

19:44A-39

LEGISLATIVE HISTORY CHECKLIST

NJSA 19:44A-39 (Public Broadcasting Authority--  
Gubernatorial elections--prescribe  
role of issues)  
LAWS 1981 CHAPTER 107

Bill No. S3059

Sponsor(s) Yates

Date Introduced Jan. 26, 1981

Committee: Assembly -----

Senate State Govt., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes ~~No~~ Amendments during passage  
denoted by asterisks.  
Date of Passage: Assembly March 2, 1981  
Senate Feb. 26, 1981 Substituted for A3088  
(attached)

Date of approval April 2, 1981

Following statements are attached if available:

Sponsor statement	<u>Yes</u>	<del>No</del> (Below)
Committee Statement: <u>Assembly</u>	<del>Yes</del>	No
<u>Senate</u>	<u>Yes</u>	<del>No</del>
Fiscal Note	<u>Yes</u>	No
Veto Message	<u>Yes</u>	No
Message on signing	<u>Yes</u>	<del>No</del>

Following were printed:

Reports	<u>Yes</u>	No
Hearings	<u>Yes</u>	No

Sponsor's statement:

This bill would direct the New Jersey Public Broadcasting Authority to provide coverage of the gubernatorial and general election campaigns and give the authority the discretion, within the limits of Federal and State law, as to the manner in which it does so.

(over)

6/22/81

Related court case:

McGlynn v. New Jersey Public Broadcasting Authority, 88 NJ 112  
(Oct. 19, 1981)

4-2-81

[OFFICIAL COPY REPRINT]

**SENATE, No. 3059****STATE OF NEW JERSEY**

INTRODUCED JANUARY 26, 1981

By Senator YATES

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

AN ACT **\*[directing]\*** *\*concerning the role of\** the New Jersey  
Public Broadcasting Authority **\*[to promote]\*** *\*in the promo-  
tion of\** full discussion of public issues by gubernatorial candi-  
dates and amending P. L. 1974, c. 26.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 L. Section 14 of P. L. 1974, c. 26 (C. 19:44A-39) is amended  
2 to read as follows:

3 14. **[a.]** The New Jersey Public Broadcasting Authority estab-  
4 lished under P. L. 1968, c. 405 (C. 48:23-1 et seq.) shall promote  
5 full discussions of public issues by **[the]** *\*the\** candidates for  
6 nomination **[for]** *\*for election\** or election to the office of Governor  
7 on the ballot in any primary or general election, *in accordance with*  
8 *\*Federal\* law and free of charge to the candidate.* **[The authority**  
9 **shall make available at least 2 hours of time on its stations for**  
10 **joint appearances by the candidates, and at least 15 minutes of time**  
11 **on its stations for individual appearances by each of the candi-**  
12 **dates.]** The authority may promulgate such rules and regulations  
13 as may be necessary to effectuate the purpose of this **\*[subsection]\***  
14 *\*section\**.

15 **\*[b.]\*** **[The authority shall promote full discussions of public**  
16 **issues by the candidates for the office of Governor on the ballot in**  
16A **any general election, free of charge to any such candidate. The au-**  
17 **thority shall make available at least 1 hour of time on its stations**  
18 **for joint appearances by such candidates, and at least 1 additional**  
19 **hour of time on its stations for individual appearances by each of**  
20 **such candidates. The authority may promulgate such rules and**  
21 **regulations as may be necessary to effectuate the purposes of this**  
22 **subsection.]** **\*[(Deleted by amendment.)]\***

1 2. This act shall take effect immediately.

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

## STATEMENT

This bill would direct the New Jersey Public Broadcasting Authority to provide coverage of the gubernatorial primary and general election campaigns and give the authority the discretion, within the limits of Federal and State law, as to the manner in which it does so.

5:2059 (1981)

ASSEMBLY, No. 3088

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1981

By Assemblyman CODEY

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

AN ACT concerning the role of the New Jersey Public Broadcasting  
Authority in the promotion of full discussion of public issues  
by gubernatorial candidates and amending P. L. 1974, c. 26.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 14 of P. L. 1974, c. 26 (C. 19:44A-39) is amended to  
2 read as follows:

