

BY REP. BOUCHER, Brown

1 IN THE HOUSE

2

HOUSE BILL NO. 397

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act establishing a Department of Information Services; transferring certain functions from the Department of Administration; relating to information resource management; and providing for an effective date."

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

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

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CHAPTER 30. DEPARTMENT OF INFORMATION SERVICES.

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ARTICLE 1. DEPARTMENT ORGANIZATION.

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Sec. 44.30.010. COMMISSIONER OF INFORMATION SERVICES. The principal executive officer of the Department of Information Services is the commissioner of information services.

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Sec. 44.30.020. DIVISIONS. The department shall consist of four divisions, each headed by a director, as follows:

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(1) a division of computer services that provides mainframe services, technical consulting, and support for micro- and mini-computer users through the administration and supervision of a statewide automatic data processing program under AS 44.30.200 - 44.30.290;

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(2) a division of telecommunications that studies, designs, implements, and manages the telecommunications system and services of the state under AS 44.30.300 - 44.30.390;

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(3) a division of administrative services that performs functions relating to personnel, accounting, customer relations and service, and procurements;

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1 (4) a division of budget and planning.

2 Sec. 44.30.030. CUSTOMER ADVISORY BOARD. (a) There is estab-
3 lished in the department the Customer Advisory Board, chaired by the
4 director of budget and planning, and consisting of the

5 (1) division directors of the department;

6 (2) information resource managers of each department,
7 appointed under AS 44.30.100;

8 (3) information resource manager for the University of
9 Alaska, appointed under AS 14.40.172;

10 (4) information resource manager for the judicial branch,
11 if one is appointed under AS 22.05.027;

12 (5) information resource manager for the legislative
13 branch, if one is appointed under AS 24.20.061(b).

14 (b) The Customer Advisory Board shall

15 (1) advise the department concerning type, quality, and
16 cost of the department's services;

17 (2) review and comment on the service goals of the depart-
18 ment, including its budget and service rate charges;

19 (3) draft the state strategic plan for information resource
20 management as provided in AS 44.30.120.

21 Sec. 44.30.040. INTERNAL SERVICE ACCOUNT. (a) There is estab-
22 lished in the department the internal service account. It consists of
23 money appropriated to it.

24 (b) The funds in the internal service account may be used by the
25 commissioner, subject to approval by the Telecommunications Informa-
26 tion Council, for the costs of

27 (1) services provided by the department;

28 (2) capital outlays by the department; and

29 (3) other expenses of the department.

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ARTICLE 2. INFORMATION RESOURCE PLANNING.

Sec. 44.30.100. INFORMATION RESOURCE MANAGERS. Each executive branch agency served by the department shall appoint an information resource manager who is responsible for

(1) developing information resource policies for the agency in conformance with policies and regulations adopted by the department;

(2) coordinating all information resource management activities of the agency;

(3) preparing the agency's strategic plan for information resource management.

Sec. 44.30.110. AGENCY STRATEGIC PLAN FOR INFORMATION RESOURCE MANAGEMENT. (a) Each executive branch agency that anticipates a need for information resource management shall submit to the Customer Advisory Board a strategic plan for information resource management. This plan must further the policies and objectives of the department, and conform to the policy, guidelines, and directions for information management and services issued by the Telecommunications Information Council.

(b) The plan required under (a) of this section must include

(1) a statement of the agency's programs, goals, and objectives;

(2) a description of the agency's major data bases and their applications;

(3) a description of the agency's current information resource management organization, policies, and practices;

(4) a description of interdepartmental computer networks used by the agency;

(5) a statement of the strategic objectives of the agency

1 relating to information resource management for the next two fiscal
2 years;

3 (6) for each program component, the existing and proposed
4 information resource management applications of the agency for the
5 next two fiscal years, the anticipated results to be achieved, the
6 measurable benefits to be derived including the measurement standards,
7 the major resources required, and the agency's total estimated costs
8 of each application;

9 (7) a summary of the communication needs of the agency and
10 the estimated cost of meeting those needs, by application, for the
11 next two fiscal years;

12 (8) other planning components the department may prescribe.

