

05  
10  
T267  
1986C

PUBLIC HEARING

before

SENATE LEGISLATIVE OVERSIGHT COMMITTEE

A Review of the  
New Jersey Public Broadcasting Authority

March 25, 1986  
Room 334  
State House Annex  
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator Gerald R. Stockman, Chairman  
Senator S. Thomas Gagliano

ALSO PRESENT:

Steven B. Frakt  
Office of Legislative Services  
Aide, Senate Legislative Oversight Committee

\* \* \* \* \*

Hearing Recorded and Transcribed by  
Office of Legislative Services  
Public Information Office  
Hearing Unit  
State House Annex  
CN 068  
Trenton, New Jersey 08625

New Jersey State Library

Handwritten text, possibly a signature or date, located at the bottom left of the page.

TABLE OF CONTENTS

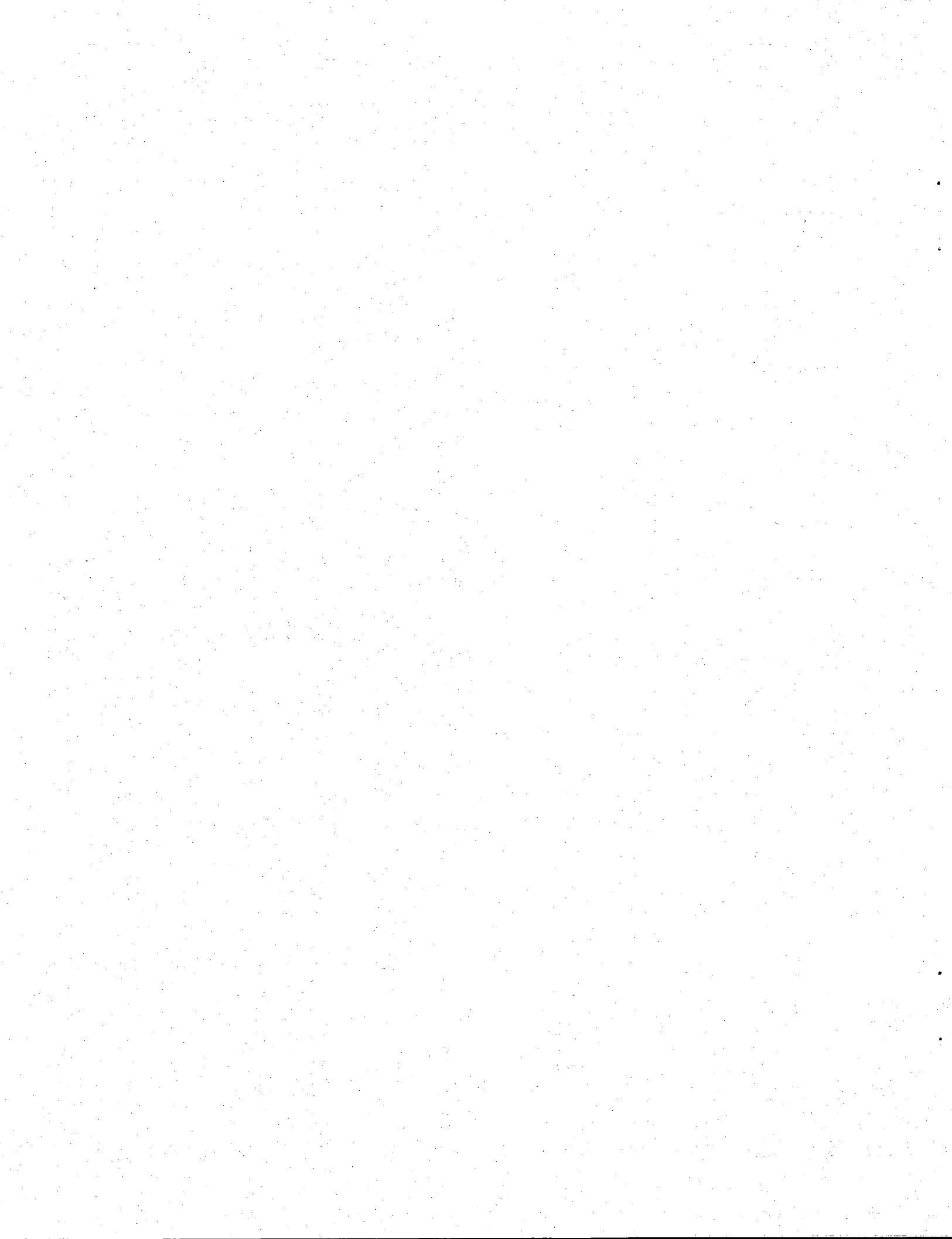
	Page
John Sheahan First Vice President Friends of New Jersey Network, Inc.	1
James Tarlau Staff Representative Communication Workers of America, Local 1032	21
Barbara Wicklund Member Philadelphia Newspaper Guild	30

APPENDIX:

Statement submitted by John Lewis Vice Chairman Community Services of Manchester, Inc.	1x
--	----

\* \* \* \* \*

akv: 1-31



**SENATOR GERALD R. STOCKMAN (Chairman):** All right, I think we're ready to begin, this, the fourth hearing of the Senate Legislative Oversight Committee, into the question of New Jersey Network's operation, its need for further insulation from political influence, and its basic needs as far as the citizens of the State of New Jersey go. I should indicate that the Committee sent an invitation to members of the New Jersey Broadcasting Authority, inviting them if they wish to submit statements or appear, and add their comments to those of the Chairman of the Authority, Steve Adubato. We have not heard from them, and I assume therefore they don't feel that's necessary.

We're fortunate to have this morning as our lead-off witness, John Sheahan, First Vice President, Friends of New Jersey Network Inc., to talk to us. Obviously he is a friend of that network. He's a volunteer, and on behalf of the Committee, I want to thank him for joining us. I look forward to hearing his testimony, and perhaps a give and take over some of the issues that the Committee is struggling with. So, with that, Mr. Sheahan I invite you to make your statement. Thank you.

**J O H N D. S H E A H A N:** Thank you, Mr. Chairman. I am John Sheahan, and I want to thank you and the Committee for the opportunity to appear before you today to discuss the purposes and organization of the New Jersey Public Broadcasting Authority.

I am First Vice President of the Board of The Friends of New Jersey Network representing Johnson & Johnson, the New Brunswick health care products manufacturer. I am a television professional by occupation and am director of Johnson & Johnson Worldwide Video Network, which is part of the public relations organization. In this capacity, I am responsible for the management, program creation, and television production for Johnson & Johnson. Our network operates in 165 Johnson &

Johnson companies in 59 countries around the world. I also handle the majority of grant and underwriting requests for the company, and am the corporate liaison with NOVA, the award winning PBS science series which Johnson & Johnson co-underwrites. I have spent my entire professional career in this state, working in television for several Fortune 100 companies. Finally, I have had the opportunity to know dozens of New Jersey Network staff members, past and present, including the three previous Executive Directors.

Today I would like to focus my testimony on three areas. First, the four important questions which you, Mr. Chairman, raised in your opening statement on January 29th. Second, the role of The Friends; and finally, some recommendations for the future, which is, after all, our long-term concern.

