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1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 297

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Public Communications Commission."

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

8 \* Section 1. AS 44.19 is amended by adding new sections in art. 7 to  
9 read:

10 ARTICLE 7. PUBLIC COMMUNICATIONS COMMISSION [EMPLOYMENT  
11 ADVISORY COMMISSION].

12 Sec. 44.19.461. PUBLIC COMMUNICATIONS COMMISSION. There is  
13 created in the Office of the Governor the Public Communications  
14 Commission.

15 Sec. 44.19.471. MEMBERSHIP AND TERM OF OFFICE. (a) The commis-  
16 sion consists of nine members appointed by the governor, without  
17 regard to political affiliation, subject to confirmation by a majority  
18 of the members of the legislature in joint session. In making appoint-  
19 ments to the commission, the governor shall give due consideration to  
20 representation from such fields as higher education, elementary and  
21 secondary education, commercial broadcasting, public health, public  
22 works, labor, commerce and the professions. Members serve at the  
23 pleasure of the governor.

24 (b) The members of the commission shall serve staggered terms of  
25 five years, with the initial terms determined by lot.

26 Sec. 44.19.481. COMPENSATION AND EXPENSES. Members of the com-  
27 mission receive no salary, but are entitled to per diem and travel  
28 expenses authorized by law for other commissions.

29 Sec. 44.19.491. CHAIRMAN. At the first meeting, the commission

1 shall elect a chairman from among its members to serve for one year.  
2 A chairman may be elected and serve for more than one consecutive term.

3 Sec. 44.19.501. GENERAL POWERS AND DUTIES OF COMMISSION. (a)

4 The commission may

5 (1) establish a telecommunications system for the state;

6 (2) lease, purchase, construct, own, operate, manage and  
7 be the licensee of broadcasting stations, production centers, and all  
8 other facilities and equipment needed for the development of an inte-  
9 grated statewide telecommunications system, including long-line,  
10 satellite, microwave, television, radio, telegraph and facsimile  
11 communications;

12 (3) apply for and receive from the federal government or  
13 its agencies the status of "authorized user" and whatever other  
14 approval is needed to construct and operate a telecommunication  
15 system in the state;

16 (4) apply for and receive from the federal government, its  
17 agencies, or from other public or private sources, gifts, grants, or  
18 other aids available in order to carry out the provisions of secs.  
19 461 - 551 of this chapter. The commission may use a gift, grant and  
20 other aid subject to reasonable limitations imposed by the grantor.

21 (b) The commission shall

22 (1) formulate a continuing program for the development of  
23 an integrated statewide telecommunications system, including long-line,  
24 satellite, microwave, television, radio, telegraph and facsimile  
25 communications;

26 (2) keep currently informed of all local, national and  
27 international developments affecting telecommunications in Alaska,  
28 and be responsible for briefing the governor on their potential  
29 impact;

1 (3) conceive, review and recommend state policies to the  
2 governor for the regulation and development of all phases of communi-  
3 cations in the state;

4 (4) institute a program of standardization of state communi-  
5 cation equipment to provide for an efficient integration of communi-  
6 cations throughout the state;

7 (5) coordinate among state agencies telecommunication  
8 program creation and broadcasting;

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

12 (7) assist the attorney general in preparing for proceedings  
13 on telecommunications before the Alaska Public Utilities Commission  
14 and the Federal Communications Commission;

15 (8) to the extent allowed by the Federal Communications  
16 Commission, provide for the assignment of telecommunications fre-  
17 quencies to intrastate users of telecommunications equipment;

18 Sec. 44.19.511. DUTIES AND POWERS OF COMMISSION WITH RESPECT TO  
19 EDUCATIONAL BROADCASTING. (a) The Public Communications Commission  
20 shall

21 (1) develop educational broadcast service to the public  
22 schools of the state, institutions of higher education, children of  
23 preschool age, and supply programs of educational value to the general  
24 public;

25 (2) initiate all applications for educational broadcasting  
26 licenses submitted to the Federal Communications Commission on behalf  
27 of the state;

28 (3) control and supervise the use of broadcasting channels  
29 reserved for the state by the Federal Communications Commission for

1 educational broadcasting purposes;

2 (4) provide consultative services in all aspects of edu-  
3 cational broadcasting to all public or private agencies in the state  
4 which request them;

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

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

13 (7) initiate all state applications for federal or private  
14 funds, and receive for review and approval all applications for  
15 state participation if the applications involve any form of educational  
16 broadcasting.

17 (b) The commission may

18 (1) lease, purchase, construct, own, operate, manage  
19 and be the licensee of educational broadcasting stations, production  
20 centers, and all other related equipment and facilities necessary to  
21 provide fully effective educational broadcasting in the state;

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

25 Sec. 44.19.521. ADMINISTRATIVE POWERS OF THE COMMISSION. The  
26 commission may

27 (1) employ all consultative, technical and clerical person-  
28 nel necessary for the implementation of this chapter, within the  
29 limits of available funds;

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

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

6 (4) adopt regulations necessary to carry out the powers and  
7 duties of the commission.

8 Sec. 44.19.531. COMMERCIAL BROADCASTING. Nothing in secs. 461 -  
9 551 of this chapter may be construed to restrict or control commercial  
10 broadcast stations or companies operating or licensed in the state.

11 Sec. 44.19.541. UTILITIES REGULATION. Nothing in secs. 461 -  
12 551 of this chapter may be construed to exempt or supersede regulatory  
13 jurisdiction as established in AS 42.05.

14 Sec. 44.19.551. DEFINITIONS. In secs. 461 - 551 of this chapter

15 (1) "commission" means the Public Communications Commission;

16 (2) "educational broadcasting" means noncommercial trans-  
17 mission, programming or distribution intended to serve an educational,  
18 public or instructional purpose and includes, but is not limited to,  
19 television and radio transmission by 2,500 to 2,690 megahertz, closed  
20 circuit or microwave video and audio programming, slow-scan television  
21 programming, and satellite, teletype or facsimile transmission and  
22 distribution methods;

23 (3) "telecommunications" means the transmission and recep-  
24 tion of messages, impressions, pictures and signals by means of  
25 electricity, electromagnetic waves and any other kind of energy,  
26 force variations or impulses whether conveyed by cable, wire, radiated  
27 through space, or transmitted through other media within a specified  
28 area or between designated points.

29 \* Sec. 2. AS 14.58 is repealed.