

1 IN THE SENATE

BY THOMAS

2 SENATE BILL NO. 9

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Alaska Educational and Public
7 Broadcasting Commission; providing for its functions
8 and powers; and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 44.33 is amended by adding new sections to read:

11 ARTICLE 4. ALASKA EDUCATIONAL AND PUBLIC
12 BROADCASTING COMMISSION.

13 Sec. 44.33.140. CREATION, MEMBERSHIP, AND TERM OF OFFICE. (a)

14 There is created in the Department of Education the Alaska Educational
15 and Public Broadcasting Commission. One member of the commission shall
16 represent each of the following groups or organizations: the Board of
17 Regents of the University of Alaska; the Alaska Department of Education
18 Alaska Association of Broadcasters; the Alaska Federation of Natives;
19 the Alaska Labor Council; the Alaska State Chamber of Commerce; and the
20 Alaska Bar Association. Each group shall establish its own procedure
21 for selecting a representative.

22 (b) The members of the commission shall serve staggered terms of
23 five years, with the first determination to be by lot.

24 Sec. 44.33.150. COMPENSATION AND EXPENSES. Members of the com-
25 mission receive no salary, but are entitled to per diem and travel
26 expenses authorized by law for other commissions.

27 Sec. 44.33.160. PURPOSE OF THE COMMISSION. The commission is
28 created to encourage and supervise the initial development of educa-
29 tional and public broadcasting, and to provide for regulation of future

1 educational and public broadcasting.

2 Sec. 44.33.170. POWERS OF THE COMMISSION. (a) The commission
3 shall

4 (1) control and supervise the use of broadcasting channels
5 reserved by the Federal Communications Commission for noncommercial and
6 educational purposes;

7 (2) initiate or receive for review and approval all applica-
8 tions for educational and public broadcasting licenses submitted to
9 the Federal Communications Commission for or on behalf of an elementary
10 or secondary public school system, community college, institution of
11 higher learning, private educational institution, nonprofit community
12 or municipal organization in the state;

13 (3) initiate or receive for review and approval all applica-
14 tions for federal, state, or private funds if the applications involve
15 any form of educational or public broadcasting;

16 (4) receive all federal, state or private funds, property,
17 or assistance that may be appropriated, granted, or otherwise made
18 available to the commission for educational and public broadcasting
19 purposes at all levels of education after dispersal by the legislature
20 and shall use and disburse funds and property for purposes consistent
21 with the terms of secs. 140 - 190 of this chapter, subject to reasonable
22 limitations imposed by the grantor;

23 (5) provide consultative services in all aspects of educa-
24 tional and public broadcasting to all public or private agencies in the
25 state who request them;

26 (6) serve as a library and clearing house for information on
27 broadcasting for educational and public purposes;

28 (7) perform all other functions necessary to insure the
29 orderly and coordinated development of educational and public

1 educational and public broadcasting.

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28 (7) perform all other functions necessary to insure the
29 orderly and coordinated development of educational and public

1 broadcasting in the state.

2 (b) The commission may

3 (1) employ all consultative, technical and clerical person-
4 nel necessary for the implementation of secs. 140 - 190 of this chapter
5 within the limits of available funds;

6 (2) employ a director, who shall be directly responsible to
7 the commission in financial and administrative matters;

8 (3) lease, purchase, construct, own, operate, manage, and
9 be the licensee of educational broadcasting stations, production center,
10 and all other related equipment and facilities for the production and
11 transmission of open circuit, closed circuit, 2,500 Megahertz, and
12 other transmission means necessary to provide fully effective educa-
13 tional and public broadcasting in the state.

14 Sec. 44.33.180. SCHOOL DISTRICT BROADCASTING. Nothing in secs.
15 140 - 190 of this chapter may be construed so as to restrict or control
16 school district broadcasting stations operating or licensed in the
17 state.

18 Sec. 44.33.190. DEFINITIONS. In secs. 140 - 180 of this chapter

19 (1) "commission" means the Alaska Educational and Public
20 Broadcasting Commission;

21 (2) "educational and public broadcasting" includes, but is
22 not limited to, television and radio transmission, transmission by
23 2,500 Megahertz, closed circuit or microwave video and audio pro-
24 gramming, slow-scan television programming, teletype or facsimile
25 transmission, and distribution methods, when the transmission, pro-
26 gramming and distribution is intended to serve a noncommercial public
27 or educational purpose;

28 (3) "public" shall be construed as nonprofit public;

29 (4) "school district" means a city or borough school

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district, but does not include schools in the state-operated school district.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.