

**KIEM-DT/KVIQ-LD, IMAGICOMM  
EUREKA OPERATIONS, LLC  
POLITICAL POLICY AND  
DISCLOSURE STATEMENT**

**Issue Date: 1/5/2024**

*Supersedes all previous publications*

**2024 PRIMARY ELECTION**

Election: March 5, 2024

**1. APPLICABILITY:** The following describes the political advertising policies of KIEM-DT and KVIQ-LD (hereinafter "Stations"), adopted in compliance with the requirements, rules and regulations of the Federal Communications Commission (FCC).

It is the policy and practice of Stations to comply with all applicable FCC requirements with respect to rates charged by our Stations for political advertising. Thus, within the meaning of the FCC's rules, it is our policy to extend for the "use" of the Stations' broadcast facility by "legally qualified candidates" during the "lowest unit charge period"- which is forty five (45) days prior to a Primary election-the "lowest unit charge" that the Stations extend to its most favored commercial advertisers for purchase of the same class and amount of time for the same period. Stations extend for the "use" of its' broadcast facility by "legally qualified" candidates outside the applicable 45 day "lowest unit charge" periods, advertising rates that are comparable to rates charged to commercial advertisers for comparable use.

Note that advertising (1) which does not include an appearance by the candidate in

which the candidate's voice or likeness is identified or is identifiable; (2) which is not purchased by the candidate or the candidate's campaign committee or authorized agent; or (3) which is otherwise exempt by law does not constitute a "use". Such advertising, therefore, would not qualify for the "lowest unit rate charge." As such, these policies are not applicable to political action groups or "issue" advertising.

**2. EQUAL OPPORTUNITY.** The Stations will afford "equal opportunity" as determined by the FCC for "uses" of the Stations' broadcast facility by all legally qualified candidates for the same office.

For the purposes of the "equal opportunity" requirement a "use" is defined as any nonexempt appearance by a candidate on the Stations' broadcast facility in which the candidate's voice or likeness is identified or identifiable. Some candidate appearances in newscasts, news interviews, news documentaries, and involuntarily in the ads of opposing candidates do not normally qualify as "use" and those appearances may be exempt from the "equal opportunity" law.

**3. ACCESS.** Federal law affords candidates for federal office "reasonable access" to "use" a broadcast station's facilities. Stations will afford "legally qualified" federal candidates, ie candidates for President, Vice President, U.S. Senate and U.S. House of Representatives, "reasonable access" for the "use" of station facilities.

Candidates for state and local office will be afforded access to the Stations' facilities subject to the time demands of federal candidates and our overall advertising availabilities. Stations may find it necessary not to accept or to limit the amount and class of advertising by certain candidates for state and local offices.

**4. SPOT ANNOUNCEMENTS—TERMS AND CONDITIONS:** During the 45-day period before the Primary Election, Stations will sell broadcast commercial announcement time to political candidates on the same terms and conditions, including discounts, benefits and other privileges, as

are available to its most favored broadcast commercial advertisers.

Stations' advertising rates are negotiated and established on an individual basis with each advertiser, and the rates vary depending on the class of time and overall market conditions as well as advertiser demand at the time the order is placed. Rates fluctuate on a weekly basis according to the class of time ordered. These demand-driven rates will be extended to all political candidates to whom we sell advertising.

Stations offer to all advertisers certain classes of broadcast commercial announcements, each of which has a separate rate structure and lowest unit charge available.

A description and definition of each class follows:

**SECTION I – FIXED:** Commercials sold in this class of time are placed in a specific program on a specific day or horizontal rotation and, when confirmed, are non-pre-emptible by any other advertiser and are guaranteed to air in the program ordered, barring any technical difficulty or unanticipated program change. Should a technical difficulty or program change occur causing a pre-emption, a comparable makegood will be offered. Pre-emption probability in this class of inventory is 0%-1%.

**SECTION II – PRE-EMPTIBLE WITH 48 HOURS NOTICE:** Commercials sold in this class of time are placed in a specific program or horizontal rotation and may be pre-empted by another fixed commercial advertiser (Section I) with 48 hours notice. Makegoods are offered subject to availability. Pre-emption probability for Section II class of inventory is approximately 10%-15%.

**SECTION III – PRE-EMPTIBLE WITH NOTICE:** Commercials sold in this class of time are placed in a specific program or horizontal rotation and may be pre-empted by Section I or II commercial advertisers with notice. Makegoods are offered subject to availability. Pre-emption probability for

the Section III class of inventory is approximately 25-30%.

