

HOUSE BILL NO. 69

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/20/19

Referred: Community & Regional Affairs, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act repealing the Alaska Public Broadcasting Commission; and providing for an
2 effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 44.21.305 is amended to read:

5 **Sec. 44.21.305. Commissioner's responsibility.** The commissioner shall

6 (1) provide executive direction for the activities of the department
7 related to telecommunications; and

8 (2) assure that department activities in no way constitute an influence
9 on the content or airing of programming, and report to the governor [AND THE
10 ALASKA PUBLIC BROADCASTING COMMISSION] any request or attempt by an
11 employee of the state to influence the content or airing of program material.

12 * **Sec. 2.** AS 44.21.310(a) is amended to read:

13 (a) In accordance with the state information systems plan adopted by the
14 commissioner and with the departmental information systems plan, the department

1 shall

2 (1) advise the commissioner and the governor on matters of policy and
3 comprehensive state planning for telecommunications services;

4 (2) coordinate, manage, and supervise state programs in
5 telecommunications, including the management of those telecommunication services
6 for the state obtained from common carriers and from the communications industry;

7 (3) when requested, provide technical and consulting assistance to the
8 executive, judicial, and legislative branches of state government, to the University of
9 Alaska, and to private noncommercial entities which request that assistance in facility
10 procurement and leasing and in identifying long-range goals and objectives for the
11 state and its political subdivisions in all aspects of telecommunications, including
12 public, educational, and instructional telecommunications;

13 (4) prepare and maintain a state comprehensive telecommunications
14 development plan to further state telecommunications development and to meet state
15 telecommunications needs and prepare and maintain a comprehensive inventory of all
16 state communications facilities;

17 (5) whenever feasible, procure services from private enterprise or
18 certified and franchised utilities and contract for the construction, management,
19 operation, and maintenance of telecommunications systems, and develop a
20 procurement policy consistent with AS 36.30 (State Procurement Code); the
21 procurement policy must seek to achieve the maximum benefit to the public, and
22 methods of procurement, including lease, purchase, rental, or combinations of lease,
23 purchase, and rental, must be selected on the basis of factors such as the ratio of long-
24 range costs versus benefits, life cycle costing, and the costs to the communications
25 industry to the extent that these costs may affect local and long distance basic
26 telephone rates; procurement, contracting, construction, and maintenance under this
27 paragraph is governed by AS 36.30;

28 (6) provide information and assistance to state agencies to promote
29 governmental coordination and unity in the preparation of agency plans and programs
30 involving the use of telecommunications;

31 (7) apply for and accept federal and private money, property, or

1 assistance, that may be appropriated, granted, or otherwise made available to the
 2 department and use and disburse money and property for purposes consistent with
 3 AS 44.21.305 - 44.21.330 [AND AS 44.21.256 - 44.21.290], subject to reasonable
 4 limitations imposed by the grantor;

5 (8) participate with other governmental units in planning, and assist
 6 local governments and governmental conferences and councils in the state in planning
 7 and coordinating their activities relating to telecommunications;

8 (9) provide for the orderly transition to new telecommunications
 9 services and systems by state agencies;

10 (10) serve as a clearinghouse for information, data, and other materials
 11 that may be necessary or helpful to federal, state, or local governmental agencies in
 12 the development of telecommunication systems;

13 (11) coordinate department services and activities with those of other
 14 state departments and agencies to the fullest extent possible to avoid unnecessary
 15 duplication; and

16 (12) provide that all activities of the department are responsive to state
 17 statutes and regulations, and to the regulations and rulings of the Federal
 18 Communications Commission.

19 * **Sec. 3.** AS 39.25.120(c)(7)(A); AS 39.50.200(b)(7); AS 44.21.256, 44.21.258, 44.21.260,
 20 44.21.262, 44.21.264, 44.21.266, 44.21.268, 44.21.270, 44.21.290, and 44.21.315(a)(7) are
 21 repealed.

22 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 23 read:

24 TRANSITION. On or before the effective date of this Act, the Alaska Public
 25 Broadcasting Commission shall transfer custody of and title to all of the commission's assets
 26 to the commissioner of administration under AS 44.68.110. The commissioner is authorized
 27 and directed to transfer the assets at no cost to Alaska non-profit public broadcasting entities.

28 * **Sec. 5.** This Act takes effect June 30, 2019.