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Referred: State Affairs
and Finance

BY THE STATE AFFAIRS COMMITTEE

1 IN THE SENATE

2 SENATE BILL NO. 554

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating a Department of Communications."

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

8 * Section 1. AS 44 is amended by adding a new chapter to read:

9 CHAPTER 47. DEPARTMENT OF COMMUNICATIONS.

10 Sec. 44.47.010. COMMISSIONER OF COMMUNICATIONS. The principal
11 executive officer of the Department of Communications is the commissioner
12 of communications.

13 Sec. 44.47.020. GENERAL DUTIES OF THE DEPARTMENT. The Depart-
14 ment of Communications shall

15 (1) budget for, purchase, install, maintain, repair, replace
16 when necessary and supervise the use of, the communications equipment
17 of all state agencies, vessels, docks, aircraft, airports and vehicles;

18 (2) provide for village radio networks and equipment,
19 including those used by the state-operated rural schools and the
20 state health service;

21 (3) budget for, purchase, install, maintain, repair and
22 replace when necessary, the navigational equipment, radar sets, and
23 speed measuring radar units, used by state agencies;

24 (4) provide for the training and qualification of operators
25 of communications and electronic navigational equipment used by
26 state agencies;

27 (5) institute a program of standardization of state
28 communication equipment to provide for an efficient integration of
29 communications throughout the state;

1 (6) advise and recommend state policies to the governor
2 for the development of all phases of communications in the state;

3 (7) formulate a continuing program for the development
4 of an integrated statewide telecommunications network, including
5 long-line, satellite, microwave, television, radio, telegraph and
6 facsimile communications;

7 (8) provide and institute immediately a statewide
8 emergency communications network system, including medical support,
9 civil defense and other emergency communications;

10 (9) provide for the assignment of telecommunications
11 frequencies to intrastate users of telecommunications equipment;

12 (10) be authorized to purchase, construct, operate and
13 use communications satellites for the state;

14 (11) regulate and control all intrastate telecommunications
15 to the extent that this does not interfere with federal law, rules
16 and regulations;

17 (12) develop and establish fair and equitable rate
18 structuring to meet the objective of providing adequate service to
19 the whole population of the state;

20 (13) adopt regulations necessary to carry out the powers
21 and duties of the department.

22 Sec. 44.47.030. DUTIES AND POWERS OF DEPARTMENT WITH RESPECT
23 TO EDUCATIONAL BROADCASTING. (a) The Department of Communications
24 shall

25 (1) control and supervise the use of broadcasting channels
26 reserved by the Federal Communications Commission for educational
27 broadcasting purposes;

28 (2) initiate or receive for review and approval all appli-
29 cations for educational broadcasting licenses submitted to the

1 Federal Communications Commission for or on behalf of an elementary
2 school system, community college, institution of higher learning,
3 private educational institution, nonprofit community or municipal
4 organization in the state;

5 (3) initiate or receive for review and approval all
6 applications for federal, state or private funds if the applications
7 involve any form of educational broadcasting;

8 (4) receive all federal, state or private funds, property
9 or assistance that may be appropriated, granted or otherwise made
10 available to the department for educational broadcasting purposes at
11 all levels of education, and use and disburse funds and property for
12 purposes consistent with the terms of this chapter, subject to
13 reasonable limitations imposed by the grantor;

14 (5) provide consultative services in all aspects of
15 educational broadcasting to all public or private agencies in the
16 state which request them;

17 (6) serve as a library and clearinghouse for information
18 on broadcasting for educational and public purposes;

19 (7) have the final authority over the broadcasting policy
20 programming; and

21 (8) perform all other functions necessary to insure the
22 orderly and coordinated development of educational broadcasting in
23 the state.

24 (b) The department may

25 (1) where no other competent contracting agency exists,
26 lease, purchase, construct, own, operate, manage and be the licensee
27 of educational broadcasting stations, production centers, and all
28 other related equipment and facilities for the production and trans-
29 mission of open circuit, closed circuit, 2,500 Megahertz, and other

1 transmission means necessary to provide fully effective educational
2 broadcasting in the state;

3 (2) appoint unpaid advisory committees to assist in
4 development of programs for instructional and public television
5 broadcasts.

6 Sec. 28.47.040. DUTIES AND POWERS OF DEPARTMENT WITH RESPECT
7 TO PUBLIC UTILITY REGULATION. The Department of Communications shall

8 (1) supervise and regulate every public utility engaged or
9 proposing to engage in the furnishing of telecommunications to the
10 public for compensation within the state and may do all things
11 necessary or convenient in the exercise of its power and jurisdiction;

12 (2) investigate, upon complaint or upon its own motion,
13 the rates, classifications, rules, regulations, practices, services
14 and facilities of a telecommunications public utility and hold
15 hearings on these matters;

16 (3) make, fix, alter and amend just, fair and reasonable
17 rates, classifications, rules, regulations, practices, services and
18 facilities for a telecommunications public utility;

19 (4) prescribe and regulate the accounts, service and
20 safety of operations of a telecommunications public utility;

21 (5) require a telecommunications public utility to file
22 reports and other information and data;

23 (6) supervise and regulate a telecommunications public
24 utility in all other matters affecting its relationship with other
25 telecommunications public utilities, its customers and the general
26 public;

27 (7) have the powers and duties of the Public Service
28 Commission under the relevant provisions of AS 42.05 regulating
29 telecommunications public utilities.

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* Sec. 2. AS 42.05.190(b) is amended to read:

(b) Where two or more public utilities furnish electric, [TELEPHONE,] gas, water or sewer service in the same area, the commission shall determine and delineate the service area of each utility.

* Sec. 3. AS 42.05.360(b) is repealed.

* Sec. 4. AS 42.05.640(2)(A) is amended to read:

(A) the generation, transmission, or distribution of electric energy and power [, OR THE FURNISHING OF TELEPHONE OR TELEGRAPH COMMUNICATIONS, ANY OF] which produces [PRODUCE] an annual gross income in excess of \$25,000;