

HOUSE No. 2537

By Mr. Mackey of Somerville, petition of Joseph K. MacKey for legislation to insure local and educational access to community antenna television systems or cable television systems. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT TO INSURE LOCAL AND EDUCATIONAL ACCESS TO COMMUNITY ANTENNA TELEVISION SYSTEMS OR CABLE TELEVISION SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 9 of chapter 166A of the general laws, as most recently
2 amended by chapter 552 of the acts of 1977, is hereby further
3 amended by striking the section in its entirety and inserting therefor
4 the following: —

5 *Section 9.* No application for a license to operate a cable system
6 or for renewal, transfer or assignment of such a license shall be
7 considered by an issuing authority unless it is accompanied by an
8 application fee payable to the city or town based on population as
9 follows: for cities and towns up to fifty thousand population, the fee
10 shall be one thousand dollars; for cities and towns from fifty
11 thousand to ninety thousand population, the fee shall be two thou-
12 sand five hundred dollars; for cities and towns above ninety thou-
13 sand population, the fee shall be five thousand dollars.

14 An additional fee up to ten thousand dollars may be charged to
15 the licensee at the initial licensing or in renewal or transfer of
16 assignment to defray the costs which the city or town incurs in the
17 licensing, renewal or transfer process in addition to the application
18 fee described above. Such costs shall include but not be limited to
19 legal and engineering consultant fees.

20 Consortiums of municipalities which join together to oversee

21 regional cable operations shall be governed by the same licensing,
22 renewal, and transfer charges allowed in this section.

23 A licensee, serving more than two hundred and fifty subscribers,
24 shall on or before March fifteenth of each year pay to the issuing
25 authority a license fee of five percent, as allowed under federal law,
26 of said licensee's annual gross revenues derived from the operation
27 of the cable system, less one half of one percent and a minimum of
28 two percent; said one half of one percent of the licensee's annual
29 gross revenue shall be payable to the Commonwealth as a license
30 fee; said minimum of two percent of the licensee's annual gross
31 revenue shall be used for local public educational and government-
32 tal access. In determining a license fee, the number of subscribers
33 served shall be measured as of June thirtieth of the preceding
34 calendar year.