

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1108 Session of
2001

INTRODUCED BY SANTONI, BELARDI, LEDERER, YOUNGBLOOD, GORDNER,
MARKOSEK, CALTAGIRONE, DALEY, CAPPABIANCA, BELFANTI, WALKO,
PISTELLA, SCRIMENTI, JOSEPHS, C. WILLIAMS, HORSEY, MANDERINO,
MELIO, GRUCELA, J. WILLIAMS, COLAFELLA, HARHAI, TRELLO AND
STEELMAN, MARCH 21, 2001

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 21, 2001

AN ACT

1 Amending the act of November 20, 1968 (P.L.1075, No.329),
2 entitled "An act providing for the growth and development of
3 noncommercial educational television; creating the
4 Pennsylvania Public Television Network Commission as an
5 independent commission and defining its powers and duties,"
6 providing for the establishment of a Public Access,
7 Educational Access and Governmental Access Television
8 Advisory Council and defining its powers and duties;
9 establishing a Public Access, Educational Access and
10 Governmental Access Capital Improvement Fund; and making an
11 appropriation.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 1 of the act of November 20, 1968
15 (P.L.1075, No.329), referred to as the Public Television Network
16 System Law, is amended to read:

17 Section 1. Declaration of Public Policy.--The General
18 Assembly hereby declares that it is in the public interest of
19 the Commonwealth to encourage and develop the growth of
20 noncommercial educational, public access and governmental access
21 television broadcasting, including the use of such media for

1 instructional purposes, public access and governmental access;
2 that the expansion and development of noncommercial educational,
3 public access and governmental access television broadcasting
4 and its programming diversity depend on freedom, imagination and
5 initiative; that it furthers the general welfare to encourage
6 such programming which will be responsive to the interests of
7 people throughout the Commonwealth and which will constitute an
8 expression of diversity and excellence; that it is necessary and
9 appropriate for the State government to complement, assist and
10 support a policy that will most effectively make noncommercial
11 educational, public access and governmental television service
12 available to the people of the Commonwealth; and that an
13 independent commission should be created to facilitate the
14 development of educational, public access and governmental
15 television broadcasting and to afford maximum protection from
16 extraneous interference and control.

17 Section 2. The act is amended by adding sections to read:

18 Section 4.2. Public Access, Educational Access and
19 Governmental Access Television General Provisions.--Members of
20 the General Assembly recognize the formation and operation of
21 public access, educational access and governmental access cable
22 television stations throughout this Commonwealth and the
23 important services that each of these stations provides to the
24 residents and communities they serve. These television stations
25 provide an opportunity for residents, educators, schools,
26 community colleges, universities, nonprofit organizations and
27 governments to directly communicate with the communities served
28 by the stations. The stations also provide an important fabric
29 to the democratic process. They do so by giving residents,
30 educational institutions, nonprofit organizations and

1 governments an unfettered ability to promote the important
2 rights of freedom of speech and freedom of press. Each station
3 provides the only noncommercial opportunity for the residents,
4 educators, educational institutions, nonprofit organizations and
5 governments to directly produce television programs that
6 broadcast directly to homes, schools and businesses through the
7 cable television systems served by the stations. The General
8 Assembly hereby determines that it is in the best interest of
9 this Commonwealth and its residents to promote the operations of
10 such public access, educational access and governmental access
11 cable televisions stations.

12 Section 4.3. Public Access, Educational Access and
13 Governmental Access Television Advisory Council.--There is
14 hereby created and placed within the commission a Public Access,
15 Educational Access and Governmental Access Television Advisory
16 Council, whose members shall consist of: the president of the
17 Pennsylvania Cable Television and Communications Association or
18 his designee; the president or chief executive officer or his
19 designee of each of the cable television stations organized in
20 this Commonwealth to provide one or all of the following
21 services to the public: public access, educational access or
22 governmental access; the Secretary of Education or his designee;
23 the director of communications for majority and minority
24 caucuses of the Senate and the House of Representatives; the
25 chairman of the Pennsylvania Public Television Network
26 Commission; the chief telecommunications technology policy
27 officer of the Executive Department of the Commonwealth or the
28 officer's designee and the Pennsylvania coordinator of the
29 Alliance for Community Media. The council shall elect from its
30 members a chairman and vice chairman. The chairman or his

1 designee shall serve as an ad hoc, nonvoting representative to
2 the commission. The members of the council shall meet from time
3 to time as they deem necessary to advise the commission on
4 promoting and assisting the operations of public access,
5 educational access and governmental access cable television
6 stations within this Commonwealth. They also will review all
7 applications for grants from the Public Access, Educational
8 Access and Governmental Access Capital Improvement Fund
9 established by section 4.4 and recommend to the Pennsylvania
10 Public Television Network Commission the recipients of grants
11 from the fund.

12 Section 4.4. Public Access, Educational Access and
13 Governmental Access Capital Improvement Fund.--There is hereby
14 established a Public Access, Educational Access and Governmental
15 Access Capital Improvement Fund. All television stations
16 organized and operated to provide public access, educational
17 access or governmental access or a combination of any of those
18 services through a cable television system shall qualify to
19 receive grant money from the fund. Each of the stations shall be
20 established as a nonprofit corporation under the laws of this
21 Commonwealth or shall be organized through a school district,
22 intermediate unit, community college or related public
23 educational institution, public university or political
24 subdivision within this Commonwealth. Grants provided by the
25 fund shall pay for new equipment or other capital improvements.
26 The commission shall establish the forms and regulations for
27 awarding grant funding under this act. All public access,
28 educational access or governmental television stations receiving
29 funding must submit a form documenting how the grant will
30 specifically benefit the communities and the residents that they

1 serve.

2 Section 3. The sum of \$1,000,000 is hereby appropriated from
3 the General Fund to the Pennsylvania Public Television Network
4 Commission for transfer to the Public Access, Educational Access
5 and Governmental Access Capital Improvement Fund.

6 Section 4. This act shall take effect in 60 days.