

Original sponsor: Finance Committee

Offered: 6/2/80
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 509 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing telecommunications divisions in
7 the Department of Administration; amending the statutes
8 relating to telecommunications; transferring certain
9 telecommunications functions to those divisions; and
10 providing for an effective date."

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

12 * Section 1. INTENT AND PURPOSE. The legislature finds and declares that

13 (1) adequate telecommunications facilities and services available
14 at reasonable and affordable rates are essential to the conduct of govern-
15 ment, commerce and private life and that these facilities and services should
16 be available, to the extent possible, to all agencies and citizens of the
17 state regardless of location;

18 (2) the generation, processing, exchange and use of information
19 have become increasingly vital elements of social, economic, political and
20 government processes, and constitute both an integral part of and an essen-
21 tial element in support of those processes;

22 (3) telecommunications may often offer the only effective alter-
23 native to time-consuming and increasingly expensive transportation of persons
24 and the information they possess;

25 (4) current and projected public, business and government needs
26 for additional and enhanced telecommunications and information transfer
27 services and equipment are highly diverse, reflecting the increasingly com-
28 plex and interactive character of the social and economic systems and in-
29 stitutions of the state, and the increasingly important and diversified role

1 of information in these systems and institutions;

2 (5) the future development of the state's public and private
3 sectors will depend greatly on the innovative use of new telecommunications
4 services and techniques now becoming available;

5 (6) telecommunications can help reduce the isolation of Alaskans
6 within the state and from the remainder of the states of the United States
7 and the countries of the world;

8 (7) the existing locally controlled and operated public noncommer-
9 cial radio and television system must continue to be encouraged and supported
10 by the state, and, in order to provide this service to all of Alaska's citi-
11 zens, planned growth of the system must be supervised and coordinated by the
12 state;

13 (8) improved and more widely available educational opportunities
14 for all Alaskans can be greatly facilitated by exploiting the ability of
15 telecommunications technologies to make available the highest quality edu-
16 cation and instruction in all parts of the state;

17 (9) it is in the interest of all citizens of the state for the
18 state to facilitate the development of both basic and advanced telecommuni-
19 cations services and facilities to be available to all its citizens for their
20 individual and mutual benefit; and

21 (10) these goals can be best accomplished by coordinating all of
22 the state telecommunications activities through one department, to assure
23 increased efficiency in providing the public benefits of

24 (A) comprehensive telecommunications planning for the state;

25 (B) increased accountability for adequate, reliable, and
26 cost-effective telecommunications system development;

27 (C) increased effectiveness in coordinating and assisting
28 public service telecommunications users;

29 (D) the establishment of consistent public policy for the

1 state related to telecommunications systems and services, and better
2 public understanding of the state's policies and programs.

3 * Sec. 2. AS 44.21 is amended by adding new sections to read:

4 ARTICLE 4. TELECOMMUNICATIONS.

5 Sec. 44.21.172. TELECOMMUNICATIONS DIVISIONS. There is estab-
6 lished in the department

- 7 (1) a division of public telecommunications services; and
8 (2) a division of telecommunications systems.

9 Sec. 44.21.174. DEPUTY COMMISSIONER. (a) The telecommunications
10 divisions shall be administered by a deputy commissioner of the depart-
11 ment appointed by the commissioner.

12 (b) The deputy commissioner shall

- 13 (1) provide executive direction for the activities of the
14 telecommunications divisions;
15 (2) assure that division activities in no way constitute an
16 influence on the content or airing of programming and report to the
17 governor, the commissioner, and the Public Broadcasting Commission or
18 the Instructional Telecommunications Commission any request or attempt
19 to influence the content or airing of program material.