**SECTION IV – IMMEDIATELY PRE-EMPTIBLE WITHOUT NOTICE:**

Commercials sold in this class of time are placed in a specific program or horizontal rotation and are immediately pre-emptible by Section I, II or III commercial advertisers without notice. No makegoods or offer of makegoods are guaranteed. Pre-emption probability for the Section IV class of inventory is approximately 45%-55%.

**LOWEST UNIT RATE (SECTION V) –** The Stations' rate card describes all programs, dayparts, rotations and packages available on Stations with applicable rates, during the 45-day Pre-Election Window. The rates reflect regular scheduled programming. Special programs are available upon request.

The rates listed on the rate card constitute, as of the current date, the "lowest unit charge" rates for the various classes and units of time in the same time periods. The rates apply during the forty five (45) day "lowest unit charge" periods prior to each election. Political advertisers should be aware that because station rates are negotiated with each advertiser and rise and fall based upon overall advertiser demand, these rates are subject to change. Moreover, it is not always possible to determine the "lowest unit charge" for any given week until all advertising for that week has been broadcast. Where appropriate, credit or rebates, as the advertiser may elect, will be issued.

**OTHER –**

The Station may also make available other rotations or ROS schedules upon request and may negotiate special advertising packages (combinations of spots in various classes or rotations) tailored to suit the particular needs of individual candidates. Stations may also engage in special promotions and if so, will make such promotions available to political advertisers upon request.

It is the Stations' practice to offer advertisers its best estimate as to the appropriate inventory section level needed to clear a

particular program or time period. However, an advertiser may choose to purchase at a higher section level to lower the risk of pre-emption.

**5. SALES OF TIME OUTSIDE THE PRE-ELECTION WINDOW:** If a candidate purchases time for broadcast outside the Pre-Election Window, the rates and conditions of sale will be comparable to those charged to commercial advertisers. Avails and rates will be provided to candidates for these periods on the same basis as to commercial advertisers. Candidates are not entitled to the lowest unit charge for time purchased for use outside the Pre-Election Window prior to, 1/20/2024

Rebates will be available only if required by equal opportunities and comparable rate requirements. The Stations' policies concerning makegoods, the availability and pricing of package plans and other sales practices will be applied to political advertisers during non-window periods on the same basis as to commercial advertisers, including cancellation policies. Stations' pre-window cancellation policy dictates contracts may be terminated with 14 days prior written notice to station. The standard Stations' cancellation policy dictates contracts may be terminated with 14 days prior written notice to station. This is the same policy in effect within the 45-day pre-election window.

**6. AVAILABLE TIME.** Advertising is sold to candidates in :10, :15, :30, :60, :90 and :120 second units.

Ten second (:10) commercials are available, but are immediately pre-emptible by a longer length commercial. The rate for a :10 commercial is 50% of the :30 rate.

Fifteen second (:15) commercials are available, but are immediately pre-emptible by a longer length commercial. The rate for a :15 commercial is 65% of the :30 rate. :15 "bookend" commercials are also offered; however are limited in quantity.

Sixty second (:60) commercials are available and are twice (2x) the :30 rate.

Ninety second (:90) commercials are available and are 300% of the :30 rate. Availability of :90 commercials is very limited.

One hundred and twenty second (:120) commercials are available and are 400% of the :30 rate. Availability of :120 commercials is very limited.

Commercials of less than ten seconds (:10) are not available.

Although we do not routinely sell time in units of more than :60 in duration, requests by political candidates to purchase longer form program times will be evaluated on case-by-case basis. Inquiries should be made if candidates are interested in purchasing longer form program time. Availability and rates that would be applicable both outside and within the "lowest unit charge" periods will be reviewed with you by Stations' designated personnel.

When available, program length time periods are sold in 30 minute and 60 minute lengths, although all "half hour" time periods are sold as 28:30-that is all messages must be no longer than 28 minutes and 30 seconds in length.

No promotional announcements, aside from a candidate's separately purchased spot use, will be scheduled to promote political programs.

Candidates may not sponsor any newsbreaks or any portion of a news program. Candidates can run commercial spot announcements within a newscast, but no more than three times (3x) per half hour of local news programming.

Federal candidates will be afforded "reasonable access" to all time units, and all candidates for the same office will be assured "equal opportunity" in placement, purchase and amount of time.