3 14. **[a.]** The New Jersey Public Broadcasting Authority estab-  
4 lished under P. L. 1968, c. 405 (C. 48:23-1 et seq.) shall promote  
5 full discussions of public issues by the candidates for nomination  
6 for election *or election* to the office of Governor on the ballot in any  
7 primary *or general* election, *in accordance with Federal law and*  
8 free of charge to the candidate. **[The authority shall make avail-**  
9 **able at least 2 hours of time on its stations for joint appearances**  
10 **by the candidates, and at least 15 minutes of time on its stations**  
11 **for individual appearances by each of the candidates.]** The au-  
12 thority may promulgate such rules and regulations as may be  
13 necessary to effectuate the purpose of this **[subsection] section.**

14 **[b.** The authority shall promote full discussions of public issues  
15 by the candidates for the office of Governor on the ballot in any  
16 general election, free of charge to any such candidate. The au-  
17 thority shall make available at least 1 hour of time on its stations  
18 for joint appearances by such candidates, and at least 1 additional  
19 hour of time on its stations for individual appearances by each  
20 of such candidates. The authority may promulgate such rules and  
21 regulations as may be necessary to effectuate the purposes of this  
22 subsection.]

1 2. This act shall take effect immediately.

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

STATEMENT

The purpose of this bill is to provide the New Jersey Public Broadcasting Authority with discretion as to the manner in which it shall promote full discussions of public issues by gubernatorial candidates for nomination and election.

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SENATE STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 3059**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 19, 1981

This bill amends the election laws to permit the New Jersey Public Broadcasting Authority a greater degree of flexibility in the promotion of the discussion of public issues by gubernatorial candidates in the primary and general election campaigns.

**COMMITTEE AMENDMENTS:**

Amendments are necessary to correct technical deficiencies and to conform the language of the bill to that of a similar bill introduced in the General Assembly.

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

APRIL 3, 1981

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills:

S-1567, sponsored by Assemblyman Steven P. Perskie (D-Atlantic) which extends the special notice and relocation rights currently enjoyed by tenants in Atlantic City for an additional three years.

Current statutes provide that when a building in Atlantic City is being changed from residential to non-residential use, the tenants must be given 1 year notice rather than the six months notice required in other municipalities. In addition, the landlord must offer the tenants comparable housing or, if none is available, pay them the equivalent of five months rent or allow them to remain in their units for five months free of charge.

Under the original law, these rights would no longer be afforded tenants as of November 3, 1981, (three years from the date of the enactment of the law) or 30 days after the Commissioner of Community Affairs declares that the special housing state of emergency no longer exists in Atlantic City. This bill extends that date to November 3, 1984.

S-3059, sponsored by Senator Charles Yates (D-Burlington) which amends the Campaign Contributions and Expenditures Reporting Act of 1974 to give the New Jersey Public Broadcasting Authority maximum discretion, within federal law, in its coverage of the gubernatorial primary and general elections.

Under the original law, the Authority had to make two hours of air time available for joint appearances and 15 minutes of air time for individual appearances by each candidate in the primary. During the general election, the law required the Authority to make one hour available for joint appearances and one hour for each individual candidate.

-more-



This bill removes any specific time restraints and allows NJPTV to operate under FCC guidelines. This permits coverage of debates between or among major candidates in the context of a regularly scheduled news or public affairs program or under the sponsorship of a private group, such as the League of Women Voters.

In addition, NJPTV plans to air profiles of all the primary candidates.

S-1277, sponsored by Senator James P. Vreeland, Jr. (R-Morris) which permits an additional fee for copies of police accident reports when requests for those reports are made by some means other than in person.

In 1980, Governor Byrne signed a law that made these reports available to the public as public information at the same charge per copy established by law for all other public records: 50¢ per page for the first 10 pages, 25¢ per page for the next 10 pages and 10¢ per page for more than 20 pages.

Municipalities, which imposed charges which varied widely throughout the state, lost money, since these fees were established in 1963 and the costs of mailing, paper reproduction and manpower have greatly increased since that time. In addition, strict enforcement of the Public Information Law requirement that these reports be picked up in person resulted in greatly increased costs for companies and individuals who wished to obtain the report.

This bill provides that if the reports are mailed, the fee will be \$5 for the first 3 pages and \$1 for each page thereafter. This will reduce the local police departments' costs.

A-1658, sponsored by Assemblyman Alan Karcher (D-Middlesex) which amends the Mortgage Assistance Bond Act to permit the Governor and the Treasurer to covenant with other bond holders that the bonds will not be devoted for mortgage on owner-occupant houses.

Federal legislation enacted in 1980 subjects such bonds to the federal income tax. Although New Jersey bonds are not being used for this purpose now, this amendment will elicit a formal bond counsel's opinion that they will continue to be tax exempt.