20 Sec. 44.21.176. POWERS AND DUTIES OF THE TELECOMMUNICATIONS DIVI-
21 SIONS. (a) The telecommunications divisions, as directed by the deputy
22 commissioner, shall

- 23 (1) advise the governor on matters of policy and comprehen-
24 sive state planning for telecommunications services;
25 (2) make an annual report to the governor and to the legis-
26 lature on the activities of the telecommunications divisions;
27 (3) coordinate with the Department of Law to insure the
28 representation of the public interest in matters pertaining to the
29 availability, adequacy, cost and design of telecommunications services

1 and facilities before state and federal legal and regulatory forums;

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

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

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

17 (7) procure services from private enterprise or certified and
18 franchised utilities whenever feasible; contract for the construction,
19 management, operation and maintenance of telecommunications systems and
20 develop a procurement policy under AS 37.05; the procurement policy will
21 account for all factors when deciding the method of procurement, includ-
22 ing lease, purchase, rental, or combinations of lease, purchase and
23 rental; the factors include but are not limited to life cycle costing,
24 direct or secondary impacts which may reasonably be expected in long
25 distance or local telephone rates, and realizeable improvements and cost
26 factors in both state government and the affected portions of the com-
27 munications industry;

28 (8) provide information and assistance to state agencies to
29 promote governmental coordination and unity in the preparation of agency

1 plans and programs involving the use of telecommunications;

2 (9) apply for and accept federal and private money, property,
3 or assistance, that may be appropriated, granted or otherwise made
4 available to the telecommunications divisions and use and disperse money
5 and property for purposes consistent with the terms of AS 44.21.172 -
6 44.21.188 subject to reasonable limitations imposed by the grantor;

7 (10) participate with other governmental units in planning,
8 and assist Alaska's local governments, governmental conferences and
9 councils, in planning and coordinating their activities relating to
10 telecommunications;

11 (11) provide for the orderly transition to new telecommuni-
12 cations services and systems by state agencies;

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

17 (13) coordinate their services and activities with those of
18 other state departments and agencies to the fullest extent possible to
19 avoid unnecessary duplication;

20 (14) provide that all activities of the telecommunications
21 divisions are responsive to existing state statutes and regulations, and
22 to the regulations and rulings of the Federal Communications Commission.

23 (b) The telecommunications divisions, as directed by the deputy
24 commissioner, may

25 (1) coordinate their functions with local, regional, state
26 and federal officials, private groups and individuals, and with offi-
27 cials, of other countries, provinces and states;

28 (2) enter into contracts and subcontracts on behalf of the
29 state to carry out the provisions of AS 44.21.172 - 44.21.188;

1 (3) act for the state in the initiation, investigation,
2 evaluation of or participation in programs related to the purposes of
3 the telecommunications divisions which involve more than one government
4 or governmental unit;

5 (4) on behalf of the state, apply for, accept and expend
6 gifts or grants made to the state if the gifts or grants are for the
7 purposes of furthering the objectives of the telecommunications divi-
8 sions;

9 (5) hold public hearings to obtain information for the pur-
10 pose of carrying out the provisions of AS 44.21.172 - 44.21.188.

11 (c) The telecommunications divisions may not attempt to influence
12 or affect the content or airing of program material other than by those
13 procedures specifically provided for by statute.

14 (d) In proceedings before the Alaska Public Utilities Commission
15 the department shall reimburse the Alaska Public Utilities Commission
16 for the reasonable costs of obtaining outside counsel under AS 42.05.-
17 111(b) if the attorney general elects to represent the telecommuni-
18 cations divisions.

19 Sec. 44.21.178. DIVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

20 (a) The division of public telecommunications services shall be ad-
21 ministered by a director appointed by the commissioner.

22 (b) The division of public telecommunications services shall pro-
23 vide technical consultation and grants to educational and public tele-
24 communications users in order to assist in the comprehensive development
25 of telecommunications services for all specialized public purposes. The
26 division shall provide

27 (1) coordination and support to telecommunications services
28 for instruction, including technical assistance and assistance in pre-
29 paration of applications for grants related to program development as

1 may be requested by

2 (A) public school districts and the Department of Edu-
3 cation;

4 (B) the University of Alaska; and

5 (C) other state agencies as approved by the deputy
6 commissioner;

7 (2) coordination and support for all public broadcasting
8 functions in the state as follows:

9 (A) the division shall encourage responsible local
10 control of all public broadcast entities in the state;

11 (B) the division shall pursue the development of public
12 broadcast services to all residents of the state, and, in consulta-
13 tion with the Public Broadcasting Commission, develop and submit to
14 the governor and legislature, with the approval of the Public
15 Broadcasting Commission and after public hearings, a two-year
16 development plan of public broadcasting in the state;

