



General Assembly

Amendment

February Session, 2006

LCO No. 4676

HB0579704676HDO

Offered by:
REP. BERGER, 73rd Dist.

To: Subst. House Bill No. 5797 File No. 223 Cal. No. 163

"AN ACT CONCERNING DIGITAL MEDIA AND MOTION PICTURE DEVELOPMENT IN THE STATE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-392 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2006*):

5 (a) The General Assembly finds and declares that culture, history,
6 the arts and the [film] digital media and motion picture and tourism
7 industries contribute significant value to the vitality, quality of life and
8 economic health of Connecticut and therefore there is established the
9 Connecticut Commission on Culture and Tourism. The Connecticut
10 Humanities Council and the Connecticut Trust for Historic
11 Preservation shall operate in conjunction with the commission for
12 purposes of joint strategic planning, annual reporting on
13 appropriations and fiscal reporting. The purpose of the commission
14 shall be to enhance and promote culture, history, the arts and the
15 tourism and [film] digital media and motion picture industries in

16 Connecticut.

17 (b) The commission shall:

18 (1) Market and promote Connecticut as a destination for leisure and
19 business travelers through the development and implementation of a
20 strategic state-wide marketing plan and provision of visitor services to
21 enhance the economic impact of the tourism industry;

22 (2) Promote the arts;

23 (3) Recognize, protect, preserve and promote historic resources;

24 (4) Interpret and present Connecticut's history and culture;

25 (5) Promote Connecticut as a location in which to [conduct filming]
26 produce digital media and motion pictures and to establish and
27 conduct business related to the [film and video] digital media and
28 motion picture industries to enhance these industries' economic impact
29 in the state;

30 (6) Beginning with the fiscal year ending June 30, 2006, and each
31 fiscal year thereafter, prepare and submit to the Office of Policy and
32 Management, in accordance with sections 4-77 and 4-77a, budget
33 expenditure estimates and recommended adjustments for the next
34 succeeding fiscal year or years and a detailed accounting of
35 expenditures for the prior fiscal year, a copy of which shall be
36 submitted to the General Assembly, in accordance with the provisions
37 of section 11-4a;

38 (7) Establish a uniform financial reporting system and forms to be
39 used by each regional tourism district, established under section 10-
40 397, in the preparation of the annual budget submitted to the General
41 Assembly;

42 (8) Integrate funding and programs whenever possible; and

43 (9) On or before January 1, 2005, and biennially thereafter, develop

44 and submit to the Governor and the General Assembly, in accordance
45 with section 11-4a, a strategic plan to implement subdivisions (1) to (5),
46 inclusive, of this subsection.

47 (c) Any proposals for projects under the jurisdiction of the
48 commission and projects proposed by the Connecticut Humanities
49 Council that require funding through the issuance of bonds by the
50 State Bond Commission, in accordance with sections 13b-74 to 13b-77,
51 inclusive, as amended, shall be submitted to the Connecticut
52 Commission on Culture and Tourism. The commission shall review
53 such proposals and submit any project that it believes has merit to the
54 joint standing committee of the General Assembly having cognizance
55 of matters relating to finance, revenue and bonding with the
56 commission's recommendation for funding.

57 (d) The Connecticut Commission on Culture and Tourism shall be a
58 successor agency to the State Commission on the Arts, the Connecticut
59 Historical Commission, the Office of Tourism, the Connecticut
60 Tourism Council, the Connecticut Film, Video and Media Commission
61 and the Connecticut Film, Video and Media Office in accordance with
62 the provisions of sections 4-38d and 4-39.