13 Sec. 44.30.120. STATE STRATEGIC PLAN FOR INFORMATION RESOURCE
14 MANAGEMENT. (a) The commissioner, through the Customer Advisory
15 Board, shall prepare for review and approval by the Telecommunications
16 Information Council the state strategic plan for information resource
17 management.

18 (b) In developing the plan required under (a) of this section,
19 the commissioner shall assess the current practices of state agencies
20 regarding information resource management and current and future
21 information resource management technologies and practices and their
22 potential application in state government. The commissioner shall
23 consider the agency plans submitted under AS 44.30.110 as well as
24 plans submitted under AS 14.40.172, AS 22.05.027, and AS 24.20.061.
25 The commissioner shall consult with the department's division direc-
26 tors as to the direction of development of communications and commu-
27 nications services in the state.

28 (c) The plan required under (a) of this section must

29 (1) provide a strategic direction for information resource

1 management by state government for the ensuing two fiscal years;

2 (2) establish state goals and objectives relating to infor-
3 mation resource management;

4 (3) provide long-range policy guidelines for the state in
5 achieving integrated and efficient information resource management;

6 (4) identify major statewide issues relating to improved
7 information resource management by state government.

8 (d) Copies of the plan approved by the Customer Advisory Board
9 shall be forwarded to the Telecommunications Information Council for
10 approval. Upon approval, the council shall forward the plan to the
11 governor for approval. Upon approval, the governor shall forward
12 copies of the plan to the Senate and House Finance Committees.

13 Sec. 44.30.130. ANNUAL PERFORMANCE REPORTS. (a) By December 1
14 of each year, each information resource manager shall prepare and
15 submit to the Customer Service Board an annual performance report
16 describing the agency's information resource management activities for
17 the previous fiscal year. The board shall review the report and send
18 copies to the commissioner and the Telecommunications Information
19 Council.

20 (b) An annual performance report must contain

21 (1) an assessment, by application, of the progress made
22 toward implementing the agency's strategic plan for information re-
23 source management;

24 (2) a summary, by application, of the major functional uses
25 of and total estimated expenditures for information resource manage-
26 ment by the agency;

27 (3) a comparison of the agency's actual expenditures for
28 information resource management for the prior fiscal year and the
29 appropriations for that management contained in the agency's approved

1 budget; major differences between the expenditures and the approved
2 budget must be noted and justified;

3 (4) an inventory list, by major categories, of the agency's
4 communications and information technology resources, specifically
5 identifying, by application, the resources acquired during the previ-
6 ous fiscal year; if the resources cannot be identified by application,
7 they shall be listed separately;

8 (5) an assessment of opportunities for agency participation
9 in multiagency information resource management activities.

10 ARTICLE 3. AUTOMATIC DATA PROCESSING.

11 Sec. 44.30.200. DECLARATION OF PURPOSE. It is the purpose of
12 AS 44.30.200 - 44.30.290 to designate the Department of Information
13 Services as the department responsible for the operation and manage-
14 ment of automatic data processing resources and activities of the
15 executive and legislative branches of state government and the judi-
16 cial branch to the extent requested by that branch, to provide for
17 cooperation between the department and the Telecommunications Informa-
18 tion Council in the Office of the Governor, and to provide for period-
19 ic review of state automatic data processing procedures and mecha-
20 nisms. It is further the purpose of these sections to encourage
21 cooperation between the state government and local governments in the
22 use of automatic data processing systems.

23 Sec. 44.30.210. POWERS AND DUTIES OF DEPARTMENT. (a) Except as
24 otherwise provided in (g) of this section, the department shall comply
25 with the state strategic plan for information resource management
26 adopted by the Telecommunications Information Council in providing
27 automatic data processing services responsive to the needs of state
28 government.