The first question you raised Mr. Chairman was, "Is Public television coverage of the news needed?" You've heard in previous testimony facts and figures supporting the need, which I will not belabor. However, I would like to provide you with a little different perspective. Given the unique geographical location of New Jersey, which essentially creates a commercial television news and public affairs vacuum, and given the fact that both the public and private sectors have a need to communicate through this medium, and given the fact that citizens of this fine State have a right to know what's going on, "New Jersey Network News" becomes an unparalleled communications resource. A resource, Mr. Chairman, and perhaps even an endangered species, and one which both the public and private sectors should protect. And by the way, no other electronic communications medium in the State has an audience reach equal to "the Network's."

If I may, I would like to group your second and third questions, Mr. Chairman. "Can public television, as it is structured in New Jersey, be independent" and almost as

important, "appear to be independent?" and, "Are there ways to insulate public television more completely from the public officials whom it covers?" Well, I believe both are possible, but with some qualifications and reservations.

I must tell you I have wrestled with these questions a great deal over the past several months. And after my disappointment and anger subsided over Mr. Niemann's resignation, and the circumstances surrounding it, I have come to the following conclusions:

The problem of the New Jersey Network is not politics, even though it operates in a political world. The problem is not government, even though it is a part of it. The problem is not the budget, even though it deserves much more support from all of us. The problem is not its lack of independence, though it might benefit from greater autonomy. The problem has not been its Executive Directors, even though that leadership is crucial. The problem is not its staff, whose expertise and talent have been rewarded by the National Academy of Television Arts & Sciences, something we should all be proud of. The problem Mr. Chairman and members of the Committee, the problem in my opinion, is a lack of television experience and effective leadership on the New Jersey Public Broadcasting Authority, and, for that matter, a lack of support by all of us in and out of government.

Case in point, not one member of the Authority has any background in television. Let me repeat that. Not one member of the New Jersey Public Broadcasting Authority has any background in television. I have to assume that this is by design and not just an oversight. But why? The reasons escape me quite frankly. Can you imagine the board of directors of a bank, hospital, or corporation whose sum total of experience in that discipline is zero? Therefore, Mr. Chairman, I would recommend that of the fifteen-member Authority, at least five of them should be required to have some background in broadcast

management and/or a related field, such as: television production, news gathering, radio, film, advertising, public relations, communications law, etc. This kind of expertise can only enhance what I would hope to be a new leadership and effectiveness of the Authority. I can also say, with some confidence, that these people would be less likely to succumb to political pressure. They would also help alleviate the independence issue, and provide some insulation from public officials. There are no guarantees in this respect I'm sorry to say.

I think it is important for any of us who are connected with New Jersey Network, whether we come from the public or private sector, to bear in mind that all of our actions should be in the public interest, not our own self-interest. That is not political naivete, as some would have us believe; that's integrity.

Mr. Chairman, your final question was, "And if such insulation is necessary, how can the need to provide accountability over the expenditure of public funds be reconciled with the need to shelter public television from interference by elected officials?" Or put another way -- I had a little trouble understanding that question Mr. Chairman -- "Can you shelter public television, financed by tax dollars, from interference by the very people who we as voters hold responsible for the expenditure of those dollars, our elected officials?" The answer to that is no. Elected officials have an obligation and responsibility to scrutinize those expenditures. However, scrutinizing and interfering imply two different motivations.

I don't want to get hung up on semantics. However, if it is perceived that elected officials are interfering, which has a negative connotation, then you Mr. Chairman, and others like you, have an additional obligation and responsibility. And that is to find out who, how, and why? Unfortunately, public confidence in the ability of elected officials to

police themselves, as I'm sure you are undoubtedly aware, is not excessively high. Therefore, I commend you and the members of this Committee for your efforts.

As for The Friends of New Jersey Network, we are the fund raising arm, and as such, represent many corporations and thousands of viewers who contribute money and volunteer time to the Network. We do this because we believe in public television. This year we have a budget in excess of \$650,000, most of which comes from individual contributors. We also need to improve the quality and effectiveness of our own board, while at the same time seeking new ways to raise the necessary funding to provide quality programming for the citizens of New Jersey. Our concern, as it relates to recent events, is how our current members and potential contributors view these events: Will they want to continue to be associated with and support New Jersey Public Television, particularly since this organization has been surrounded by controversy? We don't have the answers to those questions right now. I cannot believe, however, that the nature of the publicity which the Network and Authority have received, is conducive to fund raising.

The future of New Jersey Network is at a critical stage. It has become a significant contributor to the pride we feel in this State, as well as our accomplishments. A search is currently being conducted for a new Executive Director. That leadership is important. Even though it is typically a patronage position, I firmly believe that the individual should have a background in television or a related field. Hopefully, someone can be found to meet both criteria. I can tell you from personal experience that it is challenging enough to manage this function with years of experience. I cannot imagine doing it with any less and what the resulting consequences might be.

Before I close, I would like to publicly commend Drix Niemann for the contribution he made to New Jersey Network. He was the best Executive Director we've ever had, in my judgment.

And while Drix might have ruffled some feathers along the way and did not always do things that were politically expedient, he made a difference. He was a positive force for change. And I respect him for it.

Finally, this Committee has an awesome task before it. I'm confident that all of you will meet that challenge, and in doing so, the public interest will be served.

Mr. Chairman, members of the Committee, thank you for this opportunity.

SENATOR STOCKMAN: Thank you much Mr. Sheahan. I'm sure we have some questions for you, and I'll defer to Senator Gagliano to start if he has any questions. I have a few that your statement engendered, and maybe a couple that I had in mind even without, but I think that-- Tom, do you want to ask or do you want me to--

SENATOR GAGLIANO: No, I have a couple of questions. I won't take too long. On page four of your statement, where you indicate that people should have a background in television production, news gathering, radio, film, advertising, etc. Over the years Mr. Sheahan -- and I think you've been involved for awhile with The Friends, isn't that correct--

MR. SHEAHAN: That's correct.

SENATOR GAGLIANO: --did you ever address to either of the Governors, or any of the Governors that were involved in this, to suggest that this might take place -- that maybe some people from the profession could be invited in as members?

MR. SHEAHAN: No I haven't Senator. That opportunity has never presented itself, and unfortunately we as a board have never sought it.

SENATOR GAGLIANO: I presume that the motivation for not doing it was that you felt that that was outside of your realm.

MR. SHEAHAN: That's correct.

SENATOR GAGLIANO: That you were satisfied to run The

Friends organization to raise money and to turn it over for programming? The reason I raise this question is, it almost seems like so many people were on the periphery of trying to do something which would improve the situation at New Jersey Broadcasting, but they didn't. I think it's very unfortunate.

We almost had a bill which would have changed the setup; that didn't pass. We had two Executive Directors who appeared before us, both of them seemed to be highly professional and aware of what was going on, and yet they never got that message to the Governors. At least I don't think they did. They never got the message to the Governors that, "gee something ought to be done here to make things better." So, I am pleased with your testimony, and we are going to be meeting -- I'm sure the Chairman will explain this later -- we're going to be meeting on our own after we go through the transcripts. And I think you've got a good idea there about getting more people who have more of a background, because they will feel much more comfortable in telling politicians to butt out, because that's been their training. If we have a newspaper person who is on there, first of all they know the rules with respect to sources. They know the rules with respect to freedom of press, and freedom of expression, and they'll be able to handle that. I think your ideas are very good.

MR. SHEAHAN: Thank you.