63 (e) Wherever the words "State Commission on the Arts",
64 "Connecticut Historical Commission", "Office of Tourism",
65 "Connecticut Film, Video and Media Office" and "Connecticut
66 Commission on Arts, Tourism, Culture, History and Film" are used in
67 the following sections of the general statutes, or in any public or
68 special act of the 2003 or 2004 session the words "Connecticut
69 Commission on Culture and Tourism" shall be substituted in lieu
70 thereof: 3-110f, 3-110h, 3-110i, 4-9a, as amended, 4b-53, as amended,
71 4b-60, 4b-64, 4b-66a, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-
72 147y, 8-2j, 10-382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391,
73 10a-111a, 10a-112, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-
74 315b, 19a-315c, as amended, 22a-1d, 22a-19b, 25-102qq, 25-109q, 29-259
75 and 32-6a.

76 (f) The Legislative Commissioners' Office shall, in codifying the
77 provisions of this section, make such technical, grammatical and
78 punctuation changes as are necessary to carry out the purposes of this
79 section.

80 Sec. 2. Section 10-393 of the general statutes is repealed and the
81 following is substituted in lieu thereof (*Effective October 1, 2006*):

82 (a) The Connecticut Commission on Culture and Tourism shall
83 consist of [twenty-nine] thirty-five voting commissioners and
84 nonvoting ex-officio members. Such ex-officio members shall be the
85 executive directors of the Connecticut Trust for Historic Preservation
86 and the Connecticut Humanities Council, the State Poet Laureate, the
87 State Historian and the State Archaeologist. The State Poet Laureate,
88 the State Historian and the State Archaeologist shall serve as
89 commissioners without being appointed and without receiving
90 compensation for such service. The remaining [twenty-four] thirty
91 commissioners shall be appointed as follows:

92 (1) The Governor shall appoint eight commissioners: (A) One
93 commissioner shall be an individual with knowledge of or experience
94 or interest in tourism from within the state; (B) three commissioners
95 shall be individuals with knowledge of or experience or interest in
96 history or humanities; (C) one commissioner shall be an individual
97 with knowledge of or experience or interest in the arts; (D) one
98 commissioner shall be an individual [with knowledge of or experience
99 or interest in film] with experience relating directly to the production
100 of digital media or motion pictures; and (E) two commissioners shall
101 be selected at large.

102 (2) The speaker of the House of Representatives shall appoint [three]
103 four commissioners: (A) One commissioner shall be an individual with
104 knowledge of or experience or interest in tourism from the
105 southwestern tourism district, established under section 10-397; (B)
106 one commissioner shall be an individual with knowledge of or
107 experience or interest in history or humanities; [and] (C) one

108 commissioner shall be an individual with knowledge of or experience
109 or interest in the arts; and (D) one commissioner shall be an individual
110 with experience relating directly to the production of digital media or
111 motion pictures.

112 (3) The president pro tempore of the Senate shall appoint [three]
113 four commissioners: (A) One commissioner shall be an individual with
114 knowledge of or experience or interest in tourism from the central
115 tourism district, established under section 10-397; (B) one
116 commissioner shall be an individual with knowledge of or experience
117 or interest in history or humanities; [and] (C) one commissioner shall
118 be an individual with knowledge of or experience or interest in the
119 arts; and (D) one commissioner shall be an individual with experience
120 relating directly to the production of digital media or motion pictures.

121 (4) The majority leader of the House of Representatives shall
122 appoint [two] three commissioners: (A) One commissioner shall be an
123 individual with knowledge of or experience or interest in tourism from
124 the south central tourism district, established under section 10-397;
125 [and] (B) one commissioner shall be an individual with knowledge of
126 or experience or interest in the arts; and (C) one commissioner shall be
127 an individual with experience relating directly to the production of
128 digital media or motion pictures.

129 (5) The majority leader of the Senate shall appoint [two] three
130 commissioners: (A) One commissioner shall be an individual with
131 knowledge of or experience or interest in tourism from the eastern
132 tourism district; [and] (B) one commissioner shall be an individual
133 with knowledge of or experience or interest in the arts; and (C) one
134 commissioner shall be an individual with experience relating directly
135 to the production of digital media or motion pictures.

