

AMENDED IN SENATE APRIL 21, 1999

SENATE BILL

No. 844

**Introduced by ~~Senator Schiff~~ Senators Schiff, Baca,
Chesbro, Costa, Hughes, Solis, Speier, and Vasconcellos**
(Principal coauthor: Assembly Member R. Wright)
(Coauthors: Assembly Members Kuehl, Lempert, Mazzoni,
Strom-Martin, and Wiggins)

February 25, 1999

An act to ~~repeal and add Chapter 10 (commencing with Section 8800) of Division 1 of Title 2 of~~ *amend Sections 8811 and 8831 of, to add Sections 8807.2, 8807.5, 8807.7, 8835, 8836.6, 8836.7, and 8836.8 to, to repeal Sections 8821, 8823, and 8825 of, and to repeal and add Sections 8807, 8835.5, 8836, and 8836.5 of,* the Government Code, relating to public broadcasting.

LEGISLATIVE COUNSEL'S DIGEST

SB 844, as amended, Schiff. California Public Broadcasting Act of ~~1999~~ 1975.

The California Public Broadcasting Act of 1975 establishes the California Public Broadcasting Commission *with a specified membership*, to develop and support statewide policy for the growth and development of public broadcasting in the state, and sets forth the powers and duties of the commission in that regard, *including the distribution of funds and the making of grants to public broadcasting stations.*

This bill would ~~repeal those provisions and instead would enact the California Public Broadcasting Act of 1999. It would establish the California Public Broadcasting Council, and set forth the duties of the council in the development of a plan for~~

~~public broadcasting services and necessary levels of funding for those services revise the criteria for appointment of certain members to the commission.~~ It would express the intent of the Legislature that funds be made available through the annual Budget Act *to the commission for allocation* for specified grants and projects according to specified criteria, and require the ~~Controller~~ *commission* to perform certain duties in regard to the disbursement of those funds, ~~with the assistance of the council.~~ It would authorize state agencies to provide assistance and services to the ~~council~~ *commission* to the extent resources permit.

The bill would provide that any person or organization knowingly and willfully filing false information in an attempt to secure funding under these provisions is guilty of a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the
2 following:

3 (a) Public broadcasting provides great benefits to the
4 citizens and governmental agencies of the State of
5 California, because it does all of the following:

6 (1) Assists in informing and educating citizens
7 concerning public issues and thereby helps them
8 participate in the democratic process.

9 (2) Provides time for extended debate of political
10 issues and provides time for political candidates to explain
11 their positions to the voters.

(3) Provides educational basic skills programming that prepares young people for school and assists schools in their primary mission.

(4) Provides high school equivalency education and advanced skills education to the citizens of this state, delivered directly to their homes, thus providing additional opportunities for workers and assistance to industry in maintaining a highly skilled work force.

(5) Brings general educational and cultural programming to every home and automobile in California.

(6) Respects the cultural diversity of this state by producing and distributing programs and educational materials that reflect many points of view.

(7) Assists in the economic development of this state by providing basic training, adult education, and literacy training for adult workers.

(8) Provides cost-effective educational resources to colleges and universities and assists in management of explosive college enrollment patterns.

(9) Provides agricultural information of benefits to one of California's most important industries.

(10) Provides mechanisms for statewide delivery of emergency information and dissemination of instructions for maintenance of public safety.

(11) Enriches the quality of life and makes lifelong learning opportunities available to California citizens.

(b) The federally mandated conversion to digital television broadcasting will provide even greater opportunities for service, including economic development, assistance to California industry, educational assistance for day care providers, education, and training for prison inmates, and multilingual training, and that this conversion and future operations will require substantial expenditures by public broadcasting stations for equipment and program material.