SENATOR GAGLIANO: The only other thing that I say is, I think unfortunately Mr. Niemann, in my opinion, appeared to be too sensitive, too naive, for an extended period of time. And I think that was his downfall as much as anything. I think he could have stuck it out. And I have nothing against the guy; I never knew him before he came here really, personally. I met him once. So the next person that takes the job, has to have an understanding that there will be some pressures that are going to be brought to bear directly on that person. And they're going to have to be strong enough to handle it.

MR. SHEAHAN: I agree with that, Senator. I would view that candidate as having to be intelligent, experienced, and tough. I'm not sure that's what the Authority wants, but that's the kind of person who ought to be in there, frankly.

SENATOR GAGLIANO: How do you feel about the staff? Do they do a pretty good job?

MR. SHEAHAN: I think the staff is excellent, I really do, the department heads-- That's been proved over the years, quite frankly. I've had the opportunity to employ some of these people after they left New Jersey Network, and the quality of the staff that organization has produced is quite remarkable. It's been the training ground for a lot of talented people in the television industry.

I might make one other comment about our board because the composition of our board has changed in the last couple of years, and it was Mr. Niemann's feeling that we needed more expertise from a variety of areas because we are the fund raising arm. So, a person from advertising was brought on that board, because that's important in fund raising. A person who was an expert in fund raising was brought on that board, which made a lot of sense, and has contributed a great deal. I happen to fill two roles because I have a background in television, and I come from a major corporation. We have a newspaper person on that board. And so, I think that a variety of skills and disciplines contributes to our ability to raise money. We still haven't, in our own opinion, done as good a job as we could, frankly, but we're trying. And I think the strength of that board makes a lot of difference.

SENATOR GAGLIANO: The strength of your board or both--

MR. SHEAHAN: Of our board.

SENATOR GAGLIANO: --both boards?

MR. SHEAHAN: And certainly, what I'm trying to say is -- To make that transference if you will, that the strength of the Authority board would also make a great deal of difference in my view.

SENATOR GAGLIANO: Thank you.

MR. SHEAHAN: You're welcome.

SENATOR STOCKMAN: Mr. Sheahan, I'd like to ask you a few questions. I was impressed with your testimony. I'd like to make an observation. It may be misunderstood, but I can't resist it. It's certainly a part of the mix of the media, you might say, and communications. I wonder how many, if I could ask, how many newspaper people are in the audience covering this hearing? I don't think I'm violating any rules asking. I think there are two or three. (members of audience raise hands)

You know it fascinates me that we had such rapt attention from the media, particularly the print media, at our last hearing, and I don't think I have to elaborate on why. I guess that I'd like to just make the observation that it's a shame that they weren't here to hear firsthand what you've said already which I think is very valuable to this Committee, and whatever further dialogue we have. But I guess that's the nature of news coverage to some extent, and it's a challenge for people like myself and I think Senator Gagliano, in terms of getting across information, or messages, or positions, if they're not spicy. You haven't said anything spicy yet; I don't know whether we'll get you into anything spicy, but, that's it.

SENATOR GAGLIANO: He works for a big company, he can't do--

SENATOR STOCKMAN: Let me ask you a couple of questions first John, if you don't mind my calling you John--

MR. SHEAHAN: I do not.

SENATOR STOCKMAN: --about the relationship between the board, the Authority, and The Friends. You have suggested the Authority might have played a stronger role. My instincts tell me, from the hearings we've had, and from what unfolded, that that is on the mark. That while the focus was on an

Executive Director, who certainly engendered a lot of attention and controversy, perhaps it wouldn't have gotten nearly that far if the board had been into the act more. What's the relationship between The Friends and the board, if any?

MR. SHEAHAN: Almost non-existent, believe it or not.

SENATOR STOCKMAN: To me that's incredible. Here's a body of volunteers--

SENATOR GAGLIANO: You raised close to ten percent of their budget, right?

MR. SHEAHAN: Correct.

SENATOR STOCKMAN: And on a voluntary basis, its contributions from the people who obviously have the most interest and concern for, affection for, that network. And to think that a public body responsible for operating it would be that distant, is to me, sad. It's something that I think this Committee is going to comment on, and something that I think has to change.

MR. SHEAHAN: Now, let me clarify that, in that one member of The Friends board, and in fact he is our President, is also on the Authority board, Warren Simmons.

SENATOR STOCKMAN: Is that by statutory design?

MR. SHEAHAN: No, it is not, interestingly enough.

SENATOR GAGLIANO: He's the President of your board, and he's a member of the Authority.

MR. SHEAHAN: That's correct. Now, that then creates some liaison. However, we do not meet together. We have appeared together on fund raising events. It is only recently that George Muller and myself -- although we haven't discussed this -- but we've realized that we both chair the programming committee for each board, and it seems quite ridiculous for each of us to take New Jersey Network staff time to have them meet with him, and then come over and meet with me, and so, we have every intention of meeting together, because we share the same concerns, frankly.

SENATOR STOCKMAN: How often, to your knowledge, has the board reached out to The Friends, in any form, and said, "Why don't you tell us what you think we're doing wrong, in that we might change?" or, "What we're doing right, that we may be sure to try do even more of?" that kind of thing. Has there been any of that to your knowledge?

MR. SHEAHAN: Well that's almost like soliciting criticism, Senator, and if you do it, you'll get it. No they have never done that.

SENATOR STOCKMAN: How long have you been on The Friends board?

MR. SHEAHAN: Since 1983, I believe.

SENATOR STOCKMAN: And can you share with us how it came to be? Obviously you have an interest in television, and a particular interest in New Jersey Network. But, what led you onto the board? I'm not even familiar, and I should be, with how you come to be a member of The Friends board.

MR. SHEAHAN: Generally what happens is, the Executive Director and members of the staff who go out and solicit contributions from corporations, try to identify people in the State who represent large corporations, or certain disciplines that would be advantageous to be on that board. So, they approached Johnson & Johnson, because we had long been committed to public television in general, and I was asked if I wanted to be on the board and--

SENATOR STOCKMAN: All right, you were appointed by the Executive Director or--

MR. SHEAHAN: No, by The Friends board.

SENATOR STOCKMAN: --by The Friends board, they--

MR. SHEAHAN: There's a nominating committee, and your name is placed in nomination, and you're voted upon.

SENATOR STOCKMAN: How many members on The Friends committee, approximately?

MR. SHEAHAN: I think there are about 13 or 14.

SENATOR STOCKMAN: And they meet monthly?

MR. SHEAHAN: Every other month typically.

SENATOR STOCKMAN: How about attending any board meetings? Are you ever invited to, or do you feel welcome, or have you taken the opportunity, to attend any board meetings?

MR. SHEAHAN: I have attended board meetings. We were invited once to the North Ward. Mr. Aduato sponsored a meeting up there. I was unable to attend because of business commitments. I did make a point to attend some of the board meetings during the period in which there was all the controversy, and Mr. Niemann was being forced to resign, because I had great concern. And indeed at one of those meetings I made a statement on behalf of The Friends.

SENATOR STOCKMAN: Incidentally, your statement talks about your being angered and disappointed at his resignation. Why was that?

MR. SHEAHAN: First of all, the Executive Director serves at the pleasure of the Governor. I understand that. And the Governor has a right to appoint anybody he wants to that position. I think what disturbed me more than anything else, were the reasons -- the alleged reasons -- for his resignation, the circumstances surrounding it, and quite frankly, the manner in which it was handled by the leadership of the Public Broadcasting Authority.