29 (b) To carry out (a) of this section the department may,

1 consistent with the strategic plan for information resource management
2 adopted by the Telecommunications Information Council and with the
3 departmental strategic plan,

4 (1) maintain a central staff of systems analysts, computer
5 programmers, and other staff members sufficient to provide systems
6 analysis and computer programming support required by the executive
7 and legislative branches of state government;

8 (2) develop and maintain both short-range and long-range
9 data processing plans for state government and provide managerial
10 leadership in the use of automatic data processing;

11 (3) review all budget requests for automatic data process-
12 ing services and recommend to the Telecommunications Information
13 Council and the governor approval, modification, or disapproval;

14 (4) recommend implementation priorities of requested data
15 processing systems;

16 (5) determine and satisfy the data processing equipment and
17 supply requirements of the executive and legislative branches of state
18 government;

19 (6) provide all facilities, equipment, and staff required
20 to convert data to a form suitable for processing on automatic data
21 processing equipment;

22 (7) develop and publish systems analysis, computer program-
23 ming, and computer operations standards;

24 (8) review state automatic data processing systems to
25 encourage effectiveness, measure performance, and assure adherence to
26 the standards developed under AS 44.30.200 - 44.30.290;

27 (9) develop and conduct an automatic data processing train-
28 ing program designed to serve the technical and managerial needs of
29 state government;

1 (10) charge a state agency or other governmental agency for
2 the cost of the automatic data processing services provided or pro-
3 cured by the department for the agency.

4 (c) The department may cooperate with political subdivisions of
5 the state in the development and operation of data processing systems
6 and may allow for the use of state facilities by political subdivi-
7 sions.

8 (d) In accordance with the state strategic plan adopted by the
9 Telecommunications Information Council, the department and the Univer-
10 sity of Alaska may develop and implement a plan for the integration of
11 automatic data processing facilities of the university with the state
12 facilities.

13 (e) If the action is not contrary to the state strategic plan
14 adopted by the Telecommunications Information Council, this section
15 does not prohibit

16 (1) the department from obtaining necessary contractual
17 assistance for automatic data processing activities;

18 (2) the legislature from recruiting and employing data
19 processing personnel or from obtaining necessary contractual assis-
20 tance for automatic data processing activities;

21 (3) the judicial branch from establishing independent data
22 processing policies and implementation procedures; however, the pol-
23 icies and procedures must permit information exchange and implementa-
24 tion procedures compatible with other branches of government whenever
25 practical.

26 (f) The department shall provide for the effective transfer of
27 information by telecommunications through the establishment of compat-
28 ible systems and common standards.

29 (g) The department shall provide or procure automatic data

1 processing services under AS 44.30.200 - 44.30.290 for the judicial
2 branch to the extent requested by that branch and may charge the
3 branch for the services.

4 (h) The commissioner shall separately account for data process-
5 ing service fees charged to political subdivisions and deposited in
6 the general fund. The annual estimated balance in the account may be
7 used by the legislature to make appropriations to the department to
8 carry out the purposes of this section.

9 Sec. 44.30.290. DEFINITION. In AS 44.30.200 - 44.30.290 "auto-
10 matic data processing" means

11 (1) those methods of processing data by using electrical
12 accounting machinery (EAM) or electronic data processing equipment
13 (EDP), including the activities and devices required to prepare data
14 for automatic data processing;

15 (2) data communications devices and those systems used with
16 automatic data processing equipment in the transmission and reception
17 of data; and

18 (3) activities related to the design and development of
19 automatic data processing systems.

20 ARTICLE 4. TELECOMMUNICATIONS.

21 Sec. 44.30.300. COMMISSIONER'S RESPONSIBILITY. The commissioner
22 shall

23 (1) provide executive direction for the activities of the
24 department related to telecommunications; and

25 (2) assure that department activities in no way constitute
26 an influence on the content or airing of programming, and report to
27 the governor and the Alaska Public Broadcasting Commission any request
28 or attempt by an employee of the state to influence the content or
29 airing of program material.

