the Division of State Police notifies NJN that an emergency condition exists. The bill also would permit those types of internal communications as part of any planning or preparation for an emergency condition.

As reported by the committee, this bill is identical to Assembly Bill No. 2446, also reported by the committee on this same date.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 1211**

**STATE OF NEW JERSEY**

DATED: MAY 6, 2004

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 1211.

This bill authorizes New Jersey Network (NJN) to broadcast emergency information to law enforcement agencies and other emergency personnel.

The Office of Counter-Terrorism, the Attorney General and NJN have developed a cooperative program proposal in which the State would be able to utilize NJN's facilities to broadcast emergency response information to law enforcement agencies and other emergency response personnel.

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# ASSEMBLY, No. 2446

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED FEBRUARY 26, 2004

**Sponsored by:**

**Assemblywoman LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman DAVID R. MAYER**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblyman R.Smith**

**SYNOPSIS**

Authorizes NJN to broadcast emergency information to law enforcement agencies and other emergency personnel.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/25/2005)**

A2446 GREENSTEIN, MAYER

2

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2 Public Broadcasting Authority during an emergency, and amending  
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**A2446 GREENSTEIN, MAYER**

4

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2 Emergency Management in the Division of State Police notifies NJN  
3 that an emergency condition exists. The bill also would permit those  
4 types of internal communications as part of any planning or  
5 preparation for an emergency condition.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2446

# STATE OF NEW JERSEY

DATED: OCTOBER 21, 2004

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2446.

This bill authorizes New Jersey Network (NJN) to broadcast emergency information to law enforcement agencies and other emergency personnel.

The Office of Counter-Terrorism, the Attorney General and New Jersey Network (NJN) have developed a cooperative program proposal in which the State would be able to utilize NJN's facilities to broadcast emergency response information to law enforcement agencies and other emergency response personnel.

Those types of broadcast transmissions, however, are considered "internal communications" and, under current law, public broadcasters are expressly prohibited from making such transmissions.

This bill amends current law to effectuate this State emergency broadcast proposal by permitting those types of internal communications whenever the Director of the State Office of Emergency Management in the Division of State Police notifies NJN that an emergency condition exists. The bill also would permit those types of internal communications as part of any planning or preparation for an emergency condition.

As reported by the committee, this bill is identical to Senate Bill No. 1211, also reported by the committee on this same date.