

Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR SENATE BILL NO. 509

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

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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, manage, and supervise existing state programs  
28 in telecommunications, including the management of those telecommuni-  
29 cation services for the state obtained from common carriers and from the

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1 communications industry;

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

9 (5) prepare and maintain a state comprehensive telecommuni-  
10 cations development plan to further state telecommunications development  
11 and to meet state telecommunications needs and prepare and maintain a  
12 comprehensive inventory of all state communications facilities;

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

24 (7) provide information and assistance to state agencies to  
25 promote governmental coordination and unity in the preparation of agency  
26 plans and programs involving the use of telecommunications;

27 (8) apply for and accept federal and private money, property,  
28 or assistance, that may be appropriated, granted or otherwise made  
29 available to the telecommunications divisions and use and disperse money

1 and property for purposes consistent with the terms of AS 44.21.172 -  
2 44.21.188 subject to reasonable limitations imposed by the grantor;

3 (9) participate with other governmental units in planning,  
4 and assist Alaska's local governments, governmental conferences and  
5 councils, in planning and coordinating their activities relating to  
6 telecommunications;

7 (10) provide for the orderly transition to new telecommuni-  
8 cations services and systems by state agencies;

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

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

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

19 (b) The telecommunications divisions, as directed by the deputy  
20 commissioner, may

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

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

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

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

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

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

10 (d) In proceedings before the Alaska Public Utilities Commission  
11 the department shall reimburse the Alaska Public Utilities Commission  
12 for the reasonable costs of obtaining outside counsel under AS 42.05.-  
13 111(b) if the attorney general elects to represent the telecommuni-  
14 cations divisions.

15 Sec. 44.21.178. DIVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

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

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

23 (1) coordination and support to telecommunications services  
24 for instruction, including technical assistance and assistance in pre-  
25 paration of applications for grants related to program development as  
26 may be requested by

27 (A) public school districts and the Department of Edu-  
28 cation;

29 (B) the University of Alaska; and

1 (C) other state agencies as approved by the deputy  
2 commissioner;

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

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

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

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

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

20 (4) coordination and support to telecommunications services  
21 for public participation in state-financed services, including the  
22 public hearing process, as may be statutorily required or otherwise  
23 appropriate;

24 (5) assistance to the regionalization of instructional tele-  
25 communications services by local school districts or other local and  
26 regional education agencies, through design, development, and promotion  
27 by the division of public telecommunications services;

28 (6) establishment of operational policies by the division of  
29 public telecommunications services upon review and approval by the

1 appropriate telecommunications commissions;

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

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

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

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

24 (f) Nothing in this section is intended to imply division re-  
25 sponsibility for programming content. Program design, production, and  
26 use remain the responsibility of the program-sponsoring agency, not the  
27 division.

28 Sec. 44.21.180. PUBLIC BROADCASTING COMMISSION. (a) The Public  
29 Broadcasting Commission is established in the Department of Adminis-

1       tration with an existence independent of and separate from the depart-  
2       ment. The commission is created to encourage and supervise the develop-  
3       ment of an integrated public broadcasting system for the state and for  
4       the coordination of all public broadcasting stations. The Public Broad-  
5       casting Commission consists of the following nine members:

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

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

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

24              (4) one member appointed by the governor from a list of three  
25      nominees provided by a recognized commercial broadcasting trade organiza-  
26      tion;

27              (5) in the case of public broadcast licenses held by the  
28      University of Alaska the applicable policy advisory council established  
29      by the Board of Regents shall be the governing board under (1) and (2)

1 of this subsection.

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

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

5 (2) the review and approval of proposed regulations relating  
6 to public broadcasting before their adoption by the division of public  
7 telecommunications services and before giving public notice under  
8 AS 44.62.190;

9 (3) the review and approval of grant requests by public  
10 broadcasting stations; the decisions of the commission together with the  
11 original requests of the public broadcasting stations, shall be for-  
12 warded to the governor and the legislature;

13 (4) the approval of the appointment of the division staff  
14 member who will directly supervise the public broadcasting activities of  
15 the division of public telecommunications services;

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

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

24 (7) the receipt of all federal, state, or private money,  
25 property, or assistance that may be appropriated, granted, or otherwise  
26 made available to the commission for public broadcasting purposes as may  
27 be appropriated by the legislature, and the use and disbursement of  
28 money and property for purposes consistent with the terms of this sec-  
29 tion, subject to reasonable limitations imposed by the grantor;

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

4 (c) The Public Broadcasting Commission may

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

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

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

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

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

24 (e) The Public Broadcasting Commission shall meet at least once  
25 every two months and may hold public hearings and other meetings as  
26 necessary throughout the state. Meetings and hearings may be conducted  
27 with the use of available teleconferencing facilities including leased  
28 broadcast lines. Substantive actions or determinations of the Public  
29 Broadcasting Commission must be agreed to by a majority of the members

1 of the commission. At least one meeting each year shall be conducted  
2 with a quorum of the Public Broadcasting Commission physically present.