**.7. MAKEGOODS:** Stations will provide "makegoods" prior to the election for candidate commercials purchased for airing during the Pre-Election Window which are pre-empted because of the nature of the time purchased, technical difficulties, or

program changes and will make every effort to provide a makegood in the same daypart or program purchased. However, Stations cannot guarantee that makegoods will be provided in the time period originally ordered. If inventory constraints preclude identical scheduling, Stations will offer makegoods in time period(s) of equal or greater value, or, if the candidate prefers, will issue credits or rebates. If a candidate purchases time at a rate section #4 or lowest unit rate, it is not guaranteed candidate will receive a makegood offer.

**8. DIGITAL ADVERTISING:** Digital advertising is offered to political candidates separate from broadcasting advertising, however digital advertising is not subject to lowest unit rates. Applicable digital rates apply to all candidates equally.

Digital advertising must contain the necessary disclaimers as set forth below if the following conditions are in place:

- a. The ad is placed by a Federal Election Commission (FEC) registered political committee; or
- b. The ad advocates the election or defeat of a federal candidate; or
- c. The ad solicits political contributions.

If the ad is produced or authorized by a federal candidate or a candidate's authorized committee, the text of an digital ad must include a written statement in readable sized type in a separate box as part of the display ad as follows:

- a. Clear disclosure of the name of the candidate.
- b. Clear disclosure of who paid for the ad; and
- c. Clearly state that the candidate approved for the ad.

If the digital ad is not produced or authorized by a federal candidate or the candidate's authorized committee, the ad must include a written statement in a separate box as part of the display ad, containing:

- a. A statement that no federal candidate authorized the advertisement;

- b. A statement indicating who is responsible for the advertisement;
- c. The name of any connected organization of the payer; and
- d. The permanent street address, phone number, or web address of the person who paid for the ad.

If an announcement or program does not include the required sponsorship identification, Stations' personnel will add the necessary information and charge the candidate production charges in accordance with Stations' standard digital advertising production practices.

Stations require political digital advertisers to include any other required FEC disclosures where applicable.

**9. CANCELLATIONS:** Standard Stations' cancellation policy dictates contracts may be terminated with 14 days prior to air date written notice to station. This policy is in effect at all times, including within the 45-day pre-election window, and will be strictly enforced.

**10. REBATES:** The lowest unit charge is the lowest per-broadcast commercial price paid for the same class and amount of time during the same time period. In calculating the lowest unit charge, the Stations will take into account rates for commercials which are sold as part of packages.

Current estimates of the lowest unit charge and probabilities of pre-emptibility are included on the political rate card. Because determination of the lowest unit charge cannot be made until after all time has aired in a particular week and because the rate levels at which time will clear vary with market demand. Stations cannot guarantee estimates of the lowest unit charge or of the pre-emptibility of various classes of time. All such estimates are subject to change due to the demand and supply of current market conditions. Candidates should inquire at the time of the order as to current estimates of pre-emptibility.

On a weekly basis, the Stations will review purchases of advertising by commercial and political advertisers. If that review indicates that political candidates are entitled to

rebates in order to comply with lowest unit charge requirements, every effort will be made to issue rebates (or, at the candidate's option, credits) within one week.

**11. POSTING:** It is not the policy of Stations to guarantee rating point or demographic target delivery on any particular program or combination of programs for any advertiser. Should cumulative actual delivery for an entire schedule of advertising for a particular advertiser reflect a level below 90% of a pre-negotiated gross household rating point or demographic target level for that schedule, Stations normally will air additional spots at no additional charge to adjust the actual delivery to the 90% level. To determine "actual delivery," advertisers must furnish a copy of a post-broadcast quantitative rating analysis on the entire advertising schedule using AdConnections, Donovan, Broadcast Media Plus, One Domain, or TV Scan methodology and based upon the Nielsen rating analysis for the calendar quarter in which the advertising schedule ran. Makegood spots, if necessary normally will be aired on a run of schedule basis at the Stations' discretion as immediately preemptible spots in the calendar quarter following the advertising schedule. No other adjustments are available, including cash rebates. Given election timetables, it is normally not feasible for candidates to obtain this type of adjustment.

Posting does not apply to digital advertising.

**12. ORDERING PROCEDURES:** All political advertisers are asked to sign the attached "Acknowledgment" of the political broadcasting policies of Stations' form.

Orders for political time will not be considered complete for broadcast clearance until the following have been provided to the Stations:

- a) Completed and signed Agreement for Political Candidates (form PB18).
- b) Net cash in advance payment prior to air date.
- c) Where doubt exists, proof that the candidate is a "legally qualified candidate" as the term is defined by the FCC.