SENATOR STOCKMAN: We haven't gotten a detailed chronology on that. To my recollection, the Executive Director didn't say much, nor did the Chairman of the Authority. But reading, or recalling some of the news accounts, it did seem -- how can I put it tactfully -- that the way it was handled was unusual. Do you recall the sequence, and the things that struck you most distressingly about how the board went about its responsibilities in that time? Without going into great detail, and I'm not, you know, here to necessarily point heavy fingers at any individual, but I think to get a sense of

why we have to make changes, and I think we do, we can't dance around totally that sequence, it seems to me, because it does go in part to the point you made earlier about the importance -- the vital importance -- of the role of the board of the Authority. Can you share with us generally that?

MR. SHEAHAN: Most of what I would say, would be hearsay, and I have some concerns, Senator, about expressing that.

SENATOR STOCKMAN: All right, well, I don't want to put you on too much of a spot. I thought if you knew anything specific that was a matter of record, in terms of the sequence of hearings or anything of that sort--

MR. SHEAHAN: No, because I really wasn't privy to most of that frankly, and most of what I heard was from staff people or from Authority people, frankly.

SENATOR STOCKMAN: Okay. I gather incidentally there was some division on the board over the issue, but we never got far into that. In fact, I gather there was a little assault, apparently, is that-- To your knowledge, incidentally, was that matter ever resolved in terms of any court hearing, or anything? Or is it still pending?

MR. SHEAHAN: To my knowledge, nothing ever happened as a result of it.

SENATOR STOCKMAN: No one ever filed a formal charge with any authority -- municipal court over an assault, or that sort of thing?

MR. SHEAHAN: That's correct. To my knowledge that did not happen.

SENATOR STOCKMAN: Did either of the people involved in that, ever acknowledge to you that one had struck the other?

MR. SHEAHAN: Yes.

SENATOR STOCKMAN: So, we can be pretty satisfied that the activities of the board included an assault by a board member, something I guess we can all agree oughtn't be the routine part of an operation of any board or body.

SENATOR GAGLIANO: I hope it wasn't routine.  
(laughter)

SENATOR STOCKMAN: Or non routine, I mean--

MR. SHEAHAN: I believe there were two types of assaults, Senator. One a verbal and--

SENATOR STOCKMAN: Well, we were talking about the physical one.

MR. SHEAHAN: Okay.

SENATOR STOCKMAN: Actually-- And I assume that you were talking about that, weren't you?

MR. SHEAHAN: Yes.

SENATOR STOCKMAN: We actually-- The verbal assaults -- and that's interesting, because I suppose we can be confident that verbal assaults preceded a physical assault. The Chairman didn't share with us any real details about that. I don't know whether that means he wasn't present, or more likely didn't feel it was appropriate to share it. But, again speaking for myself on the Committee, if the Authority reached that level of behavior, or one member of it, I have to think that something wasn't, or things weren't operating in the way that they should.

MR. SHEAHAN: I think that's accurate Senator.

SENATOR STOCKMAN: That's trying to be tactful.

MR. SHEAHAN: Yes.

SENATOR GAGLIANO: Nice attempt.

SENATOR STOCKMAN: What about the question of, perhaps suggesting representation by The Friends, of perhaps several members on the board? Do you see any problems with that or advantages to that, or what?

MR. SHEAHAN: Oh, I don't see any problems at all, Senator. As a matter of fact, I would like to believe that we have the same goals in mind. In fact, it was suggested that a member of The Friends board ought to be on the selection committee for the new Executive Director, and informally that

person was put on the committee, but informally (sic) he was not.

SENATOR STOCKMAN: I'm concerned about that selection process right now. I mean, I can appreciate that, what's going on in these hearings, and perhaps otherwise, is a two-edged sword. As you commented, it's the kind of publicity, in one way, that may be momentarily unhealthy for fund raising efforts, and for maybe even morale of the Authority. On the other hand I think it's implicit that you agree with me, and you come to this hearing in a cooperative way, that it must be done, and that it's part of our responsibility to do it. I'm concerned, right at the moment, at the selective process. If the selection is being made by a board that you strongly suspect has not lived up to its responsibilities, and if in fact, we have evidence that board is so strife-ridden as to have been involved in allegations reaching physical assault, and if really there has been no change or improvement in that body, does it make sense to allow them, at this point -- themselves, without any help from the administration, without any help from the Legislature in the way of legislative change if there could be of any help, without any help from The Friends -- to choose an Executive Director, the most vital participant in this whole operation, who may be there for a long time to come? Something strikes me oddly about that.

Now, before you answer, let me say I can recognize that the counter argument is, well we've got to get on with the business of the station, and we don't want it to go unlead -- so to speak -- by an Executive Director, for too long a period. What's your judgment John, as to whether, we nevertheless ought to, perhaps consider, whether that decision should be delayed briefly, and if there should be more participation in it than is presently occurring?

MR. SHEAHAN: Senator, I think you're right on target, and I could not agree more with you. I think it's a problem with the strife most of us recognize on that board. I would be

concerned about the quality of the decision that they would make.

SENATOR STOCKMAN: I am concerned about it.

MR. SHEAHAN: Yes, I agree, and I think--

SENATOR GAGLIANO: Excuse me, John. Do they have the appointing authority, or does the Governor? Do they make a recommendation to the Governor? I'm not familiar with the statute.

MR. SHEAHAN: I believe they make a recommendation.

SENATOR STOCKMAN: The Governor has final approval in the statute, Tom, yes.

SENATOR GAGLIANO: The Governor has the final approval.

SENATOR STOCKMAN: So, there is some leeway, but I would hope that the Governor might be concerned about this process at this moment as well, based on where we are.

SENATOR GAGLIANO: Well, why don't we consider something at some point, that is, directing maybe a letter from you as Chairman, to the Governor, with copies of the transcript, and say, and tell him that we are concerned about the next Executive Director, and what their qualifications might be, and these are the reasons. We ought to discuss that.

SENATOR STOCKMAN: I think that's an excellent idea.

SENATOR GAGLIANO: They may be close to a decision, and I tend to agree with the Chairman, and with what you said, that the people that are making the selection process may not be as fully aware of what their responsibilities are as we would like them to be, and that's why we're here.

SENATOR STOCKMAN: That's a tactful way of putting it too, and I agree with you, and I think we ought to do that, and we will do that.

SENATOR GAGLIANO: And your staff could put it together for you.

SENATOR STOCKMAN: Let me ask you a couple of questions about the education aspect of this operation. We

were privy to some interesting testimony by the Executive Director of the South Carolina Public Television Network. They apparently are leaders in this area, and they apparently have a tremendous emphasis on the utilization of their communications network, both television and radio, into public schools, into colleges and universities in that state. We haven't heard much about that, and I'm not real clear in my own mind, as to how much of the total operation of New Jersey Network that is.

I do think that it may be a little misleading in that we're getting a little correspondence on both sides of the basic issue of: Do we need New Jersey Network? A lot of people are approaching it, even some sophisticated media people, with stories about, well, should we be spending seven million dollars for, you know, this news operation, almost forgetting that there are other aspects to it? Do you have any insight into what those are, and John, do you have any feelings about whether they ought to be expanded, and whether we've got something here that could be a very valuable part of the fabric of the State, educationally?