17 (C) the division may not control or be responsible for
18 the program content or policy of public broadcasters except that
19 grants or technical assistance may not be given to a broadcaster
20 who is in violation of federal or state laws;

21 (3) coordination and support for health and safety-related
22 functions, including the administrative and client services provided by
23 state, federal, and private agencies;

24 (4) coordination and support to telecommunications services
25 for public participation in state-financed services, including the
26 public hearing process, as may be statutorily required or otherwise
27 appropriate;

28 (5) assistance to the regionalization of instructional tele-
29 communications services by local school districts or other local and

1 regional education agencies, through design, development, and promotion
2 by the division of public telecommunications services;

3 (6) establishment of operational policies by the division of
4 public telecommunications services upon review and approval by the
5 appropriate telecommunications commissions;

6 (7) assistance to the Public Broadcasting Commission and the
7 Instructional Telecommunications Commission, and any commission-design-
8 nated subcommittees, as necessary to perform assigned division functions;
9 the division shall cooperate with these commissions and subcommittees in
10 order to develop policies which are responsive to the user groups which
11 are represented on the commissions.

12 (c) The division of public telecommunications services shall
13 study, plan and develop integrated instructional telecommunications
14 services for all residents of the state, and shall annually report on
15 current fiscal year instructional telecommunications activities and,
16 with the approval of the Instructional Telecommunications Commission and
17 after public hearings, submit to the governor and the legislature an
18 updated two year development plan prepared in consultation with education
19 agencies and the Instructional Telecommunications Commission.

20 (d) The division of public telecommunications services shall,
21 after public hearings, submit to the governor annually a two-year
22 development plan for teleconferencing facilities and services, including
23 facilities and services used by both state agencies and groups other
24 than state agencies.

25 (e) The division of public telecommunications services may not
26 own, operate, or be the licensee of a public noncommercial broadcast
27 station or production center.

28 (f) Nothing in this section is intended to imply division re-
29 sponsibility for programming content. Program design, production, and

1 use remain the responsibility of the program-sponsoring agency, not the
2 division.

3 Sec. 44.21.180. PUBLIC BROADCASTING COMMISSION. (a) The Public
4 Broadcasting Commission is established in the Department of Adminis-
5 tration with an existence independent of and separate from the depart-
6 ment. The commission is created to encourage and supervise the develop-
7 ment of an integrated public broadcasting system for the state and for
8 the coordination of all public broadcasting stations. The Public Broad-
9 casting Commission consists of the following nine members:

10 (1) two members representing the public radio stations in the
11 state who are not employees of a public radio licensee, appointed by the
12 governor from a list of six nominees; each governing board of a public
13 radio licensee shall select a candidate and the six candidates receiving
14 the most votes of the public radio broadcast licensees in the state
15 shall be the nominees submitted to the governor;

16 (2) two members representing the public television stations
17 in the state who are not employees of a public television licensee,
18 appointed by the governor from a list of six nominees; each governing
19 board of a public television licensee shall select a candidate and the
20 six candidates receiving the most votes of the public television
21 broadcast licensees shall be the nominees submitted to the governor;

22 (3) four members of the general public appointed by the
23 governor, one of whom shall be a resident of a municipality or village
24 with a population of 2,000 or less, one of whom shall be a resident of a
25 municipality with a population of more than 2,000 but less than 20,000,
26 one of whom shall be a resident of a municipality with a population of
27 more than 20,000 and one member appointed at large;

28 (4) one member appointed by the governor from a list of three
29 nominees provided by a recognized commercial broadcasting trade organiza-

1 tion;

2 (5) in the case of public broadcast licenses held by the
3 University of Alaska the applicable policy advisory council established
4 by the Board of Regents shall be the governing board under (1) and (2)
5 of this subsection.