~~SEC. 2. Chapter 10 (commencing with Section 8800) of Division 1 of Title 2 of the Government Code is repealed.~~

~~SEC. 3. Chapter 10 (commencing with Section 8800)~~
~~is added to Division 1 of Title 2 of the Government Code,~~
~~to read:~~

~~CHAPTER 10. CALIFORNIA PUBLIC BROADCASTING ACT OF~~
~~1999~~

~~Article 1. General Provisions and Definitions~~

~~8800. This chapter shall be known and may be cited~~
~~as the California Public Broadcasting Act of 1999.~~

~~8801. For purposes of this chapter, the following~~
~~definitions shall apply, unless the context requires~~
~~otherwise:~~

~~(a) "Audited financial statement" means a report that,~~
~~among other things, provides data concerning a station's~~
~~nonfederal, nonstate financial support and the~~
~~expenditure of any funds provided under this chapter.~~
~~This data shall be audited and prepared as a report by a~~
~~certified public accountant who is licensed in the State of~~
~~California and is independent of the station being~~
~~audited. The statement shall also verify the integrity of~~
~~the station's financial operations and the integrity of the~~
~~station's report of its use of funds provided under this~~
~~chapter.~~

~~(b) "Council" means the California Public~~
~~Broadcasting Council established pursuant to Section~~
~~8810.~~

~~(c)~~

~~SEC. 2. Section 8807 of the Government Code is~~
~~repealed.~~

~~8807. "Public broadcasting station" means a~~
~~noncommercial educational broadcasting station~~
~~licensed as such by the Federal Communications~~
~~Commission and eligible for financial grants from the~~
~~Corporation for Public Broadcasting, as well as any other~~
~~noncommercial educational broadcasting stations~~
~~designated by the commission. The commission shall~~
~~establish such criteria for the qualification of other~~
~~stations as public broadcasting stations as it determines~~

1 ~~are reasonably necessary to carry out the purposes of this~~
2 ~~chapter.~~

3 *SEC. 3. Section 8807 is added to the Government*
4 *Code, to read:*

5 8807. “Eligible radio station” means a radio station
6 that, at the time of applying for a grant under this
7 chapter, has met all of the following requirements for a
8 period of two years:

9 ~~(1)–~~

10 (a) It is licensed by the Federal Communications
11 Commission as a noncommercial educational station, or
12 is operating under program test authority pending the
13 grant of a license.

14 ~~(2)–~~

15 (b) It has its community of license and principal
16 administrative offices in this state and is not owned,
17 controlled, managed, or primarily financed by any
18 corporation or entity outside of this state.

19 ~~(3)–~~

20 (c) It provides a program service that meets the
21 requirements for a Community Service Grant from the
22 Corporation for Public Broadcasting.

23 ~~(4)–~~

24 (d) It provides significant locally originated
25 programming in its community of license.

26 ~~(5)–~~

27 (e) It broadcasts not less than 18 hours per day, 365
28 days per year.

29 ~~(6)–~~

30 (f) It participates in statewide public broadcasting
31 ~~projects and the work and deliberations of the California~~
32 ~~Public Broadcasting Council.~~

33 ~~(7)–projects.~~

34 (g) It has provided, prior to its application for a grant
35 under this chapter, an audited financial statement for the
36 years on which the grant is based.

37 ~~(8)–~~

38 (h) It does either of the following:

39 ~~(A)–~~

1 (1) Meets the criteria for receipt of a Community
2 Service Grant from the Corporation for Public
3 Broadcasting that were in effect on June 30, 1995.

4 ~~(B)~~

5 (2) Has a full-time staff of at least two professionals
6 paid not less than the California minimum wage, and is
7 certified by the council as providing a needed service to
8 its community of license.

9 ~~(d)~~

10 *SEC. 4. Section 8807.2 is added to the Government*
11 *Code, to read:*

12 8807.2. "Eligible television station" means a television
13 station that, at the time of applying for a grant under this
14 chapter, has met all of the following requirements for a
15 period of two years:

16 ~~(1)~~

17 (a) It is licensed by the Federal Communications
18 Commission as a noncommercial educational television
19 station, or is operating under program test authority
20 pending the grant of a license.