MR. SHEAHAN: First of all, before I comment on that, obviously we're not spending seven million dollars for a news operation. They do a lot of other things besides the news and indeed, part of the news is underwritten by corporations. But it's certainly a significant part of it, and a lot of focus is on that right now. I think, without a doubt, there could be a closer association between education and public television. As you know, two ex officio members, one from Education and one from Higher Education are on the Authority. I don't know how close an association there is between the Executive Director and those two people. They do offer programs for the schools; I know they have a relationship.

But, you're right Senator. You don't hear much about that, compared to South Carolina, which is the leader in that area, and there are several other states. In fact, as a result of that, as you know in the case of South Carolina, they have

tremendous funding support from the state, and it appears that the more you do for the state, the more funding you get, I mean that's a quite obvious correlation.

SENATOR STOCKMAN: To what extent, though, is the fact that South Carolina is not a corridor state, doesn't have Philadelphia on one side and New York City on the other, therefore, almost of necessity, they had to fill a vacuum, which we didn't necessarily have, in terms of television? Even in the old days before cable we had nine or ten channels of active television in almost any part of the State, except very remote areas. In South Carolina, I think they probably had two or three channels at most--

MR. SHEAHAN: That's right.

SENATOR STOCKMAN: --and we had nine, or ten, or eleven. So, I think there's something there where you really can't compare the two of them.

MR. SHEAHAN: Yeah, the uniqueness of where we're located. I mean there is no other situation like this in the United States, where we sit between the first and fourth markets.

SENATOR STOCKMAN: We're literally smothered between those markets.

MR. SHEAHAN: That's correct.

SENATOR STOCKMAN: No question. But, from the educational side still, it strikes me that this is such a powerful communications tool, the media, and you know it better than I, that we could be doing more educationally if there was a closer association, and participation between the educational community, both at the secondary and higher level.

MR. SHEAHAN: I agree with that, and I'm not the best person to speak on what they're doing now, but, certainly all indications would be that we could do a better job with that.

SENATOR STOCKMAN: Okay.

SENATOR GAGLIANO: One last question. With respect to the activity of The Friends, did your organization have anything to do with the statewide cable connection as they called it? I think it's a microwave connection of the various cable companies throughout the State, to make a network of the entire State. Did The Friends have anything to do with that at all?

MR. SHEAHAN: No, they did not. We were advised that it was going on. It's an excellent idea, by the way.

SENATOR GAGLIANO: My concern is, in all of this, and I've asked the question of several witnesses, there apparently has been no cooperation or connection between New Jersey Public Broadcasting on one hand, and the construction and installation -- whatever you want to call it -- of this statewide cable service. It just seemed to me that the marriage was obvious, and yet they stayed apart, and I don't understand why?

Even, following up on what the Chairman said about educational capabilities of the system, the State fostered the idea, I think, that the cable companies get together and put up a lot of money to create this network, which then allows television to be in all of the four corners of the State. And yet, public broadcasting, to my knowledge, has basically no connection with that. I still don't understand that one.

MR. SHEAHAN: Well, that's not entirely correct. I believe public television is carried on the cable channels.

SENATOR GAGLIANO: On yes, true.

MR. SHEAHAN: But they do live in separate worlds, Senator. I mean, the cable television industry is far removed in essence from public broadcasting; with different goals and aspirations, I'm afraid.

SENATOR STOCKMAN: John, one other area, this question of viewership has come up. Someone suggested to me that the real basic problem of the New Jersey Network is lack of a constituency. I think the inference is, lack of adequate

attention, in terms of the public watching it, and within that public, enough people to feel committed to it, to keep an eye on it, support it through funding and other ways. What do you say about that? What do you think about that?

MR. SHEAHAN: First of all, we're getting attention now that's not quite the kind we'd like. I think there's some validity to that, Senator.

SENATOR STOCKMAN: What do you think we can do about it? I guess you've talked about some of the things you think we can do?

MR. SHEAHAN: Oh absolutely, it's one of the things we do in terms of fund raising, you know. How do we get more attention to the fact that we're doing these things? Of course my opinion has always been, that if you produce quality programing, you are going to get the attention. And, you're not only going to get the attention from your viewers, but other public broadcasting systems as well -- who pick up your programing by the way. And so, a lot of the focus -- and that's what I try to do in the programing area -- is to push them toward quality programing, and programing that means something to the people in this State. Because, thereby I think you have the method by which your reputation is enhanced and your viewership grows. Also--

SENATOR STOCKMAN: Maybe we ought to make you the new Executive Director. (laughter)

SENATOR GAGLIANO: He couldn't afford it.

MR. SHEAHAN: Thank you, Senator.

SENATOR STOCKMAN: All right. Well, I think Mr. Sheahan, I think I speak for Senator Gagliano and myself as well, in saying that I think you've made an important contribution to the Committee and to our efforts. We'll certainly study your testimony and it'll be part of the mix of our discussion, and I want to thank you.

MR. SHEAHAN: Thank you very much, Senator.

SENATOR STOCKMAN: And thanks frankly to all the members of The Friends of The New Jersey Network, because I think unquestionably they're an important part of its operation, and hopefully healthy survival.

MR. SHEAHAN: Thank you very much.

SENATOR STOCKMAN: Our Next witness is Jim Tarlau, C.W.A. Local 1032. Welcome Mr. Tarlau.

J A M E S T A R L A U: Thank you very much, Senator Stockman and Senator Gagliano. My name is Jimmy Tarlau, and I am a staff representative for the Communication Workers of America, Local 1032. Our local represents the clerical and professional workers at the New Jersey Network. Another union, Local 195 of the International Federation of Professional and Technical Employees, represents the studio technicians.

I had hoped to have some Network employees testify before this Committee, but to be honest, my members -- the State employees who work at the New Jersey Network -- are too scared for their jobs to testify before this Committee. I think it is really a tragedy that professional employees, who work for New Jersey's Public Broadcasting Authority, feel they cannot openly express their opinion on the future of public television in New Jersey, without the threat of losing their jobs.

I think it is incumbent on this Committee, in its deliberations about the future of public television, to do something about protecting the integrity of the Network staff.

The employees at the New Jersey Public Broadcasting Authority are some of the hardest working, and committed people, I've ever met. They're working for the Network at salary levels that are half of what they would be making at any other television station in the Northeast. They do this because they love New Jersey, they are committed to public television, and they are proud of the programs they produce at the Network.

But New Jersey Network employees do not like what is going on at the Network at the present time. They are sick and tired of having to worry about what politician may have been offended by an investigative report, or what politician may not have liked the view he saw the cameraman shoot of him. They are demoralized by the threat of more firings and forced resignations -- terminations not caused by the quality of the person's work, but because of the politician's toes that were stepped on. They are fed up with having to worry each and every year whether the Legislature will cut their appropriations, and whether they will have jobs on July 1st.

People who watch the New Jersey Network News, and I am one of them, want to see a group of professional employees, who are dedicated to putting out the best possible news program. They do not want to see news reporters who are, or might be, intimidated by political pressure.

CWA has three proposals we would like to bring before this Committee. Some of which you have heard before:

1. The Board of Directors of the Public Broadcasting Authority should not all be appointed by the Governor and should not include cabinet officials. The Board of Directors should be made up of those individuals who are committed to public television. I think we would all support the comments of Mr. Sheahan on adding people of television experience to the Authority.

2. The Legislature should set up an independent authority with long-term funding, so the Network is buffered from the year to year political pressures related to the budget process.

