

34:1B-22 to 34:1B-29

LEGISLATIVE HISTORY CHECKLIST

HJSA 34:1B-22 to 34:1B-29 ("Motion Picture & Television Development Act.")

LAWS OF 1977 CHAPTER 44

Bill No. S1487 (Companion to S1486)

Sponsor(s) Feldman and others

Date Introduced May 17, 1976

Committee: Assembly Appropriations

Senate State Government, Federal and Interstate Relations &

Veteran Affairs

Amended during passage Yes

xx~~x~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly January 31, 1977

Senate April 12, 1976

Date of approval March 22, 1977

Following statements are attached if available:

Sponsor statement Yes ~~x~~

Committee Statement: Assembly Yes ~~x~~

Senate Yes ~~x~~

Fiscal Note ~~xxx~~ No

Veto Message ~~xxx~~ No

Message on signing ~~xxx~~ No

Following were printed:

Reports ~~xxx~~ No

Hearings Yes ~~xxx~~

974.90 N.J. Legislature. Senate. State Government,
T267 Federal and Interstate Relations
1976 and Veterans Affairs Committee.
Public hearing on S1487.
Hackensack, July 20, 1976

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SENATE, No. 1487

STATE OF NEW JERSEY

INTRODUCED MAY 17, 1976

By Senators FELDMAN, GARRAMONE, SCARDINO,
SKEVIN and DWYER

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

AN ACT providing for the creation of a Motion Picture and Tele-
vision Development Commission and defining the powers thereof
and making an appropriation.

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

1 1. This act shall be known as the "Motion Picture and Television
2 Development Act".

1 2. The Legislature finds and determines that the economy of the
2 State of New Jersey has suffered considerably in recent years
3 because of the inflation and employment problems confronting this
4 Nation; that the development of a strong motion picture and tele-
5 vision industry would contribute substantially to the improvement
6 of the State's economy; that the development of a strong motion
7 picture and television industry would contribute to the social well-
8 being of the State and its people; that New Jersey offers outstand-
9 ing and unique human and natural resources for the development
10 of a strong motion picture and television industry; that New
11 Jersey's efforts and programs in the production of motion picture
12 and television enjoy great public support and encouragement; and
13 that the State requires an agency to promote the development of a
14 viable State motion picture.

1 3. a. There is hereby established in but not of the Department of
2 Labor and Industry a Motion Picture and Television Development
3 Commission.

4 b. The commission shall consist of eight public members **no*
5 *more than four of whom shall be members of the same political*
6 *party** who shall be appointed by the Governor with the advice and

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

7 consent of the Senate, and the Chairman of the New Jersey State
8 Council on the Arts, the Chairman of the Public Broadcasting
9 Authority, and the Commissioner of Labor and Industry or their
10 designees serving in an ex-officio capacity. The Governor shall
11 appoint from the 11 members a chairman who shall serve in said
12 office at the pleasure of the Governor.

12 c. The public members of the commission shall be appointed
13 initially for the following terms: three members for a term of 2
14 years; three members for a term of 3 years; and two members for
15 a term of 4 years. The initial members shall serve from the date
16 of the original appointment for the aforementioned specified terms
17 and until their respective successors shall be duly appointed and
18 qualified. The term of each such appointed member shall be
19 designated by the Governor at the time of his appointment. The
20 successors to the initially appointed members shall each be
21 appointed for a term of 4 years, except that any person appointed
22 to fill a vacancy shall serve only for the unexpired term.

23 d. The members of the commission shall serve without com-
24 pensation, but the commission may reimburse its members for
25 necessary expenses incurred in the discharge of their duties.

1 4. The Motion Picture and Television Development Commission
2 shall organize itself in such manner as it deems desirable and
3 necessary, but no action shall be taken or motion or resolution
4 adopted by the commission except by an affirmative vote of a
5 majority of the authorized members of said body. The commission
6 may appoint and employ an executive director and such other pro-
7 fessional, technical, and clerical assistants as it may require, with-
8 out regard to the provisions of Title 11, Civil Service, of the Re-
9 vised Statutes.