21 ~~(2)~~

22 (b) It has its community of license and principal
23 administrative offices in this state, and is not owned,
24 controlled, managed, or primarily financed by any
25 corporation or entity outside of this state.

26 ~~(3)~~

27 (c) It provides a program service that meets the
28 requirements for a Community Service Grant from the
29 Corporation for Public Broadcasting.

30 ~~(4)~~

31 (d) It provides substantial and significant locally
32 originated programming in its community of license.

33 ~~(5) It broadcasts not less than 3,000 hours per year.~~

34 (e) *It broadcasts not less than 2500 hours per year.*

35 ~~(6)~~

36 (f) It participates in statewide public broadcasting
37 ~~projects and the work and deliberations of the California~~
38 ~~Public Broadcasting Council.~~

39 ~~(7) projects.~~

(g) It meets the criteria for receipt of a Community Service Grant or base grant from the Corporation for Public Broadcasting that were in effect on June 30, 1995 1994.

~~(8)~~

(h) It has provided, prior to its application for a grant under this chapter, an audited financial statement for the years on which the grant is based.

~~(e)~~

SEC. 5. Section 8807.5 is added to the Government Code, to read:

8807.5. "Nonfederal financial support" means the total sum of revenues from nonfederal sources derived by a licensee in a fiscal year and reported in an audited financial statement thereof, and does not include in-kind services, funds received for the purpose of constructing or remodeling a building, funds received from other public broadcasting stations or networks for the production of programming or for other services to those stations or networks, or funds provided to stations under this chapter. Interest income generated from any source may be included in "nonfederal financial support."

~~(f)~~

SEC. 6. Section 8807.7 is added to the Government Code, to read:

8807.7. "Station" or "public broadcasting station" means any eligible radio or television station.

Article 2. ~~California Public Broadcasting Council~~

~~8810. (a) The California Public Broadcasting Council is hereby established as a body corporate and politic within the state.~~

~~(b) The council shall be governed by a board of directors consisting of one representative of each participating eligible radio station, as defined in subdivision (c) of Section 8801, and each eligible television station, as defined in subdivision (d) of Section 8801. The directors shall serve without pay, but may be~~

1 reimbursed by the council for reasonable and necessary
2 expenses as determined by the board.

3 (e) The council shall function under bylaws that shall
4 be written by the initial board of directors and amended
5 as necessary from time to time. The bylaws shall be in
6 conformity with the laws of this state and the provisions
7 of this chapter.

8 (d) The bylaws of the California Public Broadcasting
9 Council shall provide for the election of any officers as
10 may be required.

11 (e) The meetings of the council shall be subject to the
12 Ralph M. Brown Act (Chapter 9 (commencing with
13 Section 54950) of Part 1 of Division 2 of Title 5), and its
14 records subject to the California Public Records Act
15 (Chapter 3.5 (commencing with Section 6250) of
16 Division 7 of Title 1).

17 (f) Expenses of the council shall be paid by the
18 licensees represented on its board of directors, in the
19 proportion as may be determined by the board.

20 8811. The California Public Broadcasting Council
21 shall do all of the following:

22 (a) Notwithstanding Section 7550.5, report annually to
23 the Governor and the Legislature concerning the use of
24 funds provided to eligible stations and to the council
25 under this chapter.

26 (b) Provide annually to the Governor and the
27 Legislature an updated comprehensive plan for future
28 public broadcasting services to the citizens of California
29 and necessary levels of funding in future years.

30 (1) The plan shall have been discussed and voted upon
31 by the board of directors of the council.

32 (2) The plan shall take into account changing
33 technologies, changing needs of California citizens and
34 institutions, changing capabilities of the council and its
35 member stations, and available funding.