6 (b) The duties of the Public Broadcasting Commission include

7 (1) the review of policies of the division of public telecom-
8 munications services relating to public broadcasting;

9 (2) the review and approval of proposed regulations relating
10 to public broadcasting before their adoption by the division of public
11 telecommunications services and before giving public notice under
12 AS 44.62.190;

13 (3) the review and approval of grant requests by public
14 broadcasting stations; the decisions of the commission together with the
15 original requests of the public broadcasting stations, shall be for-
16 warded to the governor and the legislature;

17 (4) the approval of the appointment of the division staff
18 member who will directly supervise the public broadcasting activities of
19 the division of public telecommunications services;

20 (5) the review and approval of the policies and guidelines
21 for the preparation by the division of public telecommunications
22 services of a continuing two-year statewide plan of public broadcast
23 development, including the approval of the plan before its submission to
24 the governor and the legislature;

25 (6) the reporting of any other recommendations for public
26 broadcasting directly to the division of public telecommunications
27 services, the deputy commissioner, the governor and the legislature; and

28 (7) the receipt of all federal, state, or private money,
29 property, or assistance that may be appropriated, granted, or otherwise

1 made available to the commission for public broadcasting purposes as may
2 be appropriated by the legislature, and the use and disbursement of
3 money and property for purposes consistent with the terms of this sec-
4 tion, subject to reasonable limitations imposed by the grantor;

5 (8) the encouragement of the development of an integrated
6 public broadcasting network for the state and providing assistance when
7 requested in creating new public broadcasting stations.

8 (c) The Public Broadcasting Commission may

9 (1) employ all consultative, technical and clerical personnel
10 necessary for the implementation of this section;

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

13 (3) appoint unpaid advisory committees to assist in develop-
14 ment of programs for public broadcasting;

15 (4) contract for services to accomplish the purpose of this
16 section including the production of public broadcasting programming.

17 (d) Members of the Public Broadcasting Commission serve overlap-
18 ping terms of four years. Four of the first members of the Public
19 Broadcasting Commission shall serve two-year terms and the remaining
20 five members shall serve four-year terms, to be determined by lot.
21 Terms of Public Broadcasting Commission members expire on June 30.
22 Before the expiration of the term of a member or upon the creation of a
23 vacancy other than by expiration, the governor shall appoint a successor
24 to succeed the member whose term is expiring or for the unexpired term.
25 A person appointed to the Public Broadcasting Commission may not serve
26 more than two consecutive terms, or a maximum of eight years, whichever
27 is shorter.

28 (e) The Public Broadcasting Commission shall meet at least once
29 every two months and may hold public hearings and other meetings as

1 necessary throughout the state. Meetings and hearings may be conducted
2 with the use of available teleconferencing facilities including leased
3 broadcast lines. Substantive actions or determinations of the Public
4 Broadcasting Commission must be agreed to by a majority of the members
5 of the commission. At least one meeting each year shall be conducted
6 with a quorum of the Public Broadcasting Commission physically present.

7 (f) The Public Broadcasting Commission shall elect a chairman from
8 among its members to serve for one year. A chairman may not serve for
9 more than two consecutive full terms.

10 (g) Members of the Public Broadcasting Commission serve without
11 compensation but are entitled to per diem and travel expenses authorized
12 under AS 39.20.180.

13 Sec. 44.21.182. INSTRUCTIONAL TELECOMMUNICATIONS COMMISSION. (a)
14 The Instructional Telecommunications Commission is established in the
15 division of public telecommunications services. The Instructional
16 Telecommunications Commission consists of nine members appointed as
17 follows:

18 (1) one classroom teacher from the state public school system
19 appointed by the governor;

20 (2) one member appointed by the state Board of Education;

21 (3) one member appointed by the Board of Regents of the
22 University of Alaska;

23 (4) one member appointed by the Alaska Library Association;

24 (5) one member appointed by the Human Resources Committee of
25 the Alaska Federation of Natives;

26 (6) one member appointed by the Alaska Adult Education Asso-
27 ciation;

28 (7) one member with experience in the use of telecommunica-
29 tions for life support systems and care in rural areas, appointed by the

1 commissioner of health and social services; and

2 (8) two members of the general public appointed by the gover-
3 nor with due regard for geographical representation and the relative
4 need or use of instructional telecommunication services.