1 Sec. 44.30.310. TELECOMMUNICATIONS POWERS AND DUTIES. (a) In
2 accordance with the state strategic plan adopted by the Telecommunica-
3 tions Information Council and with the departmental strategic plan,
4 the department shall

5 (1) advise the council and the governor on matters of
6 policy and comprehensive state planning for telecommunications ser-
7 vices;

8 (2) make an annual report to the governor and to the legis-
9 lature on the activities of the department;

10 (3) coordinate, manage, and supervise state programs in
11 telecommunications, including the management of those telecommunica-
12 tions services for the state obtained from common carriers and from
13 the communications industry;

14 (4) when requested, provide technical and consulting assis-
15 tance to the executive, judicial, and legislative branches of state
16 government, to the University of Alaska, and to private noncommercial
17 entities that request that assistance in facility procurement and
18 leasing and in identifying long-range goals and objectives for the
19 state and its political subdivisions in all aspects of telecommunica-
20 tions, including public, educational, and instructional telecommunica-
21 tions;

22 (5) prepare and maintain a state comprehensive telecommu-
23 nications development plan to further state telecommunications devel-
24 opment and to meet state telecommunications needs and prepare and
25 maintain a comprehensive inventory of all state communications facili-
26 ties;

27 (6) whenever feasible, procure services from private enter-
28 prise or certified and franchised utilities and contract for the
29 construction, management, operation, and maintenance of

1 telecommunications systems, and develop a procurement policy consis-
2 tent with AS 36.30 (State Procurement Code); the procurement policy
3 must seek to achieve the maximum benefit to the public, and methods of
4 procurement, including lease, purchase, rental, or combinations of
5 lease, purchase, and rental, must be selected on the basis of factors
6 such as the ratio of long-range costs versus benefits, life cycle
7 costing, and the costs to the communications industry to the extent
8 that these costs may affect local and long distance basic telephone
9 rates; procurement, contracting, construction, and maintenance under
10 this paragraph is governed by AS 36.30;

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

14 (8) apply for and accept federal and private money, prop-
15 erty, or assistance that may be appropriated, granted, or otherwise
16 made available to the department and use and disburse money and prop-
17 erty for purposes consistent with AS 44.30.300 - 44.30.390 and 44.-
18 30.400 - 44.30.490, subject to reasonable limitations imposed by the
19 grantor;

20 (9) participate with other governmental units in planning,
21 and assist local governments and governmental conferences and councils
22 in the state in planning and coordinating their activities relating to
23 telecommunications;

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

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

1 (12) coordinate department services and activities with
2 those of other state departments and agencies to the fullest extent
3 possible to avoid unnecessary duplication; and

4 (13) provide that all activities of the department are
5 responsive to state statutes and regulations, and to the regulations
6 and rulings of the Federal Communications Commission.

7 (b) The department may

8 (1) coordinate its functions with local, regional, state,
9 and federal officials, private groups and individuals, and with offi-
10 cials of other countries, provinces, territories, and states;

11 (2) enter into contracts and subcontracts on behalf of the
12 state to carry out the provisions of AS 44.30.300 - 44.30.390;

13 (3) act for the state in the initiation, investigation, and
14 evaluation of, or participation in, programs related to the purposes
15 of the department that involve more than one government or govern-
16 mental unit;

17 (4) on behalf of the state, apply for, accept, and expend
18 gifts or grants made to the state if the gifts or grants are for the
19 purposes of furthering the objectives of the department; and

20 (5) hold public hearings to obtain information for the
21 purpose of carrying out the provisions of AS 44.30.300 - 44.30.390.

22 (c) The department may not attempt to influence or affect the
23 content or airing of program material.