3. The enabling legislation for the Public Broadcasting Authority should be amended, and Network employees should be taken out of the unclassified division of Civil Service, and placed in the non-competitive division of Civil Service.

I would like to take a little time and explain this third proposal. The statute setting up the Public Broadcasting Authority places all non-clerical employees in the unclassified service of the State. If you are not familiar with the unclassified service, it can be simplified to say that unclassified workers are Civil Service workers, without Civil Service protection. Unclassified workers have few rights and very little job security. Unclassified employees serve "at the pleasure of the appointing authority." When an unclassified worker is fired, his or her only appeal is to the head of the agency, who often made the final decision to fire the person in the first place.

In the two years I have been representing the New Jersey Network employees, I have known of half a dozen employees who have been terminated with absolutely no warning. They have been told to pack up their belongings, and not come to work the following day. When your boss tells you to take a walk it's somewhat ludicrous to try and exercise your appeal rights to him.

Of course, CWA has continuously fought for increased protection for all unclassified workers working for the State of New Jersey. But I would also think that not only CWA, but everybody would agree that for reporters and other employees at a television studio producing a news program, this lack of job protection is an intolerable situation.

Previous proposals to create an independent public broadcasting authority have not adequately addressed the question of job protection for Network employees. In its original form, Assemblywoman Walker's bill last year establishing a New Jersey Public Broadcasting Authority, took away all Civil Service protection from Network employees. Now, New Jersey Network employees are not great fans of Civil Service, but the question remains: If you take away the limited Civil Service protection Network employees now have,

with what would you replace it? We feel that any proposed legislation should include an employee bill of rights that would protect the integrity of the television staff and the programs they produce.

We should be proud of our public television station, and we should help to insure its independence. New Jersey Network employees want to continue to produce high quality news and educational programs. But, it is hard to produce such programs under present conditions. We want to attract and keep the most talented employees in New Jersey. They are a valuable resource. But what is occurring with the Public Broadcasting Authority will not attract nor keep talented individuals. Network employees are truly fed up. They would be here to tell you themselves, but for the fact that with only limited Civil Service protection, they would be putting their jobs on the line.

Governor Kean said during last year's campaign that New Jersey Network employees could not impartially cover his campaign, since he was their employer. I think in fact, the New Jersey Network News did an excellent job in covering the gubernatorial campaign. But the whole question of a reporter's partiality would not have been an issue if Network employees were independent of the political process; if they had real job security; if their employers, the Board of Directors, were not all political appointees and cabinet members; and if the Network had an independent source of funding.

I hope the Legislature continues its commitment to public television in New Jersey, and I hope this Committee will help to present proposals that will insure the independence of the Network, and the integrity of its staff. Thank you.

SENATOR STOCKMAN: Thank you Mr. Tarlau. Senator Gagliano, did you have any questions?

SENATOR GAGLIANO: Yes. Mr. Tarlau, in the second paragraph of your statement, you said that there were people who would testify, but they were too scared for their jobs. If the Chairman felt so disposed, and we requested two or three people to testify specifically, do you think they would come here? Or do you feel that is true that they wouldn't, even if we requested that certain people come here, that they would not want to do it?

MR. TARLAU: I think they would come and testify if they were asked. I don't think any of them would quite want to voluntarily come here and lead, or you know, be the spokesperson, or put their head on the line. But I think if you would ask somebody, or if you subpoenaed or invited people, they would come.

SENATOR GAGLIANO: I would be interested in hearing from anyone who felt threatened in their job, by reason of what they had produced. That's amazing to me. I mean that would be like a newspaper reporter writing a story and not (sic) being told, "Well, the editor didn't agree with your story, by the way here's your coat, get out the door," because of the story. I think, you write stories every day, you handle programing every day, you produce different things, so maybe at one point you do something that doesn't enamor you with the boss, but not necessarily sufficient to be fired over. So, I don't know Mr. Chairman, if we could do that. I don't know how many more sessions we'll have, but I would be interested, because this may be a much deeper problem than just the board of directors, and how they handle the New Jersey Public Television itself.

MR. TARLAU: I think it's a question sometimes of the way they're carrying out the news programs. I don't think I've heard of one person's story, like anybody being threatened with being fired, but I know there's a question that comes up often that if you don't, you know, handle a certain legislator a certain way, there might be repercussions back to the News

Director, or to the Executive Director, then to the News Director, and repercussions back to the staff. And it's that kind of, I'm not sure like a direct, like, if I do this am I going to get fired, but just a certain kind of, you'd better handle this with kid gloves all the time. And there are always rumors going around about who's going to be next, you know, to be fired, maybe not the reporter or the cameraman level, but at least at the low level managerial level.

SENATOR STOCKMAN: Mr. Tarlau, let me say first of all, I think we appreciate your coming in and testifying. You've said some interesting things, and made some interesting suggestions. Some of what you say is troublesome, and I'm not certain how to handle it, and I want to talk further with the Committee -- with Senator Gagliano and others. It's a delicate issue. We're not in this Committee on a witch hunt; and I know and understand, and I'm sure you share the fact, that would serve no great purpose. There are two issues that are very serious though.

For instance, I -- and I think I can speak for Senator Gagliano -- would be very distressed if I thought that any behavior by a public official, worked in the direction of suggesting that cooperation with a legitimately constituted legislative committee such as this, should be discouraged. That would be an affront to the legislative process. It would be a challenge to our ability to function effectively as a branch of government. And I for one, and I think Senator Gagliano, would be very concerned, and very interested in hearing from anyone, who suggested that that kind of pressure were brought to bear. I think if there's any employee -- and I'll say this and I think it's essentially what Senator Gagliano said -- if there's any employee of New Jersey Network, who wants to share with this Committee any information that they feel is important to our deliberations in terms of dealing with the issues that we've tried to make clear that we're dealing with here, we would be delighted in hearing from that

individual, or those individuals, either in writing or before this Committee, at a public hearing. And if they could show us the evidence that anyone, to the highest authority in State government, interfered with, or discouraged their desire to do that, I can promise you, that on behalf of this Committee, whoever that individual was, would be brought before this Committee, and would answer to this Committee, to the Legislature, and to the people of the State of New Jersey.

So, you would do this Committee a favor I think, and to the extent that this invitation is reported publicly, I think it's a healthy thing to take that message back to the employees of New Jersey Network. Now having said that, I indicated earlier, we're not looking for a parade of people in here to talk about petty differences, you know, in and among themselves and with a superior and so on. But for sure, we are interested in anything that could help us to try to come to grips with how best to reorganize and strengthen and improve the quality of the operation of New Jersey Network. And we'll talk further about that.

MR. TARLAU: I'd just like to comment a minute. I think I understood the nature of the Committee that you really didn't want names or what happened. I think I was talking more in my testimony, in terms of more long-term solutions in terms of protecting the integrity of the staff there. I mean, not just now, but next year and the year after. Because, it was this crisis this year, but then two years ago there was a crisis over the funding and the question of another political crisis, and I think you have to think in terms of long-term solutions for protecting the integrity of the staff there.

SENATOR STOCKMAN: And you think that a Civil Service type protection would strengthen-- What about the arguments-- Were you privy to the discussions about why, or have you heard what the arguments are as to why Civil Service was not incorporated as part of the pattern of employment there? I

would assume it had something to do with the desire for flexibility for different assignments and for people with special artistic talents, or what?