5 (b) The duties of the Instructional Telecommunications Commission
6 include

7 (1) the review of policies of the division of public tele-
8 communications services relating to instructional applications of tele-
9 communications;

10 (2) the review of regulations relating to instructional
11 telecommunications before their adoption by the division of public
12 telecommunications services;

13 (3) the establishment of educational priorities and the
14 review of division procedures relating to project grant awards made by
15 the division to educational agencies;

16 (4) the approval of the appointment of the division staff
17 member who will directly supervise the instructional telecommunications
18 activities of the division of public telecommunications services;

19 (5) cooperation with the division of public telecommunica-
20 tions services in developing policies responsive to the user groups
21 represented on the commission;

22 (6) the annual review and approval of the instructional
23 telecommunications current fiscal year activities report and two-year
24 development plan before submission of the report and plan to the
25 governor and to the legislature;

26 (7) serving as the user entity to coordinate educational
27 television program material provided by sponsor agencies with the satel-
28 lite television project under AS 44.21.186(b)(2);

29 (8) the communication of any other recommendations for in-

1 instructional telecommunications directly to the division of public tele-
2 communications services, the deputy commissioner, the governor and the
3 legislature.

4 (c) The Instructional Telecommunications Commission may seat
5 additional ex officio members on the commission, or form special working
6 subcommittees, as appropriate or necessary to accomplish the objectives
7 of telecommunications applications for specialized public purposes.

8 (d) Members of the Instructional Telecommunications Commission
9 serve overlapping terms of four years. Five of the first members of the
10 Instructional Telecommunications Commission serve two-year terms and the
11 remaining four serve four-year terms, to be determined by lot. Terms of
12 Instructional Telecommunications Commission members expire on June 30.
13 Before the expiration of the term of a member or upon the creation of a
14 vacancy other than by expiration, the appointing authority shall appoint
15 a successor to succeed the member whose term is expiring or for the
16 unexpired term. A person appointed to the Instructional Telecommunica-
17 tions Commission may not serve more than two consecutive terms, or a
18 maximum of eight years, whichever is shorter.

19 (e) The Instructional Telecommunications Commission shall meet at
20 least quarterly and may hold public hearings and other meetings as
21 necessary throughout the state. Meetings and hearings may be conducted
22 with the use of available teleconferencing facilities. Substantive
23 actions or determinations of the Instructional Telecommunications
24 Commission must be agreed to by a majority of the members of the
25 commission. At least one meeting each year will be conducted with a
26 quorum of the Instructional Telecommunications Commission physically
27 present.

28 (f) Members of the Instructional Telecommunications Commission
29 serve without compensation but are entitled to per diem and travel

1 expenses authorized under AS 39.20.180.

2 Sec. 44.21.184. DIVISION OF TELECOMMUNICATIONS SYSTEMS. (a) The
3 division of telecommunications systems shall be administered by a direc-
4 tor appointed by the commissioner.

5 (b) Except as provided in (c) of this section, the division of
6 telecommunications systems shall

7 (1) plan, design, construct, manage and operate all tele-
8 communications systems owned or leased by state agencies;

9 (2) manage centrex and other telephone-related services of
10 the state;

11 (3) be responsible for state telecommunications systems and
12 design generally; and

13 (4) coordinate with state agencies in performing their data
14 and word processing tasks.

15 (c) Nothing in AS 44.21.172 - 44.21.188 prohibits a state agency
16 from developing telecommunications systems within its own agency if the
17 commissioner gives written authorization for the agency to engage in its
18 own design, development, management, or operation. The commissioner may
19 authorize independent development only upon a showing of necessity. A
20 description of all authorization under this subsection shall be included
21 in the annual report required under AS 44.21.176(a)(2).

22 (d) A state agency authorized to develop an internal telecom-
23 munications system shall, whenever feasible, coordinate its design,
24 development, management, and operation with the division of telecommuni-
25 cations systems.

26 Sec. 44.21.186. SATELLITE TELEVISION PROJECT. (a) Within the
27 limits of available financing, the division of telecommunications
28 systems shall administer the satellite television project by

29 (1) contracting for services in a manner consistent with

1 state procurement policies and with this chapter for the operation of a
2 satellite videotape delay center;

3 (2) coordinating with the satellite television user groups
4 and entities identified in this chapter for the provision of intrastate
5 and interstate satellite television services; and

6 (3) provide liason, management support, and technical assist-
7 ance for the satellite television project.