- d) Where doubt exists, proof that the purchaser is authorized to buy time for the candidate.
- e) Commercial media (video tapes as well as the written instructions for their use) must be submitted no later than forty-eight hours prior to the first scheduled broadcast and must be confirmed by the station that there is compliance with sponsorship identification requirements and broadcast technical standards.
- f) Where the purchase is made by a corporation, association or other unincorporated group, a list of entities' chief executive committee or board of directors is required.
- g) All commercials and programs are fully commissionable to recognized agencies at 15%. Candidates who purchase time without use of an agency will be extended a 15% discount too.

The Stations reserve the right to recapture commercial time sold to a candidate to meet equal opportunities or reasonable access requirements of the Communications Act of 1934, as amended. If commercial time is recaptured by the Station, the candidate will be advised as soon as possible and an appropriate refund will be issued.

All produced commercial material, time orders, required forms, contract changes or other materials impacting an air schedule must be received by the deadlines. Deadlines are as follows:

- i. 12:00pm Pacific Friday for Sunday/Monday air date.
- ii. 12:00pm Pacific Monday for Tuesday air date.
- iii. 12:00pm Pacific Tuesday for Wednesday air date.
- iv. 12:00 pm Pacific Wednesday for Thursday air date.
- v. 12:00pm Pacific Thursday for Friday/Saturday air date.

Failure to fulfill all requirements in advance of the deadlines may result in pre-emption. Station does not guarantee makegoods. Confirmation of broadcast schedules will be provided as soon as reasonably possible and are available upon request at any time.

**13. RECONCILIATION:** While Stations strive, at all times, to air advertising schedules without error, mistakes do occasionally happen. Should it be determined that an error has occurred, Stations must be notified, in writing, within ninety (90) days of receipt of invoice by the advertiser or advertiser's agency. Should Stations not be notified within the ninety (90) day window, Stations will not make any adjustment(s) for the alleged discrepancy.

Please note, Stations will attempt, where possible, to separate competitive political advertisements. However, this is not always possible. Stations do not promise or warrant that competitive announcements will be separated.

**14. SPONSORSHIP IDENTIFICATION:** All political announcements and programs must include a sponsorship identification announcement which fully and accurately identifies the organization or individual which has paid for the commercial, using the terms "paid for by" or "sponsored by." Such sponsorship identification must be visual, must last at least four seconds, and must use letters which are all at least 4% of the vertical picture height. If an announcement or program does not include the required sponsorship identification, the Station will add the necessary information and charge the candidate production charges in accordance with its standard practices.

**15. PRODUCTION:** Stations' facilities may be utilized for the production of political announcements or programs, subject to available production time (rates upon request). Production charges are handled separately from time charges. Agencies and/or candidates who schedule production time at the station are required to provide a check for payment of accrued charges following the production session. No spots will air, nor will any dubs be ordered, until a check is received for the correct amount. No Stations' News talent is available for political advertising purposes, on-camera or voice-over.

**16. PUBLIC FILE:** The Stations maintain a public inspection file at the Stations' studio in Eureka, California which includes certain required information concerning political

advertising. This file is available for public inspection during regular business hours Monday – Friday, 8:00am-5pm. A fee of .50 cents per copy will be applied to all copies made from the public inspection file at the Stations' studio. You may also access the public files on-line at the following:

<https://stations.fcc.gov/station-profile/KIEM>  
<https://stations.fcc.gov/station-profile/KVIQ>

**17. NON-DISCRIMINATION IN THE SALE OF ADVERTISING TIME.** Stations do not discriminate in the sale of advertising time, and Stations will accept no advertising which is placed with intent to discriminate on the basis of race or ethnicity. Advertisers and agencies should not purchase broadcast air time on these Stations for a discriminatory purpose, including but not limited to decisions not to place advertising on particular stations on the basis of race or ethnicity. The Stations expect advertisers and agencies, at the time of purchase, to represent and warrant that their purchase complies with this non-discrimination provision.

**18. ADDITIONAL INFORMATION.** Please contact the following station personnel if you have any questions regarding the political advertising policies of Stations.

Jenny Olszewski, General Manager  
E-Mail: [jolszewski@redwoodnews.tv](mailto:jolszewski@redwoodnews.tv)


Rebecca Swan, SVP of Television  
E-Mail: [bswan@imagicommm.com](mailto:bswan@imagicommm.com)

**Imagicommm Eureka Operations, LLC**  
**5860 S. Broadway**  
**Eureka, CA 95503**  
**(707) 723-5178 – Phone**

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**ACKNOWLEDGEMENT**

I hereby acknowledge that I have been provided with the KIEM-DT/KVIQ-LD, IMAGICOMM EUREKA OPERATIONS, LLC POLITICAL POLICY AND DISCLOSURE STATEMENT dated JANUARY 5, 2024, and am therefore advised that a variety of classes of time (pre-emptible and non-pre-emptible) and package options are available to advertisers at a variety of rates. I further acknowledge that I have been furnished with all requested information concerning rates, discounts, pre-emptibility, clearance package plans, and opportunities for negotiation.