136 (6) The minority leader of the House of Representatives shall
137 appoint [three] four commissioners: (A) One commissioner shall be an
138 individual with knowledge of or experience or interest in tourism from
139 within the state; (B) one commissioner shall be an individual with

140 knowledge of or experience or interest in history or humanities; [and]
141 (C) one commissioner shall be an individual with knowledge of or
142 experience or interest in the arts; and (D) one commissioner shall be an
143 individual with experience relating directly to the production of digital
144 media or motion pictures.

145 (7) The minority leader of the Senate shall appoint [three] four
146 commissioners: (A) One commissioner shall be an individual with
147 knowledge of or experience or interest in tourism from the
148 northwestern tourism district, established under section 10-397; (B) one
149 commissioner shall be an individual with knowledge of or experience
150 or interest in history or humanities; [and] (C) one commissioner shall
151 be an individual with knowledge of or experience or interest in the
152 arts; and (D) one commissioner shall be an individual with experience
153 relating directly to the production of digital media or motion pictures.

154 (b) Each commissioner shall serve a term that is coterminous with
155 such commissioner's appointing authority. No member of a board of
156 directors of a regional tourism district may serve as a commissioner of
157 the Connecticut Commission on Culture and Tourism.

158 (c) The commission shall have an executive director, appointed by
159 the Governor in accordance with the provisions of chapter 46, who
160 shall administer the commission in accordance with subsection (e) of
161 this section. The voting commissioners shall elect annually: A
162 commissioner from among the voting commissioners to serve as
163 chairperson of the commission, one commissioner as vice-chairperson,
164 and other commissioners as officers. Such commissioners shall
165 establish bylaws as necessary for the operation of the commission.
166 Commissioners shall receive no compensation for the performance of
167 their duties, but may be reimbursed for their necessary expenses
168 incurred in the performance of their duties. The commission shall meet
169 at least once during each calendar quarter and at such other times as
170 the chairperson deems necessary or upon the request of a majority of
171 commissioners in office.

172 (d) Thirteen voting commissioners of the board shall constitute a
173 quorum and the affirmative vote of a majority of the voting
174 commissioners present at a meeting of the commission shall be
175 sufficient for any action taken by the commission. No vacancy of a
176 commissioner shall impair the right of a quorum to exercise all the
177 rights and perform all the duties of the commission. Any action taken
178 by the commission may be authorized by resolution at any regular or
179 special meeting and shall take effect immediately unless otherwise
180 provided in the resolution.

181 (e) The executive director of the commission shall administer the
182 commission, subject to the supervision of the commissioners. The
183 executive director shall have the authority to administer all laws under
184 the jurisdiction of the commission and the power and authority to:
185 Coordinate, and direct the operation of the commission; establish rules
186 for the internal operation of the commission; contract for facilities,
187 services and programs to implement the purposes of the commission
188 established by law, and enter into agreements for funding from private
189 sources, including corporate donations and other commercial
190 sponsorships. The executive director is authorized to do all things
191 necessary to apply for, qualify for and accept any funds made
192 available under any federal act for the purposes established under
193 section 10-392, as amended by this act. All funds received under this
194 subsection shall be deposited into the Connecticut Commission on
195 Culture and Tourism account, established under section 10-395. The
196 executive director may enter into contracts with the federal
197 government concerning the use of such funds.

198 Sec. 3. Section 10-417 of the general statutes is repealed and the
199 following is substituted in lieu thereof (*Effective October 1, 2006*):

200 (a) With respect to [film] digital media and motion picture activities,
201 the Connecticut Commission on Culture and Tourism, established
202 under section 10-392, as amended by this act, shall have the following
203 powers and duties:

204 (1) To promote the use of Connecticut locations, structures, facilities
205 and services for the production [of films, videos, television programs,
206 audio recordings and other media-related products] and
207 postproduction of all digital media and motion pictures and other
208 media-related products;