8 (b) Programming decisions and policies relating to the satellite
9 television project may not be made by the division of telecommunications
10 systems, but shall be made by the following user groups and entities in
11 the following manner:

12 (1) Representatives of each Alaska commercial television
13 network affiliated station shall select programs from their respective
14 network for use in a manner that is consistent with existing program
15 rights and other relevant contract rights.

16 (2) The Instructional Telecommunications Commission shall
17 provide time allocations for the various sponsoring educational agencies.
18 The program content of educational material within these allocations
19 shall be determined by the educational agency sponsoring that material.

20 (3) The Public Broadcasting Commission shall provide a means
21 of selection of programs for scheduled intrastate evening programming
22 intended for use by rural Alaska communities participating in the satel-
23 lite television project in a manner consistent with this chapter. The
24 selection procedure shall be one that maximizes consideration of local
25 preferences from those communities, on as fairly representative a basis
26 as is practicable.

27 (4) The Legislative Affairs Agency, as directed by the Legis-
28 lative Council, shall determine programming uses by the legislature.

29 (5) Other agencies may request available satellite time for

1 specialized program uses. The requesting agency shall determine the
2 program content.

3 (c) Scheduling conflicts shall be resolved by the user groups and
4 entities informally among themselves whenever possible. The Public
5 Broadcasting Commission shall establish a procedure to resolve scheduling
6 conflicts referred to it in a manner consistent with this chapter.

7 (d) The commissioner shall take appropriate action to assure the
8 continued operation of the present services of the satellite television
9 project, and to preserve existing time allocations until the implementa-
10 tion of this section has been accomplished.

11 (e) The division of telecommunications systems, a contractor, and
12 a user group or entity described in (b) of this section may not engage
13 in any activity which interferes with a contract or program right relat-
14 ing to commercial television programming, including but not limited to
15 any right protected by copyright.

16 Sec. 44.21.188. DEFINITIONS. In AS 44.21.172 - 44.21.188,

17 (1) "commissioner" means the commissioner of administration;

18 (2) "department" means the Department of Administration;

19 (3) "deputy commissioner" means the deputy commissioner of
20 telecommunications in the department who administers the telecommuni-
21 cations divisions;

22 (4) "public broadcasting" means the delivery of radio or
23 television noncommercial programming intended for the general public by
24 any method of telecommunications;

25 (5) "public service telecommunications" means telecommuni-
26 cations which serve public broadcasting, general educational, instruc-
27 tional, medical, safety, emergency, or public participation functions;

28 (6) "state agencies" means all departments, divisions and
29 offices in the executive branch of state government but does not mean an

1 agency of the legislative or judicial branch of government or the Uni-
2 versity of Alaska;

3 (7) "telecommunications" means the transmission and reception
4 of messages, impressions, pictures and signals by means of electro-
5 magnetic transmission with or without benefit of a closed transmission
6 medium including all instrumentalities, facilities, apparatus, and
7 services, whether conveyed by cable, wire, radiated through space, or
8 transmitted through other media within a specified area or between
9 designated points;

10 (8) "telecommunications divisions" means the division of
11 public telecommunications services and the division of telecommuni-
12 cations systems;

13 (9) "telecommunications systems" means those systems in which
14 the principal service and functions are telecommunications.

15 * Sec. 3. AS 44.21.160 is amended by adding a new subsection to read:

16 (f) The division of data processing shall coordinate with the
17 divisions of telecommunications in providing for the effective transfer
18 of information by telecommunications through the establishment of com-
19 patible systems and common standards.

20 * Sec. 4. AS 44.21.020 is amended by adding a new paragraph to read:

21 (12) study, design, implement, and manage the telecommunica-
22 tions systems and services of the state under AS 44.21.172 - 44.21.188.