MR. TARLAU: I think it more had to do with the fact that television was not a normal State operation, and Civil Service did not want to go around creating special tests for a News Editor, or for a cinematographer. I think what our proposal basically is put it into a section of Civil Service where there would be no testing. It would basically be called a "non-competitive division." But it would give them at least some kind of job protection after a certain working test period, so people do not have to feel that they could be let go. As one of the Executive Directors told me, "this person serves at my pleasure, and if I want to fire the person, I can fire the person any day I please." And, for a union representative to hear an employer say that, or for anybody to hear an employer to say that, I think is really despicable.

SENATOR STOCKMAN: What about these other questions? Do you have any relationship, or do you attend Authority board meetings at all?

MR. TARLAU: Well, to be honest with you, we had proposed to the board -- not to the board to the Executive Director, the last Executive Director -- of trying to get a-- I mean, I watch public television, and many of my colleagues do in the unions, and we-- I mean if you want comprehensive coverage of what goes on in the Legislature you turn on New Jersey Network News. We had actually suggested that some of the unions get involved in the fund raising aspect, and the Board of Directors, and The Friends committee-- And we wanted to-- The last Executive Director hadn't really moved on those proposals from us. We haven't really participated. We would like to.

SENATOR STOCKMAN: Well, I was curious as to whether you wanted to express yourself about how you thought the

Authority was functioning, in terms of its role and responsibility? A previous witness was somewhat critical of their role and responsibility, and suggested that perhaps part of the reasons for the flap and the problems with the Executive Director, were traceable to the Authority's abdication of certain responsibilities in that area. Do you have any--

MR. TARLAU: I'm-- Given who's on the Authority right now I'm not sure that they could do much more, or that you'd want them to do much more, since so many of them are, you know, cabinet officials and-- I mean I think what Mr. Sheahan said, if you had a group of people who were from television or had television experience, I know my sister in California is an elected member of the California -- San Francisco Board of Directors of the Public Television. She runs the office, and it's a big commitment, and she gets very involved in it. I think you'd have to really restructure the board, of who's on the board, rather than saying-- I'm not sure anybody would want the board, as presently constituted, to be more involved in the workings of the Network.

SENATOR STOCKMAN: What about the question of whether we should perhaps delay, and perhaps somehow expand, the participation in selection of a new Executive Director? Do you have any position on that?

MR. TARLAU: I think I can just tell you what the employees are saying, basically that they would like to see someone with, you know, considerable television experience to be the Executive Director. That's what people are telling me. I don't think-- I think people are somewhat skeptical, in respect that it would be a political appointee, and you know, won't have anything to do with what the Network -- who should be running the Network. There's a certain amount of cynicism that goes among the employees in the Network. They've seen 'em come, and they've seen 'em go, and you know, who's next? And they have to do their job.

SENATOR STOCKMAN: Yeah, you talked about employees being concerned about their security. I guess there are three Executive Directors who might comment about that.

MR. TARLAU: I think the only problem, by the way, with holding the process on too long is, I think there's a sense of drift among the Network, that there's no real direction, and that the certain desire is to have somebody come in and actually give some leadership to the program. So, I'm not sure you want to go on too long without having some kind of question of direction.

SENATOR STOCKMAN: No, I'm sure. All right. Anything else do you want to add? Thank you very much. Next witness is Bill Barry, Administrative Officer, Philadelphia Newspaper Guild.

B A R B A R A W I C K L U N D: I'm not Bill Barry, but his statement was just called in to us. I'm Barbara Wicklund. I'm a member of the Philadelphia Newspaper Guild. I work for the CWA State Worker newspaper. Mr. Barry got tied up in a meeting in Philadelphia, and called his statement in to us. It was just-- the tape was just played for me in the hallway. So please bear with me.

"The Philadelphia Newspaper Guild represents several thousand newspaper workers in Philadelphia and in New Jersey. Many of whom are taxpayers in this State. We're very concerned about the activities of this administration regarding New Jersey Network. The slogan for any news operation should be, 'Without integrity you have nothing.' This administration, we feel, has severely compromised the integrity of the Public Television Network.

"The purpose of founding and funding New Jersey Network is to avoid the commercial pressures generated by advertisers. The Newspaper Guild feels that it's outrageous to maintain and manipulate similar pressures through political interference, which from our reading of the newspapers is what has been going on with New Jersey Network. We just want to urge

the Legislature to do what it can to overcome this, and restore integrity to the employees and the operations of New Jersey Public Television."

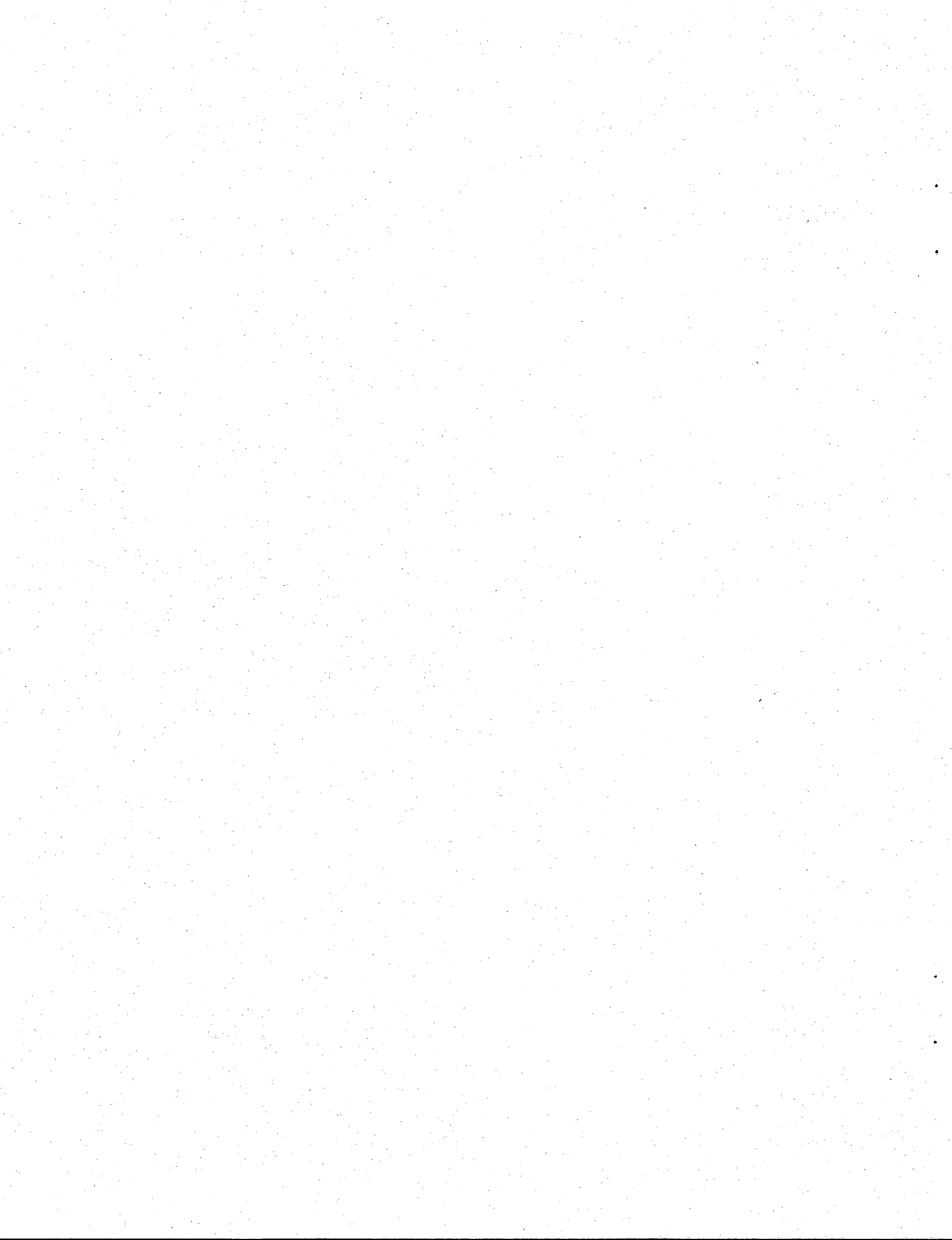
If I can answer any questions for you I will, but--