1 5. On or before December 31 of each year, the Motion Picture and
2 Television Development Commission shall make an annual report
3 of its activities for the Governor and the Legislature.

1 6. The Motion Picture and Television Development Commission
2 shall have the following powers:

3 a. To adopt such rules and regulations as it deems advisable with
4 respect to the conduct of its own affairs.

5 b. To hold hearings, and to do or perform any acts which may be
6 necessary, desirable or proper to carry out the purposes of this act.

7 c. To request and obtain from any department, division, board,
8 bureau, commission, or other agency of the State or of any county,
9 municipality, authority or other political subdivision within the
10 State such assistance and data as will enable it properly to carry
11 out its powers and duties hereunder.

12 d. To accept any Federal funds granted, by act of Congress or
13 by Executive Order, for all or any of the purposes of this act.

14 e. To accept any gifts, donations, bequests, or grants of funds
15 from private and public agencies for all or any of the purposes of
16 this act.

17 f. To coordinate the activities of similar councils or boards
18 appointed by any city or county within the State for all or any of
19 the purposes of this act.

20 g. To create advisory councils necessary for the performance of
21 responsibilities pursuant to this act and to appoint members
22 thereto.

23 h. To directly secure any and all location permits from any de-
24 partment, division, board, bureau, commission, or other agency of
25 the State or from any county, municipality, authority, or other
26 political subdivision within the State for applicants interested in
27 motion picture and television production within the State.

1 7. The Motion Picture and Television Development Commission
2 shall prepare and implement programs to promote a motion picture
3 and television industry within the State. Such a program shall
4 include but not be limited to:

5 a. The preparation and distribution of appropriate promotional
6 and informational materials pointing out desirable locations within
7 the State, explaining the benefits and advantages of producing
8 within the State, and detailing the services available at the State
9 and local level and within industry;

10 b. Facilitate cooperation from local government, State and
11 Federal government agencies and private sector groups in regard
12 to applications, locations, production, and ancilliary facilities;

13 c. Cooperate with all sections of management and labor engaged
14 in the motion picture and television industry.

1 8. If any section, part, phrase, or provision of this act or the
2 application thereof to any person, project or circumstances, be
3 adjudged invalid by any court of competent jurisdiction, such
4 judgment shall be confined in its operation to the section, part,
5 phrase, provision or application directly involved in the contro-
6 versy in which such judgment shall have been rendered and shall
7 not affect or impair the validity of the remainder of this act or the
8 application thereof to other persons, projects or circumstances.

1 9. There is hereby appropriated to the Motion Picture and
2 Television Development Commission from the General State Fund
3 the sum of *~~[\$250,000.00]~~* *\$125,000.00* or so much thereof as may
4 be necessary, for the purposes of carrying out its functions and
5 duties pursuant to this act.

1 10. This act shall take effect immediately.

STATEMENT

This bill creates a Motion Picture and Television Development Commission in order to encourage the development of these industries in the State of New Jersey.

The commission shall develop a program to promote such industry within the State. It shall assist the industry in promptly securing location permits, cooperating with local units of government and State agencies, as well as all sections of management and labor in the industry.

The bill appropriates \$250,000.00 for the commission to hire a staff and to carry out its duties.

S 1487 (1977)

REFERENCE USE ONLY

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1487

with Assembly committee amendment

—◆—
STATE OF NEW JERSEY
—◆—

DATED: NOVEMBER 8, 1976

The Assembly Appropriations Committee concurs in the statement of explanation accompanying the bill.

The Assembly committee amendment reduces the appropriation from \$250,000.00 to \$125,000.00 in recognition of the fact that the current fiscal year is nearly half over.

REFERENCE USE ONLY

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

STATEMENT TO
SENATE, No. 1487

STATE OF NEW JERSEY

DATED: JULY 22, 1976

The purpose of this bill, which, if enacted, will have the "short title" of the "Motion Picture and Television Development Act," is to promote the motion picture and television industry in the State of New Jersey through the creation of a Motion Picture and Television Development Commission. The bill defines the powers of the commission, which is "in but not of" the Department of Labor and Industry, and appropriates \$250,000.00 for the operation of said commission.