36 (c) Certify annually to the Controller the eligibility of
37 any station applying for a grant under this chapter, and
38 attesting that each station applying for a grant has
39 participated significantly in the work and deliberations of
40 the council as required by paragraph (6) of subdivision

~~(e) or paragraph (6) of subdivision (d), as applicable, of Section 8801.~~

~~(d) Assist the Controller in carrying out the requirements of this chapter by providing information and technical advice.~~

~~(e) Coordinate and assist efforts of stations engaged in multistation projects funded under this chapter.~~

~~(f) Encourage the development of public broadcasting in California and the development of services for the citizens of this state.~~

~~8812.~~

SEC. 7. Section 8811 of the Government Code is amended to read:

8811. The commission shall consist of 11 members, as follows:

(a) Five members appointed by the Governor for terms of five years, ~~except that the terms of the original members shall be as follows: one member shall be appointed for one year, one member for two years, one member for three years, one member for four years, and one member for five years.~~ One such appointee of these appointees shall be from a commercial broadcast station, one shall be a representative of public television chosen from a list of at least three persons recommended by public television stations, and one shall be a representative of public radio chosen from a list of at least three persons recommended by public radio stations.

(b) Two members appointed by the Speaker of the Assembly for terms of four years, ~~except that the terms of the original members shall be as follows: one member shall be appointed for one year, and one member for three years.~~ One of these appointees shall be a representative of public television chosen from a list of at least three persons recommended by public television stations.

(c) Two members appointed by the Senate Committee on Rules for terms of four years, ~~except that the terms of the original members shall be as follows: one member shall be appointed for two years, and one member for four years.~~ One of these appointees shall be

1 a representative of public radio chosen from a list of at
2 least three persons recommended by public radio
3 stations.

4 (d) The Superintendent of Public Instruction.

5 (e) The Director of the Postsecondary Education
6 Commission.

7 All ~~initial appointments shall be made on or before~~
8 ~~March 1, 1976, and all subsequent~~ vacancies shall be filled
9 within 30 days of their occurrence by the authority which
10 made the original appointment to the vacant position.

11 At no time shall more than six members of the
12 commission be affiliated with the same political party.

13 SEC. 8. Section 8821 of the Government Code is
14 repealed.

15 ~~8821. The commission may make grants to public~~
16 ~~broadcasting stations in order to aid in the improvement~~
17 ~~of their broadcast operations, programming, and capital~~
18 ~~facilities and equipment.~~

19 SEC. 9. Section 8823 of the Government Code is
20 repealed.

21 ~~8823. The commission may, taking into account the~~
22 ~~advice of the radio committee or the T.V. committee, as~~
23 ~~appropriate, make grants for the development,~~
24 ~~production, and acquisition of public broadcast~~
25 ~~programming.~~

26 SEC. 10. Section 8825 of the Government Code is
27 repealed.

28 ~~8825. The commission may conduct, through grants~~
29 ~~or contracts, research and demonstration activities in~~
30 ~~matters relating to public broadcasting.~~

31 SEC. 11. Section 8831 of the Government Code is
32 amended to read:

33 8831. Each ~~public~~ eligible radio station may appoint
34 a representative to the radio committee, and each ~~public~~
35 eligible television station may appoint a representative to
36 the T.V. committee. The radio and T.V. committees shall
37 advise the commission on the implementation of this
38 chapter. In fulfilling this responsibility, the radio and T.V.
39 committees may do all of, but shall not be limited to, the
40 following:

1 (a) Periodically prepare an assessment of statewide
2 public broadcast programming needs.

3 ~~(b) Recommend appropriate actions by the~~
4 ~~commission pursuant to Section 8823 to meet the needs~~
5 ~~identified under subdivision (a).~~

6 ~~(c)~~ Make recommendations on grants for production
7 or contracts for acquisition of programming.

8 ~~(d)~~

9 (c) Make recommendations on the management and
10 operation of interconnection systems.

11 ~~(e)~~

12 (d) Make recommendations on grants for
13 improvement of station facilities and equipment.