23 * Sec. 5. AS 44.42.020 is amended to read:

24 Sec. 44.42.020. POWERS AND DUTIES. (a) The department shall

25 (1) plan, design, construct and maintain all state modes of
26 transportation and transportation facilities [, COMMUNICATION FACILI-
27 TIES,] and all docks, floats, breakwaters, buildings and similar faci-
28 lities;

29 (2) study existing transportation modes and facilities [AND

1 COMMUNICATION FACILITIES] in the state to determine how they might be
2 improved or whether they should continue to be maintained;

3 (3) study alternative means of improving transportation [AND
4 COMMUNICATION] in the state with regard to the economic costs of each
5 alternative and its environmental and social effects;

6 (4) develop a comprehensive, long-range intermodal trans-
7 portation plan for the state;

8 (5) study alternatives to existing modes of transportation in
9 urban areas and develop plans to improve urban transportation;

10 (6) cooperate and coordinate with and enter into agreements
11 with federal, state and local government agencies and private organiza-
12 tions and persons in exercising its powers and duties;

13 (7) manage, operate, and maintain state transportation faci-
14 lities [, COMMUNICATION FACILITIES,] and all docks, floats, breakwaters
15 and buildings, including all state highways, vessels, railroads, pipe-
16 lines, airports, and aviation facilities;

17 (8) study alternative means of transportation in the state,
18 considering the economic, social, and environmental impacts of each
19 alternative;

20 (9) coordinate and develop state and regional transportation
21 systems, considering deletions, additions, and the absence of altera-
22 tions;

23 (10) develop facility program plans for transportation [AND
24 COMMUNICATION FACILITIES] and state buildings, docks and breakwaters
25 required to implement the duties set out in this section, including but
26 not limited to (A) functional performance criteria; and (B) schedules
27 for completion;

28 (11) supervise and maintain all state automotive and mechan-
29 ical equipment, aircraft, and vessels, except vessels and aircraft used

1 by the Department of Fish and Game or the Department of Public Safety;
2 [AND]

3 (12) supervise aeronautics [AND COMMUNICATIONS] inside the
4 state, under AS 02.10; and [.]

5 (13) complete and maintain a current inventory of public
6 facilities, including a projection of the serviceability of the facili-
7 ties and projections of replacements and additions to facilities needed
8 to provide the level of services programmed by the various user agencies,
9 for municipalities with populations of less than 12,000 and for unincor-
10 porated communities, and perform those duties on a cooperative basis
11 with larger municipalities.

12 (b) The department may

13 (1) engage in experimental projects relating to available or
14 future modes of transportation and any means of improving existing
15 transportation facilities and service [AND COMMUNICATION];

16 (2) exercise the power of eminent domain, including the
17 declaration of taking as provided in AS 09.55.

18 * Sec. 6. AS 44.42.055(b)(3)(F) is amended to read:

19 (F) [COMMUNICATIONS FACILITIES AND] transportation
20 facilities;

21 * Sec. 7. The balance of the appropriation to the Department of Trans-
22 portation and Public Facilities found in sec. 23, page 48, lines 15 - 37, and
23 sec. 25, page 79, lines 31 - 36, and page 80, lines 1 - 22, ch. 80, SLA 1979,
24 are transferred to the Department of Administration.

25 * Sec. 8. The balance of the appropriation to the Alaska Public Broad-
26 casting Commission found in sec. 23, page 9, line 23, ch. 80, SLA 1979, is
27 transferred to the Department of Administration.

28 * Sec. 9. The balances of the appropriations for capital projects made to
29 the Alaska Public Broadcasting Commission in sec. 25, page 55, lines 28 - 36,

1 and page 56, lines 4 - 12, ch. 80, SLA 1979, are transferred to the Depart-
2 ment of Administration.

3 * Sec. 10. The unexpended balances of any other appropriations for capi-
4 tal projects made to the Alaska Public Broadcasting Commission and the De-
5 partment of Transportation and Public Facilities, division of communications,
6 are transferred to the Department of Administration.

7 * Sec. 11. AS 14.58 is repealed.

8 * Sec. 12. Nothing in this Act shall require the state to discontinue any
9 services presently provided to state agencies or the public nor require the
10 state to divest itself of property acquired as a result of capital appropria-
11 tions before July 1, 1980.

12 * Sec. 13. This Act takes effect July 1, 1980.
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