

No. 1998-87

AN ACT

SB 1203

Amending the act of November 20, 1968 (P.L.1075, No.329), entitled "An act providing for the growth and development of noncommercial educational television; creating the Pennsylvania Public Television Network Commission as an independent commission and defining its powers and duties," providing for the Pennsylvania Public Television Network Commission's composition and members' terms.

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

Section 1. Section 2 of the act of November 20, 1968 (P.L.1075, No.329), referred to as the Public Television Network System Law, is amended to read:

Section 2. Creation of Commission.—(a) There is hereby created the Pennsylvania Public Television Network Commission, hereinafter referred to as "commission," as an independent commission with powers to encourage the growth and development of noncommercial television broadcasting and programming. **[Such commission shall consist of twenty-two commissioners, who shall be appointed or designated as follows: The Governor shall appoint six members, by and with the advice and consent of the Senate for a term of six years, who shall be selected so as to provide a broad representation as nearly as practicable, of various professions and occupations and various kinds of talent and experience appropriate to the functions and responsibilities of the commission. The Governor shall also appoint a representative of private education and a representative of public education and shall designate the chairman of the commission.]**

The following shall be ex officio members of the commission: the Superintendent of Public Instruction or his nominee; the chairman of the Pennsylvania Council on the Arts; the chairman of the Network Operations Committee; and a member from each of the seven governing boards of public television station licensees serving the Commonwealth.

The President Pro Tempore of the Senate, the Minority Leader of the Senate, the Speaker of the House and the Minority Leader of the House shall each appoint one member of their respective Chambers and insure that there is majority and minority party representation.]

(b) *The commission shall consist of the following twenty-four members:*

(1) *The Secretary of Education or the secretary's designee.*

(2) *The chief telecommunications technology policy officer of the Executive Department of the Commonwealth or the officer's designee.*

(3) *The Chairman of the Pennsylvania Council of the Arts.*

(4) *One member appointed by each of the following from the respective chambers:*

(i) *The President pro tempore of the Senate.*

(ii) *The Minority Leader of the Senate.*

(iii) *The Speaker of the House of Representatives.*

(iv) *The Minority Leader of the House of Representatives.*

(5) *Two members appointed by the Governor who shall serve at his pleasure, one of whom shall represent institutions of private education and one of whom shall represent institutions of public education.*

(6) *Nine members appointed by the Governor, subject to the advice and consent of a majority of the members elected to the Senate, as follows:*

(i) *One member shall be appointed from Philadelphia County.*

(ii) *One member shall be appointed from Allegheny County.*

(iii) *One member shall be appointed from among Bucks, Chester, Delaware and Montgomery Counties.*

(iv) *One member shall be appointed from among Armstrong, Beaver, Butler, Clarion, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Washington and Westmoreland Counties.*

(v) *One member shall be appointed from among Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Perry and York Counties.*

(vi) *One member shall be appointed from among Bedford, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Fulton, Huntingdon, McKean, Mifflin, Potter and Somerset Counties.*

(vii) *One member shall be appointed from among Berks, Carbon, Lehigh, Monroe, Northampton and Pike Counties.*

(viii) *One member shall be appointed from among Bradford, Columbia, Lackawanna, Luzerne, Lycoming, Montour, Northumberland, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne and Wyoming Counties.*

(ix) *One member shall be appointed from among Crawford, Erie, Forest and Warren Counties.*

(7) *Six members at large appointed by the Governor, subject to the advice and consent of a majority of the members elected to the Senate, from any part of the Commonwealth.*

(c) *Members shall be subject to the following terms:*

(1) *Each member appointed by the Governor with the advice and consent of a majority of the members elected to the Senate shall serve for a term of six years or until a successor has been appointed and has qualified, but not to exceed six months after the expiration of the member's term.*

(2) *Of the nine members from specific areas of the Commonwealth initially appointed by the Governor with the advice and consent of a majority of the members elected to the Senate, three shall serve for a six-*

year term, three shall serve for a four-year term and three shall serve for a two-year term.

(d) No member shall be appointed who is also a member of the governing authority of a public television station or is otherwise affiliated with a public television station.

(e) Any member appointed by the Governor who fails to attend three consecutive board meetings shall forfeit his membership on the commission unless the chairman upon written request from the member determines that the member should be excused from a meeting or meetings for reasons of illness or the death of an immediate family member.

(f) Such commissioners shall receive no salary but shall be reimbursed for expenses incurred in the performance of their official duties. The commission shall appoint such deputies, secretaries, officers as it may deem necessary, and shall perform all things necessary and proper, consistent with the powers and duties imposed upon it by this act.

(g) Such commission shall, annually, make a full report to the Governor and the General Assembly as soon as possible after the close of each fiscal year, and make such other reports at such intervals as it deems necessary and advisable.

Section 2. The act is amended by adding a section to read:

Section 4.1. Public Television Broadcasting Advisory Council.—There is hereby created and placed within the commission a Public Television Broadcasting Advisory Council, whose members shall consist of the highest-ranking, full-time professional employee from each of the public television station licensees serving this Commonwealth or his designee. The council shall elect from among its members a chairman and vice chairman. The chairman or his designee shall serve as an ad hoc, nonvoting representative to the commission. The members of the council shall meet from time to time as they deem necessary but shall receive no compensation for their service.

Section 3. Members serving as commissioners of the Pennsylvania Public Television Network Commission on the effective date of this act, except the chairman of the Network Operations Committee and members from each of the seven governing boards of public television station licensees serving this Commonwealth, shall continue to hold office as members for the term for which they were originally appointed under the act and until their successors are appointed and qualified, but not to exceed six months after the expiration of their terms.

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

APPROVED—The 18th day of June, A.D. 1998.

THOMAS J. RIDGE