SENATOR STOCKMAN: Fine, Well I think under the circumstances, I think we understand the position of the Guild, and obviously appreciate their sharing that position with the Committee. So thank you very much.

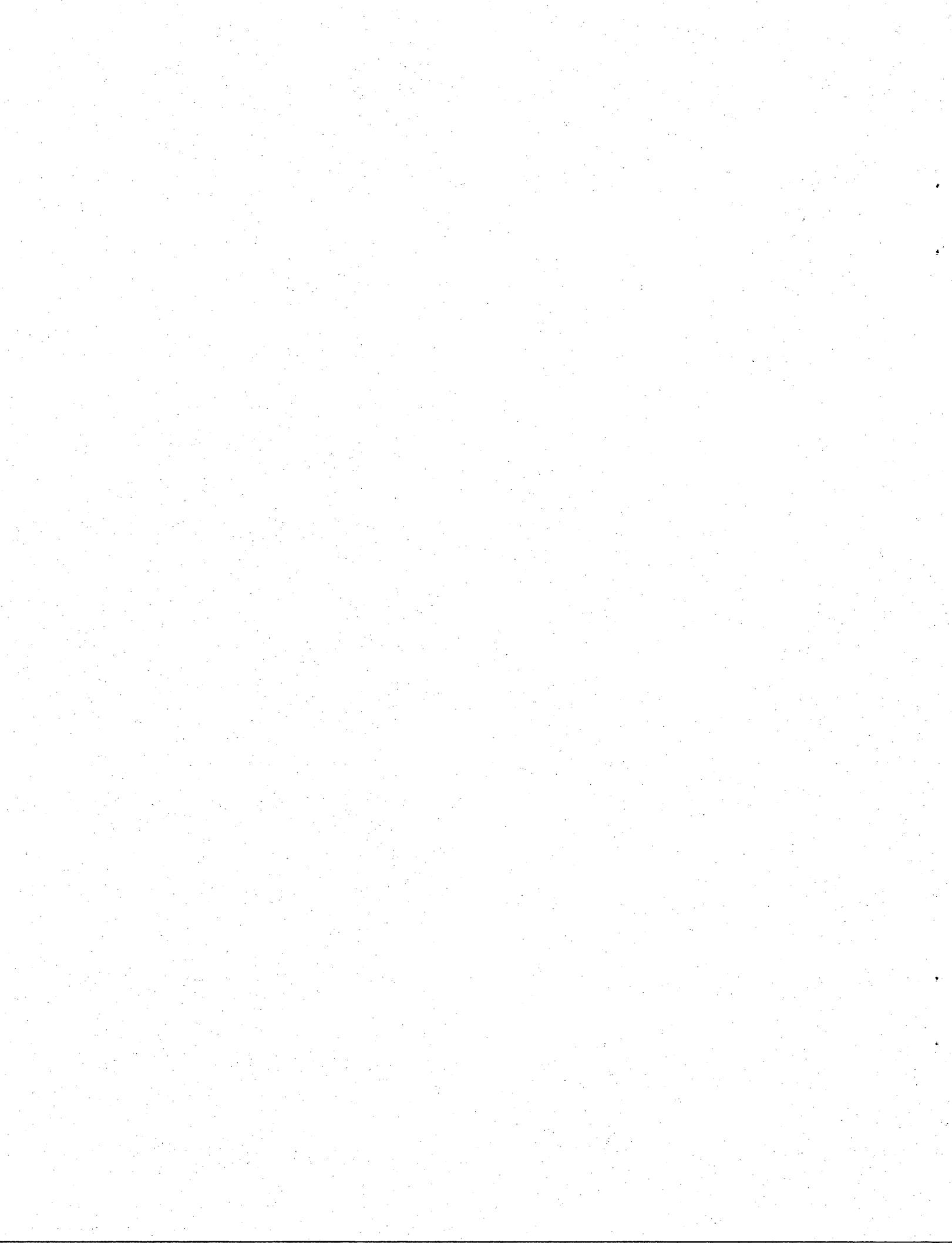
MS. WICKLUND: Thank you.

SENATOR STOCKMAN: Is there a representative of the Community Services of Manchester Inc., Lakehurst, here? We had some indication that someone from that group might want to speak. (no response) I gather not. All right, that completes the witnesses scheduled for today's hearing. As I indicated earlier, we have not resolved, at this point, whether we will have a further hearing. I think in view of some comments made today, there's an added reason to leave open that question, at least for today. The Committee will be meeting to review testimony and consider what further action it should take in this area. I want to thank everyone who attended these hearings today. Thank you very much.

(HEARING CONCLUDED)



**APPENDIX**



# COMMUNITY SERVICES OF MANCHESTER, INC.

21 CHARLES AVE. LAKEHURST, NJ 08733

Public Hearing before Senate Legislative Oversight Committee

Legislative Support for NJ Public Broadcasting Authority

Since the creation of the NJ Public Broadcasting Authority in 1969.

- . It reaches over 1 million homes on cable television.
- . 2 million homes in the regional viewing area.
- . Produces more programming than any other public television.
- . Has the longest running Hispanic program in the nation.
- . The program, "In Black and White" is rapidly drawing the interest of the black community of the State, and has support of black business.

Changing urban demographics require reflection and sensitivity of the interest of the emerging new politically empowered urbanites.

Public Television must be supported by the Legislature and yet be free of political influence. It must have as one of it's major goals the encouragement and inspiration of the new politically empowered urbanites. It must be a journalistic vehicle aware of the historical fact that the new black mayors inherited cities whose treasuries were ravaged by former mayors, two of whom were convicted and jailed.

Public television must consider the fact that the sacking of the cities did not occur overnight and therefore the new mayors cannot be expected to effect radical improvements overnight.

Therefore public television has a very important role to play in rebuilding the esprit de corp of the urbanites and raising the image of this State to it's rightful position in this nation. Indeed public TV is performing this very service and undoubtedly should be supported by the legislature.

Finally, it is very important that changes be made in the makeup of the Authority to truly reflect the demography of it's viewers. In the selction of it's Executive Director, traditional criteria should not prevail here and where we have a capable non-anglophile, serious weight should be given to his or her appointment.

There must be no undue political influence placed upon the Board to influence it to deviate from the direction and goals stated here.

This Committee is urged to support the continued funding of The New Jersey Public Broadcasting Authority and recommend changes reflecting the concerns voiced here.

*John P. ...*  
Vice Chair