24 Sec. 44.30.320. TELECOMMUNICATIONS SERVICES. (a) In accordance
25 with the state strategic plan adopted by the Telecommunications Infor-
26 mation Council and with the departmental strategic plan, the depart-
27 ment shall provide

28 (1) technical consultation to educational and public tele-
29 communications users;

1 (2) coordination and support to telecommunications services
2 for instruction, including technical assistance and assistance in
3 preparation of applications for grants related to program development
4 as may be requested by

5 (A) public school districts and the Department of
6 Education;

7 (B) the University of Alaska; and

8 (C) other state agencies as approved by the commis-
9 sioner;

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

13 (4) coordination and support to telecommunications services
14 for public participation in state-financed services, including the
15 public hearing process, as may be statutorily required or otherwise
16 appropriate;

17 (5) assistance, through design, development, and promotion,
18 to local school districts or other local and regional education agen-
19 cies for the regionalization of instructional telecommunications
20 services;

21 (6) establishment of operational policies for public tele-
22 communications services other than public broadcasting; and

23 (7) assistance to the Alaska Public Broadcasting Commission
24 and any commission-designated subcommittees, as necessary to perform
25 assigned department functions; the department shall cooperate with the
26 commission and subcommittees in order to develop policies that are
27 responsive to the user groups that are represented on the commission.

28 (b) Subject to available funding, the department may make grants
29 to educational and public telecommunication users except grants for

1 public broadcasting purposes.

2 (c) The department shall study, plan, and develop integrated
3 instructional telecommunications services for all residents of the
4 state, and shall annually report on current fiscal year instructional
5 telecommunications activities and, after public hearings, submit to
6 the governor and the legislature an annually updated long-term devel-
7 opment plan prepared in consultation with the Department of Education,
8 the University of Alaska, local school districts, and other local and
9 regional education areas.

10 (d) The department shall, after public hearings, submit to the
11 governor an annually updated long-term development plan for telecon-
12 ferencing facilities and services, including facilities and services
13 used both by state agencies and groups other than state agencies.

14 (e) The department may not own, operate, or be the licensee of a
15 public noncommercial broadcast station or production center.

16 (f) This section does not imply department responsibility for
17 programming content. Program design, production, and use are the
18 responsibility of the program-sponsoring agency or other entity, not
19 the department.

20 Sec. 44.30.330. TELECOMMUNICATIONS OPERATIONS. (a) Except as
21 provided in (d) of this section, the department may, consistent with
22 the provisions of AS 44.30.320(a)(6),

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

25 (2) manage centrex and other telephone-related services of
26 state agencies;

27 (3) be responsible generally for telecommunications systems
28 and design for state agencies; and

29 (4) coordinate with state agencies in performing their data

1 and word processing tasks.

2 (b) Within the limits of available financing, the department
3 shall administer and operate the satellite television project, by

4 (1) coordinating with the satellite television user groups
5 and entities; and

6 (2) providing liaison, management support, and technical
7 assistance for the satellite television project.

8 (c) Decisions and policies relating to programming under the
9 satellite television project, including scheduling and allocation
10 policies, may not be made by the department, but may only be made by a
11 network that is representative of participating rural television
12 users, by commercial broadcast users, or by other affected participat-
13 ing user groups and entities under procedures provided by statute or,
14 if no statute applies, then by agreement of the affected user networks
15 or groups. The department shall assist users in preparing agreements
16 that may be required under this subsection.

17 (d) The department may not engage in any activity that inter-
18 feres with a contract or program right relating to commercial tele-
19 vision programming, including any right protected by copyright.

20 (e) The provisions of AS 44.30.300 - 44.30.390 do not prohibit a
21 state agency from developing telecommunications systems within its own
22 agency if the agency is in compliance with the state strategic plan
23 adopted by the Telecommunications Information Council and with the
24 agency's own strategic plan and if the commissioner gives written
25 authorization for the agency to engage in its own design, development,
26 management, or operation. The commissioner may authorize independent
27 development only upon a showing of necessity. A description of all
28 authorization under this subsection must be included in the annual
29 report required under AS 44.30.310(a)(2).

