

HOUSE BILL No. 4175

February 24, 1987, Introduced by Reps. Jacobetti, Joe Young, Sr., Weeks, Willis Bullard, Harrison, Middaugh, Kosteva, Bandstra, Hoffman, Sofio, Joe Young, Jr., Gnodtke, DeMars, Gubow, Jonker, Stallworth, Ostling, Bartnik, Connors, Perry Bullard and Hayes and referred to the Committee on Appropriations.

A bill to establish the Michigan public broadcasting development fund; to provide for grants to public broadcasting television and radio stations; to prescribe certain conduct relative to public broadcasting television and radio stations that receive grants; to prescribe the powers and duties of certain state departments; to provide for an appropriation; and to repeal certain acts and parts of acts on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Corporation for public broadcasting" means the corpora-
3 tion created under 47 U.S.C. 396.

4 (b) "Fund" means the Michigan public broadcasting develop-
5 ment fund created in section 2.

6 (c) "Interconnection" means the use of microwave equipment,
7 boosters, translators, repeaters, communication space satellites,

1 or other apparatus or equipment for the transmission and
2 distribution of television or radio programs to public broadcast-
3 ing television or radio stations.

4 (d) "Nongovernment financial support" means the income
5 received by a public broadcasting television or radio station
6 from nonfederal and nonstate sources as reported to the corpora-
7 tion for public broadcasting. Nongovernment financial support
8 shall include, but not be limited to, income received by a public
9 broadcasting television or radio station from foundations, busi-
10 ness and industry, memberships, special fund-raising projects, or
11 auctions.

12 (e) "Public broadcasting radio station" means a Michigan
13 owned public broadcasting radio station operating in Michigan and
14 qualified with the corporation for public broadcasting.

15 (f) "Public broadcasting television station" means a
16 Michigan owned public broadcasting television station operating
17 in Michigan and qualified with the corporation for public
18 broadcasting.

19 Sec. 2. The Michigan public broadcasting development fund
20 is established in the state treasury for the exclusive use of
21 public broadcasting television and radio stations. The fund
22 shall be administered by the department of management and budget
23 and shall be used to enhance public broadcasting capabilities
24 which will provide, improve, and promote economic, cultural, and
25 educational benefits for the people of Michigan.

26 Sec. 3. The legislature annually shall appropriate from the
27 general fund to the Michigan public broadcasting development fund

1 a sum sufficient to carry out the purposes of this act. It is
2 the intent of the legislature that the annual appropriation to
3 the fund will be in a sum as near as possible to \$1.00 for each
4 resident of Michigan.

5 Sec. 4. (1) The fund shall be composed of 2 accounts: 1
6 account for public broadcasting television stations and 1 account
7 for public broadcasting radio stations. Seventy percent of the
8 money appropriated pursuant to section 3 shall be allocated to
9 the account for public broadcasting television stations and 30%
10 of the money appropriated pursuant to section 3 shall be allo-
11 cated to the account for public broadcasting radio stations.

12 (2) Sixty percent of the money in the public broadcasting
13 television station account and 75% of the money in the public
14 broadcasting radio station account shall be allocated for base
15 operating grants. Forty percent of the money in the public
16 broadcasting television station account and 25% of the money in
17 the public broadcasting radio station account shall be allocated
18 for incentive grants.

19 Sec. 5. (1) Each public broadcasting television station
20 shall receive annually a base operating grant from the public
21 broadcasting television station account. The amount of each base
22 operating grant awarded under this subsection shall equal the
23 money available for base operating grants pursuant to
24 section 4(2) divided by the number of public broadcasting televi-
25 sion stations.

26 (2) Each public broadcasting radio station shall receive
27 annually a base operating grant from the public broadcasting

1 radio station account. The amount of each base operating grant
2 awarded under this subsection shall equal the money available for
3 base operating grants pursuant to section 4(2) divided by the
4 number of public broadcasting radio stations.

5 Sec. 6. (1) Incentive grants to improve the capabilities of
6 all public broadcasting television and radio stations shall be
7 awarded to qualified stations pursuant to subsections (2) and
8 (3). An incentive grant shall be used by the public broadcasting
9 television or radio station for innovative programming, capital
10 outlay, statewide interconnections, and program productions.

11 (2) A public broadcasting television station shall receive
12 annually an incentive grant equal to the money available for
13 incentive grants pursuant to section 4(2) multiplied by the non-
14 government financial support received by the station in the pre-
15 vious fiscal year divided by the total amount of nongovernment
16 financial support received by all the public broadcasting televi-
17 sion stations in the previous fiscal year.

18 (3) A public broadcasting radio station shall receive annu-
19 ally an incentive grant equal to the money available for incen-
20 tive grants pursuant to section 4(2) multiplied by the nongovern-
21 ment financial support received by the station in the previous
22 fiscal year divided by the total amount of nongovernment finan-
23 cial support received by all the public broadcasting radio sta-
24 tions in the previous fiscal year.

25 Sec. 7. Notwithstanding any other provision of this act, a
26 public broadcasting television or radio station shall not in any
27 year receive a total amount of grants under this act greater than

1 1/2 of its actual operating cost for the previous fiscal year.
2 Money in the fund not distributed to a public broadcasting tele-
3 vision or radio station because of this section shall be distrib-
4 uted to the remaining qualified public broadcasting television or
5 radio stations pursuant to section 6(2) or (3).

6 Sec. 8. (1) A public broadcasting television or radio sta-
7 tion applying for a grant under this act shall certify to the
8 house and senate committees on appropriations both of the
9 following:

10 (a) That a grant provided under this act shall not supplant
11 or be used to reduce any other sources of funding for the
12 station.

13 (b) That a grant provided under this act will be used for
14 the benefit of the station and not for general institutional
15 overhead expenses of a parent organization.

16 (2) This section is repealed effective January 1, 1990.

17 Sec. 9. A public broadcasting television or radio station
18 receiving a grant under this act shall not provide preferential
19 treatment to any public official or figure based on his or her
20 support or opposition to public financing and shall carry out
21 station purposes, functions, and activities in such a manner as
22 to insure against interference with or control of the station's
23 program content or other activities.

24 Sec. 10. A public broadcasting television or radio station
25 receiving a grant under this act that presents a particular view-
26 point on significant public policy issues shall provide

1 reasonable opportunity for the presentation of contrasting
2 views.