In section 2, which sets forth the findings and determinations of the Legislature, it is stated that the "development of a strong motion picture and television industry" would not only contribute to the improvement of the economy of the State, but would also "contribute to the social well-being of the State and its people." New Jersey has an historic connection with the motion picture industry since the first silent movies were made in the State. Fort Lee, New Jersey, was the site of one of the earliest motion picture sound stages.

The commission created by the bill will be made up of eight members of the public to be appointed by the Governor with the advice and consent of the Senate. In addition, the following will serve as pro-tem members: The Chairman of the New Jersey Council on the Arts, the Chairman of the Public Broadcasting Authority and the Commissioner of Labor and Industry, or their designees. The Governor will appoint a chairman from among the 11 members of the commission. No action may be taken by the commission without an affirmative vote of the majority of the members.

The bill authorizes the commission to appoint and employ an executive director, "and such other professional, technical, and clerical assistants as it may require." The provisions of Title 11, Civil Service, of the Revised Statutes are waived for the selection and employment of the foregoing personnel.

The commission is required by the bill to make an annual report to the Governor and Legislature concerning its activities. The bill provides that the commission has the power to adopt such rules and regu-

lations as it "deems advisable," to hold hearings, to request and obtain assistance and data from State agencies and political subdivisions, to accept Federal and private grants, to coordinate the activities of similar councils or boards, to create other necessary advisory councils, and to secure "any and all location permits" within the State for applicants interested in motion picture and television production.

It will be the responsibility of the commission to prepare and implement programs to promote the motion picture and television industry for the State of New Jersey. The goal of the commission will be to facilitate cooperation between all levels of government in the State, and between management and labor, and to promote New Jersey as a site for motion picture and television production.

The bill appropriates \$250,000.00 to the commission for the purpose of enabling it to carry out its functions and duties.

A companion measure, Senate Bill No. 1486, also sponsored by Senator Feldman was considered and reported favorably by the committee on June 21, 1976. This bill amends "The New Jersey Economic Development Authority Act" approved August 7, 1974 (P. L. 1974, c. 80) so that the authority may consider applications for tax-exempt financing and loan guarantees from persons interested in motion picture and television production, thus giving the State the capability to attract the industry. Senate Bill No. 1486 was considered by the full Senate and passed unanimously on June 28, 1976. It was sent to the General Assembly and referred to the Assembly Labor, Industry and Professions Committee for consideration on June 30, 1976.

A public hearing was held by the committee on Senate Bill No. 1487 on July 20, 1976. Among the 26 witnesses who appeared before the committee to speak in support of the bill were Otto Preminger, producer, Celeste Holme, actress, and Frank Gilroy, playwright, as well as Dick Johnston, Executive Director, Meadowlands Chamber of Commerce, Bernard Moore, Public Information Officer from the office of the Mayor of Newark, Kenneth Gibson, and the Honorable Sandra Greenberg, Mayor of Englewood, New Jersey.

The concept of a commission to promote television and movie production was originally considered for implementation through executive order. It was decided that the idea should be provided with a statutory base and the bill was introduced. Sidney Kingsley, a playwright and winner of the Pulitzer Prize who resides in Bergen County, is also a prominent supporter of the bill. He has long been a participant in the effort to encourage the film and television industry to utilize facilities and locations in New Jersey for productions. The committee understands that Mr. Kingsley is being considered for the position of executive director for the commission.

The supporters of the bill believe that New Jersey should join those states such as Georgia, Florida, Louisiana, Colorado and Texas which are competing with California and New York for a share of the lucrative motion picture and television business.

It is estimated by Mr. Kingsley, and others who testified at the public hearing, that the motion picture and television industry would bring approximately \$50 million into the State with about \$17 million "staying" in the State economy.

The bill has the support of the AFL/CIO and the committee understands that an agreement has been reached with the unions that many groups of workers will operate under one contract on a given film, thus making it unnecessary for a producer to negotiate a separate contract with each group individually.

In reporting the bill favorably the committee wishes to state clearly its conclusion, based on testimony taken at the public hearing, that the success of the commission will depend on the inclusion in its membership of active "working" professionals who have pragmatic knowledge and experience in the technical, commercial and artistic dimensions of the business.