209 (2) To provide support services to visiting and in-state production
210 companies, including assistance to [film, video and other media]
211 digital media and motion picture producers in securing [location]
212 permits from state agencies, authorities or institutions or
213 municipalities or other political subdivisions of the state;

214 (3) To develop and update a resource library concerning the many
215 possible state sites which are suitable for [filming and taping]
216 production;

217 (4) To develop and update a production manual of available [film,
218 video and media] digital media and motion picture production
219 facilities and services in the state;

220 (5) To conduct and attend trade shows and production workshops
221 to promote Connecticut locations and facilities;

222 (6) To prepare an explanatory guide showing the impact of relevant
223 state and municipal tax statutes, regulations and administrative
224 opinions on typical production activities and to implement the tax
225 credits provided for in section 20 of senate bill 702 of the current
226 session, as amended;

227 (7) To formulate and propose guidelines for [standardized permits
228 to be used by] state agencies [which shall be as close to] for a "one stop
229 permitting" process, [as possible,] for matters including, but not
230 limited to, the use of state roads and highways, the use of state-owned
231 real or personal property for production activities and the conduct of
232 regulated activities, and to hold workshops to assist state agencies in
233 implementing such process;

234 (8) To formulate and recommend to municipalities model local
235 ordinances and forms to assist production activities, including, but not
236 limited to, "one stop permitting" of [film, video and other] digital
237 media and motion picture and other production activity to be
238 conducted in a municipality, and to hold workshops to assist
239 municipalities in implementing such ordinances;

240 (9) To accept any funds, gifts, donations, bequests or grants of funds
241 from private and public sources for the purposes of this section;

242 (10) To request and obtain from any state agency, authority or
243 institution or any municipality or other political subdivision of the
244 state such assistance and data as will enable the commission to carry
245 out the purposes of this section;

246 (11) To assist and promote cooperation among all segments of
247 management and labor that are engaged in [film, video or other media
248 production] digital media and motion pictures;

249 (12) To [develop criteria for use by the Department of Economic and
250 Community Development, the Connecticut Development Authority,
251 Connecticut Innovations, Incorporated, and other state agencies and
252 authorities in awarding financial assistance for the production of films,
253 videos and other media projects in the state. The criteria shall (A)
254 provide for a secured position for the state, and (B) give preference to
255 projects having significant advance sales or other commitments; and

256 (13) To] take any other administrative action which may improve
257 the position of the state's [film, video and media] digital media and
258 motion picture production industries in national and international
259 markets.

260 (b) On or before January 15, 2008, and biennially thereafter, the
261 commission shall submit to the General Assembly, in accordance with
262 section 11-4a, a report on the activities of the commission under this
263 section and the estimated direct and indirect economic impact of all
264 digital media, motion pictures and related production activity in the

265 state, during the preceding calendar years. Each such report shall also
 266 include an analysis of the impact on the state of each qualified
 267 production, as defined in section 20 of senate bill 702 of the current
 268 session, as amended.

269 Sec. 4. Section 5-198 of the 2006 supplement to the general statutes is
 270 amended by adding subsection (dd) as follows (*Effective October 1,*
 271 *2006*):

272 (NEW) (dd) The director for digital media and motion picture
 273 activities in the Connecticut Commission on Culture and Tourism.

274 Sec. 5. (NEW) (*Effective October 1, 2006*) Notwithstanding any
 275 provision of the general statutes, each state agency, department or
 276 institution issuing a request for proposals for any digital media,
 277 motion picture or related production activity shall, at the time of such
 278 issuance, transmit a copy of such request for proposals to the
 279 Connecticut Commission on Culture and Tourism. Said commission
 280 shall notify the executive head of each state agency of the requirements
 281 of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	10-392
Sec. 2	<i>October 1, 2006</i>	10-393
Sec. 3	<i>October 1, 2006</i>	10-417
Sec. 4	<i>October 1, 2006</i>	5-198
Sec. 5	<i>October 1, 2006</i>	New section