14 ~~(f)~~

15 (e) Make recommendations on statewide support
16 services, such as promotion, development, engineering,
17 research, program information, and personnel
18 recruitment.

19 *SEC. 12. Section 8835 is added to the Government*
20 *Code, to read:*

21 8835. (a) Recognizing the necessity of converting
22 California stations to the technologies of digital
23 broadcasting and the continuing need for replacement of
24 broadcasting equipment, the Legislature intends that
25 funds may be made available through the annual Budget
26 Act *to the commission for allocation* for the purchase of
27 equipment by eligible stations, the installation of that
28 equipment, or purchase of other materials related to that
29 equipment.

30 (b) (1) Seventy-five percent of any equipment
31 purchase funds appropriated pursuant to subdivision (a)
32 shall be placed in an equipment grant pool for eligible
33 television stations, and 25 percent shall be placed in an
34 equipment grant pool for eligible radio stations.

35 (2) Fifty percent of the funds in each grant pool shall
36 be divided equally among the stations in that grant pool.

37 (3) The remaining 50 percent of the funds in each
38 grant pool shall be divided among stations in that grant
39 pool in proportion to their nonfederal financial support.

1 (c) (1) Funds provided under this section shall be
2 granted on a matching basis, with each station required
3 to raise from other sources an amount equal to the funds
4 provided to it under this section.

5 (2) If any funds remain in either grant pool because of
6 the limitations set forth in paragraph (1), the remaining
7 funds shall be returned to the same pool for distribution
8 to other stations that have raised the required matching
9 funds, in amounts proportionate to the nonfederal
10 financial support of those stations.

11 ~~8813.—~~

12 *SEC. 13. Section 8835.5 of the Government Code is*
13 *repealed.*

14 ~~8835.5. There is hereby appropriated to the California~~
15 ~~Public Broadcasting Commission the sum of two hundred~~
16 ~~fifty thousand dollars (\$250,000) from the General Fund~~
17 ~~to the California Public Broadcasting Fund for direct~~
18 ~~grants in fiscal year 1983-84 to the five~~
19 ~~minority-controlled and operated public radio stations~~
20 ~~that, as of January 1, 1983, have been qualified by the~~
21 ~~commission in California to assist in their development,~~
22 ~~operation, interconnection, and programing.~~

23 *SEC. 14. Section 8835.5 is added to the Government*
24 *Code, to read:*

25 8835.5. (a) Recognizing the many educational,
26 informational, and cultural benefits provided by
27 California public broadcasting stations to all citizens of
28 the state, and the economic benefits provided to the state
29 by these stations, the Legislature intends that funds may
30 be made available through the annual Budget Act *to the*
31 *commission for allocation* for the operation of eligible
32 stations and to assist these stations in improving their
33 services to the citizens of the State of California.

34 (b) (1) Seventy-five percent of the operating grant
35 funds shall be placed in a grant pool for eligible television
36 stations, and 25 percent shall be placed in a grant pool for
37 eligible radio stations.

38 (2) Within each pool, 50 percent of the funds shall be
39 distributed equally among the eligible stations as a base
40 grant, and the remaining 50 percent shall be distributed

1 as an incentive grant among the eligible stations in
2 proportion to their nonfederal, nonstate financial
3 support, thus encouraging their local fundraising efforts.

4 (3) No station may receive funds under this section
5 that would constitute more than 25 percent of its
6 nonfederal financial support for the second previous
7 fiscal year. Any amount forfeited under this limitation
8 shall be returned to the grant pool for distribution to the
9 remaining stations in the pool in proportion to their
10 nonfederal financial support.

