

THIRTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

Public Law No. 13-29

**SENATE BILL
NO. 13-41, SD1**

FIRST REGULAR SESSION, 2002

AN ACT

To establish a Commonwealth Film, Video and Media Office (herein referred to as the, "Northern Marianas Islands Film Office"); and for other purpose.

**BE IT ENACTED BY THE THIRTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

Section 1. Findings and Purpose. The Legislature finds that the Commonwealth offers outstanding and unique human and natural resources for the development of a strong motion picture, film, video and media industry. The development of such an industry would contribute substantially to the improvement of the Commonwealth's economy. It is the purpose of this Act to establish, within the Commonwealth, a permanent Office to promote the development of a viable motion picture, film, video and media industry.

Section 2. Commonwealth Film, Video and Media Office established

(a) There is established within the Marianas Visitors Authority (MVA), a Commonwealth Film, Video and Media Office, to be referred to as the "Northern Mariana Islands Film Office" ("film office"). A Film Office Manager, selected through an interview process by the MVA Managing Director shall administer the film office. The Film Office Manager shall have substantial experience in the film, video and media fields and shall be exempt from the civil service system and shall be hired on a one-year government contract with an option to renew one more year.

(b) The Marianas Visitors Authority shall provide additional necessary personnel and resources to enable the Office to perform its duties.

(c) The Office shall have the following powers and duties:

(1) To promote, encourage and advertise the use of Commonwealth locations, facilities and services for the pre-production, production and/or post-production of, but not limited to, films, videos, television programs, commercials, audio recordings, photo shoots, CD ROM and DVD production, and other media-related products;

(2) To provide support services to visiting and in-Commonwealth production companies, including assistance to film, video and media producers in securing the necessary permit from the film office;

(3) To develop and update a film and media resource library of the many Commonwealth sites, including but not limited to those in the Northern Islands and the municipalities of Saipan, Tinian and Rota;

(4) To develop and update a website, directory, brochures and/or other collateral materials on locally available talent, crew and pre-production, production and post-production resources in the Commonwealth

(5) To attend industry conventions, trade shows and workshops to promote Commonwealth locations and facilities for film and media-related activities and to network with industry representatives;

(6) To prepare an explanatory guide showing the impact of relevant Commonwealth and municipal tax statutes, regulations and administrative opinions on typical production activities;

(7) To formulate and propose guidelines for a standardized film/media permit that will be issued by the film office through a “one stop permitting” process for all film, video and media-related projects in the Commonwealth. The permit will be recognized by all Commonwealth agencies and municipalities for matters including, but not limited to, the use of Commonwealth roads and highways, police services, traffic control, the use of Commonwealth-owned submerged lands, parks, forests and real

or personal property for production, and to hold workshops to assist Commonwealth agencies in implementing the standardized permits. The film office will offer permitting guidance to the applicant through a pre-production meeting between the film office and authorized representatives of the production company. The film office will act as a liaison and advocate with all government agencies and island communities within the Commonwealth whose cooperation, clearances or services are required;

(8) To assist the municipalities to promote and attract business activities in film, video and other media production activity and hold workshops in the municipalities to assist them in attracting and taking advantage of film, video and other media production;

(9) To accept any funds, gifts, donations, bequests or grants of funds from private, federal and public sources for the purpose of this Act, provided that receipt of anything of value does not violate any provision of law that deals with ethics and the Public Auditor;

(10) To request and obtain from any Commonwealth agency, authority or institution or any municipality of the Commonwealth such assistance and data as will enable the office to carry out the purposes of this Act;

(11) To track the economic impact of film, video and media-related projects in the Commonwealth by developing a simple Economic Impact Report/Questionnaire that will become a mandatory part of the permitting process. The Economic Impact Report/Questionnaire will include, but not be limited to information such as 1) # of foreign visitors for project, 2) # of hotel room nights, 3) number of local extras hired and total amount paid, estimated amount spent by foreign visitors on food, entertainment and gifts while in the Commonwealth, etc.;

(12) To take any action which may improve the position of the Northern Mariana Islands' film, video and media production industries in national and international markets.

(13) To assist all segments of management and labor that is engaged in film, video and/or other media production in the Commonwealth.

Section 3. Film Office to Be Notified of Government Media Needs.

(a) Notwithstanding any provision of the general statutes to the contrary, each Commonwealth agency issuing a request for proposals for any film, video or media production shall, at the time of such issuance, transmit a copy of such request for proposals to the Office.

(b) The Film Office Manager shall transmit through the Managing Director of the Marianas Visitors Authority, notification to the executive head of each Commonwealth agency of the requirements of subsection (a) of this section.

Section 4. Film Office Report. The Film Office Manager shall provide an annual report to the MVA Managing Director on or before January thirty-first of each year. The report shall include a summary of the activities of the film office for the preceding year and any recommendations for legislation, regulations or amendments as may be necessary to promote the purposes of this Act.

Section 5. MVA Managing Director Duties in Relation to the Film Office.

The MVA Managing Director shall:

(1) Monitor the activities of the film office and make recommendations to the film manager;

(2) Improve Commonwealth services for the local film, video and media industries;

(3) Make recommendations to the Governor and Commonwealth agencies, concerning administrative actions that it deems necessary or helpful to improve such industries;

(4) Develop evaluation criteria for assessing the performance of the Film Office Manager. The MVA Managing Director will evaluate the Film Office Manager on an annual basis;

(5) Identify and make recommendations to remedy Commonwealth agency and municipal actions or procedures which may have any negative impact on film, video and other media production in the Commonwealth or that may appear to discourage or impose unnecessarily costly burdens on such production in the Commonwealth.

(6) Shall approve all permits issued by the office, including all correspondences, contracts, etc.

Section 6. Regulations - Permit Fees. All film/media permit fees in the Commonwealth will be collected by the film office under a one-stop, single permit framework. All film/media permit fees collected by the film office will be solely used to fund the operations of the film office. The Film Office Manager, with the approval of the MVA Managing Director, shall adopt regulations to carry out the provisions of this Act. The regulations shall, among other things, provide for a standard film/media permit, indemnity insurance to protect the Commonwealth, use of children in productions, and police services. The following one-time project fees shall be established: nonprofit, public service announcements, student projects and projects conducted by CNMI residents and/or businesses for local customers are exempt; \$300.00 for still photography and other "graphics" projects; \$500.00 for all other projects such as, but not limited to, pre-production, production and/or post-production of motion pictures, films, television commercials, videos, music recordings, etc.

Section 7. Funding and Staffing of Film Office. Funding for the operation of the film office shall be appropriated by the legislature. MVA is authorized to hire up to two (2) additional staff for the film office.

Section 8. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 9. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/S/ _____
PAUL A. MANGLONA
President of the Senate

/S/ _____
THOMAS P. VILLAGOMEZ
Senate Legislative Secretary

Approved this 14th day of November, 2002

/S/ _____
JUAN N. BABAUTA
Governor
Commonwealth of the Northern Mariana Islands