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

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

9 Sec. 44.21.182. INSTRUCTIONAL TELECOMMUNICATIONS COMMISSION. (a)  
10 The Instructional Telecommunications Commission is established in the  
11 division of public telecommunications services. The Instructional  
12 Telecommunications Commission consists of nine members appointed as  
13 follows:

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

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

17 (3) one member appointed by the Board of Regents of the  
18 University of Alaska;

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

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

22 (6) one member appointed by the Alaska Adult Education Asso-  
23 ciation;

24 (7) one member with experience in the use of telecommunica-  
25 tions for life support systems and care in rural areas, appointed by the  
26 commissioner of health and social services; and

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

1 (b) The duties of the Instructional Telecommunications Commission  
2 include

3 (1) the review of policies of the division of public tele-  
4 communications services relating to instructional applications of tele-  
5 communications;

6 (2) the review of regulations relating to instructional  
7 telecommunications before their adoption by the division of public  
8 telecommunications services;

9 (3) the establishment of educational priorities and the  
10 review of division procedures relating to project grant awards made by  
11 the division to educational agencies;

12 (4) the approval of the appointment of the division staff  
13 member who will directly supervise the instructional telecommunications  
14 activities of the division of public telecommunications services;

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

18 (6) the annual review and approval of the instructional  
19 telecommunications current fiscal year activities report and two-year  
20 development plan before submission of the report and plan to the  
21 governor and to the legislature;

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

25 (8) the communication of any other recommendations for in-  
26 structional telecommunications directly to the division of public tele-  
27 communications services, the deputy commissioner, the governor and the  
28 legislature.

29 (c) The Instructional Telecommunications Commission may seat

1 additional ex officio members on the commission, or form special working  
2 subcommittees, as appropriate or necessary to accomplish the objectives  
3 of telecommunications applications for specialized public purposes.

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

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

24 (f) Members of the Instructional Telecommunications Commission  
25 serve without compensation but are entitled to per diem and travel  
26 expenses authorized under AS 39.20.180.

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

1 (b) Except as provided in (c) of this section, the division of  
2 telecommunications systems may, consistent with the provisions of AS 44.-  
3 21.176(a)(6),

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

6 (2) manage centrex and other telephone-related services of  
7 the state;

8 (3) be responsible for state telecommunications systems and  
9 design generally; and

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

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

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

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

26 (1) contracting for services in a manner consistent with  
27 state procurement policies and with this chapter for the operation of a  
28 satellite videotape delay center;

29 (2) coordinating with the satellite television user groups

1 and entities identified in this chapter for the provision of intrastate  
2 and interstate satellite television services; and

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

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

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

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

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

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

26 (5) Other agencies may request available satellite time for  
27 specialized program uses. The requesting agency shall determine the  
28 program content.

29 (c) Scheduling conflicts shall be resolved by the user groups and

1 entitites informally among themselves whenever possible. The Public  
2 Broadcasting Commission shall establish a procedure to resolve scheduling  
3 conflicts referred to it in a manner consistent with this chapter.

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

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

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

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

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

16 (3) "deputy commissioner" means the deputy commissioner of  
17 telecommunications in the department who administers the telecommuni-  
18 cations divisions;

19 (4) "public broadcasting" means the delivery of radio or  
20 television noncommercial programming intended for the general public by  
21 any method of telecommunications;

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

25 (6) "state agencies" means all departments, divisions and  
26 offices in the executive branch of state government but does not mean an  
27 agency of the legislative or judicial branch of government or the Uni-  
28 versity of Alaska;

29 (7) "telecommunications" means the transmission and reception

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

7 (8) "telecommunications divisions" means the division of  
8 public telecommunications services and the division of telecommuni-  
9 cations systems;

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

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

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

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

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

20 \* Sec. 5. AS 44.42.020 is amended to read:

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

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

26 (2) study existing transportation modes and facilities [AND  
27 COMMUNICATION FACILITIES] in the state to determine how they might be  
28 improved or whether they should continue to be maintained;

29 (3) study alternative means of improving transportation [AND

1 COMMUNICATION] in the state with regard to the economic costs of each  
2 alternative and its environmental and social effects;

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

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

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

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

14 (8) study alternative means of transportation in the state,  
15 considering the economic, social, and environmental impacts of each  
16 alternative;

17 (9) coordinate and develop state and regional transportation  
18 systems, considering deletions, additions, and the absence of altera-  
19 tions;

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

25 (11) supervise and maintain all state automotive and mechan-  
26 ical equipment, aircraft, and vessels, except vessels and aircraft used  
27 by the Department of Fish and Game or the Department of Public Safety;  
28 [AND]

29 (12) supervise aeronautics [AND COMMUNICATIONS] inside the

1 state, under AS 02.10; and [.]

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

9 (b) The department may

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

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

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

16 (F) [COMMUNICATIONS FACILITIES AND] transportation  
17 facilities;

18 \* Sec. 7. AS 39.50.200 is amended by adding new subparagraphs to read:

19 (TT) Public Broadcasting Commission;

20 (UU) Instructional Telecommunications Commission.

21 \* Sec. 8. 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. 9. 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. 10. 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. 11. 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. 12. AS 14.58 is repealed.

8 \* Sec. 13. 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. 14. This Act takes effect July 1, 1980.

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