

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 594 Session of  
2005

INTRODUCED BY SANTONI, BELARDI, THOMAS, LEDERER, GEIST, WALKO,  
PISTELLA, YOUNGBLOOD, KIRKLAND, JAMES, DALEY, CALTAGIRONE,  
GERGELY AND WANSACZ, FEBRUARY 16, 2005

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 16, 2005

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 the 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]:

19 (1) It is in the public interest of the Commonwealth to  
20 encourage and develop the growth of noncommercial educational,  
21 public access and governmental access television broadcasting,  
22 including the use of such media for instructional purposes[;

1   that the], public access and governmental access.

2       (2) The expansion and development of noncommercial  
3   educational, public access and governmental access television  
4   broadcasting and its programming diversity depend on freedom,  
5   imagination and initiative[; that it].

6       (3) It furthers the general welfare to encourage such  
7   programming which will be responsive to the interests of people  
8   throughout [the] this Commonwealth and which will constitute an  
9   expression of diversity and excellence[; that it].

10      (4) It is necessary and appropriate for the State government  
11   to complement, assist and support a policy that will most  
12   effectively make noncommercial educational, public access and  
13   governmental television service available to the people of [the]  
14   this Commonwealth[; and that an].

15      (5) An independent commission should be created to  
16   facilitate the development of educational, public access and  
17   governmental television broadcasting and to afford maximum  
18   protection from extraneous interference and control.

19      (6) The formation and operation of public access,  
20   educational access and governmental access cable television  
21   stations throughout this Commonwealth provides important  
22   services to the residents and communities they serve.

23      (7) These television stations provide an opportunity for  
24   residents, educators, schools, community colleges, universities,  
25   nonprofit organizations and governments to directly communicate  
26   with the communities served by the stations.

27      (8) The stations also provide an important fabric to the  
28   democratic process by giving residents, educational  
29   institutions, nonprofit organizations and governments an  
30   unfettered ability to promote the important rights of freedom of

1 speech and freedom of press.

2 (9) Each station provides the only noncommercial opportunity  
3 for the residents, educators, educational institutions,  
4 nonprofit organizations and governments to directly produce  
5 television programs that broadcast directly to homes, schools  
6 and businesses through the cable television systems served by  
7 the stations.

8 (10) It is in the best interest of this Commonwealth and its  
9 residents to promote the operations of such public access,  
10 educational access and governmental access cable television  
11 stations.

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

13 Section 4.2. Public Access, Educational Access and  
14 Governmental Access Television Advisory Council.--There is  
15 hereby established and placed within the commission a Public  
16 Access, Educational Access and Governmental Access Television  
17 Advisory Council, whose members shall consist of: the president  
18 of the Pennsylvania Cable Television and Communications  
19 Association or his designee; the president or chief executive  
20 officer or his designee of each of the cable television stations  
21 organized in this Commonwealth to provide one or all of the  
22 following services to the public: public access, educational  
23 access or governmental access; the Secretary of Education or his  
24 designee; the director of communications for majority and  
25 minority caucuses of the Senate and the House of  
26 Representatives; the chairman of the Pennsylvania Public  
27 Television Network Commission; the chief telecommunications  
28 technology policy officer of the Executive Department of the  
29 Commonwealth or the officer's designee and the Pennsylvania  
30 coordinator of the Alliance for Community Media. The council

1 shall elect from its members a chairman and vice chairman. The  
2 chairman or his designee shall serve as an ad hoc, nonvoting  
3 representative to the commission. The members of the council  
4 shall meet from time to time as they deem necessary to advise  
5 the commission on promoting and assisting the operations of  
6 public access, educational access and governmental access cable  
7 television stations within this Commonwealth. They also shall  
8 review all applications for grants from the Public Access,  
9 Educational Access and Governmental Access Capital Improvement  
10 Fund established by section 4.3 and recommend to the  
11 Pennsylvania Public Television Network Commission the recipients  
12 of grants from the fund.

13 Section 4.3. Public Access, Educational Access and  
14 Governmental Access Capital Improvement Fund.--The Public  
15 Access, Educational Access and Governmental Access Capital  
16 Improvement Fund is hereby established in the State Treasury.  
17 All television stations organized and operated to provide public  
18 access, educational access or governmental access or a  
19 combination of any of those services through a cable television  
20 system shall qualify to receive grant money from the fund. Each  
21 of the stations shall be established as a nonprofit corporation  
22 under the laws of this Commonwealth or shall be organized  
23 through a school district, intermediate unit, community college  
24 or related public educational institution, public university or  
25 political subdivision within this Commonwealth. Grants paid from  
26 moneys of the fund shall be used for new equipment or other  
27 capital improvements. The commission shall establish the forms  
28 and regulations for awarding grant funding under this act. All  
29 public access, educational access or governmental television  
30 stations receiving funding must submit a form documenting how

1 the grant will specifically benefit the communities and the  
2 residents that they serve.

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

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