  
Signature

2-27-24  
Date

REX BOHW - SUPERVISOR  
Printed Name & Title

N/A  
Printed Name of Firm or Agency (if any)

REX BOHW  
Printed Name of Candidate

HUMBOLDT COUNTY 1ST DISTRICT SUPERVISOR  
Printed Title of Office Candidate is seeking

707 498-2228  
Phone Number of Candidate or Representative

Fax Number of Candidate or Representative

How disclosure was made available  
(fax, mail, in person, e-mail, etc.)

**KIEM-DT/KVIQ-LD and IMAGICOMM EUREKA OPERATIONS, LLC adhere to all political rules and regulations as dictated by the Federal Communications Commission**

*Imagicomm Eureka operations, LLC., KVIQ-LD, KIEM-DT, and its subsidiaries do not discriminate on the basis of race or ethnicity in the sale of advertising in any medium (broadcast or digital) and will accept no advertising which is placed with an intent to discriminate on the basis of race or ethnicity.*

## CANDIDATE ADVERTISEMENT AGREEMENT FORM

See **Order** for proposed schedule and charges. See **Invoice** for actual schedule and charges.

I, REX BOHN, hereby request station time as follows:

**IDENTIFY CANDIDATE TYPE** →

- FEDERAL CANDIDATE  
 STATE OR LOCAL CANDIDATE

### ALL QUESTIONS/BLOCKS MUST BE COMPLETED

Candidate name:

REX BOHN

Authorized committee:

Rex Bohn for Humboldt Co 1st District Supervisor 2024

Agency requesting time (and contact information):

N/A

Candidate's political party: N/A

Office sought (no acronyms or abbreviations):

Supervisor 1st District

Date of election:

3/5/2024

General

Primary

Treasurer of candidate's authorized committee:

John Fullerton

The undersigned represents that:

(1) the payment for the broadcast time requested has been furnished by (check one box below):

the candidate listed above who is a legally qualified candidate, or

the authorized committee of the legally qualified candidate listed above;

(2) this station is authorized to announce the time as paid for by such person or entity; and

(3) this station has disclosed its political advertising policies, including applicable classes and rates, discount, promotion and other sales practices (not applicable to federal candidates).

**THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.**

**Candidate/Committee/Agency**

**Station Representative**

Signature:

Rex Bohn

Signature:

Jenny Olszewski

Name:

Rex Bohn

Name:

Jenny Olszewski

Date of Request to Purchase Ad Time:

Date of Station Agreement to Sell Time:



**Federal Candidate Certification:**

The undersigned hereby certifies that the broadcast matter to be aired pursuant to this disclosure either (1) does not refer to an opposing candidate or, if it does, (2) contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast and that the candidate and/or the candidate's authorized committee paid for the broadcast or if radio programming, contains a personal audio statement by the candidate that identifies the candidate, the office being sought and that the candidate has approved the broadcast.

**Candidate/Authorized Committee/Agency**

Signature:

Name:

Date: 2/27/2024

**TO BE COMPLETED BY STATION ONLY**

Ad submitted to Station?  Yes  No Date ad received: 2/27/2024

**Note: Must have separate PB-19 Forms for each version of the ad (i.e., for every ad with differing copy).**

Federal candidate certification signed (above):  Yes  No  N/A

**Disposition:**

- Accepted
- Accepted IN PART (e.g., ad copy not yet received to determine sponsor ID)\*
- Rejected – provide reason:

\*Upload partially accepted form, then promptly upload updated final form when complete.

Date and nature of follow-ups, if any (e.g., insufficient sponsor ID tag):

Contract #: <u>43544</u>	Station Call Letters: <u>KIEM</u>	Date Received/Requested: <u>2/27/2024</u>
Est. #: <u>2024</u>	Station Location: <u>5650 S. Broadway Eureka, CA 95503</u>	Run Start and End Dates: <u>2/28 - 3/4/24</u>

Upload order, this form and invoice (or traffic system print-out) or other documents reflecting this transaction to the OPIF or use this space to document schedule of time purchased, when spots actually aired, the rates charged and the classes of time purchased or attach separately. If station will not upload the actual times spots aired until an invoice is generated, the name of a contact person who can provide that information immediately should be placed in the "Terms and Disclosures" folder in the OPIF.