11 ~~8814.~~

12 *SEC. 15. Section 8836 of the Government Code is*
13 *repealed.*

14 ~~8836. The commission shall annually distribute the~~
15 ~~total amount, less the commission's necessary~~
16 ~~administrative expenses, available for allocation to public~~
17 ~~broadcasting stations. The commission shall reserve for~~
18 ~~distribution among the public broadcasting stations an~~
19 ~~amount not less than 25 percent of the television budget~~
20 ~~and not less than 25 percent of the radio budget for use~~
21 ~~at each station's discretion, in activities related to its local~~
22 ~~community broadcast operations.~~

23 *SEC. 16. Section 8836 is added to the Government*
24 *Code, to read:*

25 8836. (a) Recognizing the benefits to the people of
26 the state and the efficiency of cooperative projects, the
27 Legislature intends that "multistation project funds" may
28 be made available through the annual Budget Act for use
29 by more than one station in execution of projects
30 benefiting the listeners or viewers of several stations in
31 the system. These multistation project funds shall be
32 provided to the ~~council~~ *commission*, which shall manage
33 the funds in the best interest of the citizens of this state
34 in determining which projects shall be funded and the
35 appropriate level of funding for each project.

36 (b) Upon the determination of the ~~council~~
37 *commission*, some portion of available funds in this pool
38 may be used to assist stations that do not meet one or more
39 of the eligibility criteria to become eligible stations as
40 defined in ~~subdivision (c) or subdivision (d), as~~

1 ~~applicable, of Section 8801. Sections 8807 or 8807.2, as~~
2 ~~applicable.~~ However, that assistance may not be provided
3 to any one station for more than two years.

4 (c) Upon the determination of the ~~council~~
5 ~~commission~~, funds provided to the ~~council~~ *commission*
6 under this section may be used to purchase equipment
7 that can be shared by eligible stations or used for the
8 generation of revenue to benefit the ~~council~~ *commission*
9 and eligible stations.

10 (d) It is recognized that some program projects and
11 facilities improvement projects may take a considerable
12 length of time to complete. Therefore, funds provided
13 under this section and not expended by the end of any
14 fiscal year shall be placed in escrow by the ~~council~~
15 *commission* and expended in subsequent years for the
16 purposes set forth in this section.

17 ~~8815.—~~

18 *SEC. 17. Section 8836.5 of the Government Code is*
19 *repealed.*

20 ~~8836.5. The commission shall, after consultation with~~
21 ~~the radio, television, and instructional broadcast~~
22 ~~committees, establish, and review annually, criteria and~~
23 ~~conditions regarding the distribution of amounts~~
24 ~~disbursed to the various public television and radio~~
25 ~~stations.~~

26 ~~Amounts disbursed under this article shall be used to~~
27 ~~finance projects that will augment the ability of public~~
28 ~~broadcasting stations to serve their communities in~~
29 ~~accordance with a formula established by the~~
30 ~~commission. These amounts shall not be used to supplant~~
31 ~~funds already budgeted.~~

32 *SEC. 18. Section 8836.5 is added to the Government*
33 *Code, to read:*

34 8836.5. The Legislature recognizes that projects
35 undertaken by the ~~council and its member~~ *commission*
36 *and the recipient* stations may be sufficiently large and
37 complex as to require more than one year to complete, or
38 may require more funding than is available in a single
39 fiscal year, and encourages the ~~council and its member~~
40 *commission and the recipient* stations to use funds

1 provided under this chapter and interest that may be
2 generated from unexpended funds in the best and most
3 productive way, to benefit the citizens of this state.

4 ~~8816. All funds appropriated for the purposes of this~~
5 ~~chapter shall be appropriated to the Controller. Funds~~
6 ~~appropriated for allocation and distribution under this~~
7 ~~chapter shall be distributed under the formulas set forth~~
8 ~~in this chapter. The Controller shall perform only the~~
9 ~~following duties in this regard:~~

10 (a) ~~Determining, in consultation with the council, the~~
11 ~~form in which applications for funding shall be presented~~
12 ~~and the date by which the applications shall be submitted.~~

13 (b) ~~Determining that each applicant has provided the~~
14 ~~necessary audited financial statement as required by~~
15 ~~paragraph (7) of subdivision (c) or paragraph (8) of~~
16 ~~subdivision (d), as applicable, of Section 8801.~~

17 (c) ~~Determining that the council has certified the~~
18 ~~eligibility of each applicant.~~

19 (d) ~~Determining compliance with the certification~~
20 ~~requirements of Section 8810, when needed.~~

21 (e) ~~Calculating the funding for which each grantee is~~
22 ~~eligible under the formulae set forth in this chapter.~~

23 (f) ~~Making timely payment of the funds for which~~
24 ~~each grantee is eligible under the formulae set forth in~~
25 ~~this chapter.~~

26 ~~8817. Nothing in this chapter shall be construed to~~
27 ~~confer upon any officer, employee, or elected official of~~
28 ~~the state any authority to influence or attempt to~~
29 ~~influence the content or scheduling of any program or~~
30 ~~programs produced or broadcast by any eligible station,~~
31 ~~whether or not any such influence or attempted~~
32 ~~influence is related in any way to receipt of a grant under~~
33 ~~this chapter. It is the intent of the Legislature that all~~
34 ~~decisions relating to content and scheduling of~~
35 ~~programming shall be solely the responsibility of each~~
36 ~~licensee and shall be free from improper influence.~~

37 ~~8818.—~~

38 *SEC. 19. Section 8836.6 is added to the Government*
39 *Code, to read:*

1 8836.6. It is the intent of the Legislature that any
2 funds provided to stations under this chapter shall
3 supplement, rather than supplant, funds provided from
4 other sources. To that end, institutions that have
5 heretofore provided funding to stations licensed to them
6 shall certify, in applying for grants under this chapter,
7 that they have not previously and will not in the future
8 use funds provided under this chapter to supplant
9 institutional support of their stations.

10 ~~8819. (a) No station that is eligible under this chapter~~
11 ~~shall be required to participate in the work or projects of~~
12 ~~the council. Any station choosing not to participate shall~~
13 ~~forfeit its right to funding under this chapter. Any station~~
14 ~~choosing not to participate, or any station that withdraws~~
15 ~~from the work of the council, shall be considered~~
16 ~~ineligible for funding under this chapter for a period of~~
17 ~~not less than two years following its nonparticipation or~~
18 ~~withdrawal from the work of the council.~~

19 ~~(b) The council shall have sole responsibility for~~
20 ~~determining by majority vote of its board of directors~~
21 ~~whether an otherwise eligible station has adequately~~
22 ~~participated in the work of the council as required under~~
23 ~~this chapter, and shall report to the Controller any~~
24 ~~determination that a station has not adequately~~
25 ~~participated and is therefore ineligible under this section.~~

26 ~~8820.—~~

27 *SEC. 20. Section 8836.7 is added to the Government*
28 *Code, to read:*

29 8836.7. It is the intent of the Legislature to support the
30 services provided by public broadcasting stations of this
31 state, and to augment the ability of eligible stations to
32 serve their local communities and the citizens of this
33 state. To that end, state agencies may render assistance
34 and provide services to the ~~council~~ *commission* to the
35 extent resources permit.

36 ~~8821.—~~

37 *SEC. 21. Section 8836.8 is added to the Government*
38 *Code, to read:*

39 8836.8. Any person or organization knowingly and
40 willfully filing false information in an attempt to secure

1 funding under this chapter shall be guilty of a
2 misdemeanor.

3 ~~SEC. 4.—~~

4 *SEC. 22.* No reimbursement is required by this act
5 pursuant to Section 6 of Article XIII B of the California
6 Constitution because the only costs that may be incurred
7 by a local agency or school district will be incurred
8 because this act creates a new crime or infraction,
9 eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section
11 17556 of the Government Code, or changes the definition
12 of a crime within the meaning of Section 6 of Article
13 XIII B of the California Constitution.