1 (f) A state agency authorized to develop an internal telecommu-
2 nications system shall, whenever feasible, coordinate its design
3 development, management, and operation with the department.

4 Sec. 44.30.390. DEFINITIONS. In AS 44.30.300 - 44.30.390

5 (1) "public broadcasting" means the delivery of radio or
6 television noncommercial programming intended for the general public
7 by any method of telecommunications;

8 (2) "public telecommunications" means telecommunications
9 that serve public broadcasting, general educational, instructional,
10 medical, safety, emergency, or public participation functions;

11 (3) "state agencies" means all departments, divisions, and
12 offices in the executive branch of state government; it does not
13 include an agency of the legislative or judicial branch of government
14 or the University of Alaska;

15 (4) "telecommunications" means the transmission and recep-
16 tion of messages, impressions, pictures, and signals by means of
17 electromagnetic transmission with or without benefit of a closed
18 transmission medium including all instrumentalities, facilities,
19 apparatus, and services, whether conveyed by cable or wire, radiated
20 through space, or transmitted through other media within a specified
21 area or between designated points;

22 (5) "telecommunications systems" means those systems in
23 which the principal service and functions are telecommunications.

24 ARTICLE 5. ALASKA BROADCASTING COMMISSION.

25 Sec. 44.30.400. CREATION OF ALASKA PUBLIC BROADCASTING COMMIS-
26 SION. There is created within the department the Alaska Public Broad-
27 casting Commission.

28 Sec. 44.30.410. MEMBERSHIP AND TERM OF OFFICE. (a) The commis-
29 sion consists of nine members appointed by the governor, without

1 regard to political affiliation, subject to confirmation by a majority
2 of the members of the legislature in joint session. In making appoint-
3 ments to the commission, the governor shall give due consideration to
4 representation from such fields as higher education, elementary and
5 secondary education, communications, commercial broadcasting, public
6 health, public works, labor, commerce, and the professions. Members
7 may be removed only for cause.

8 (b) The members of the commission shall serve staggered terms of
9 five years.

10 Sec. 44.30.420. COMPENSATION AND EXPENSES. Members of the
11 commission receive no salary, but are entitled to per diem and travel
12 expenses authorized by law for other commissions.

13 Sec. 44.30.430. CHAIRPERSON. The commission shall elect a
14 chair from among its members to serve for one year. A chair may be
15 elected and serve for more than one consecutive term.

16 Sec. 44.30.440. PURPOSE OF THE COMMISSION. The commission is
17 created to encourage and supervise the development of an integrated
18 public broadcasting system for the state and for the coordination of
19 all public broadcasting stations. The primary purpose of the commis-
20 sion is the encouragement and support of noncommercial public broad-
21 casting in the state through the provision of operating and capital
22 grants in support of the delivery of noncommercial programs intended
23 for a general audience by locally controlled nonprofit broadcast
24 stations or telecommunications entities. The commission may support
25 stations and entities which also engage in the delivery of instruc-
26 tional, for-credit programs, and the commission may provide funds for
27 those purposes, but the primary purpose of commission funds is the
28 support of activities that result in the delivery of general audience,
29 noncommercial material.

1 Sec. 44.30.450. DUTIES OF THE COMMISSION. The commission shall

2 (1) apply for federal and private funds for public broad-
3 casting purposes and receive all federal, state, or private funds,
4 property or assistance that may be appropriated, granted, or otherwise
5 made available to the commission for public broadcasting purposes, and
6 use and disburse funds and property for purposes consistent with the
7 terms of AS 44.30.400 - 44.30.490, subject to reasonable limitations
8 imposed by the grantor;

9 (2) provide consultative services in all aspects of public
10 broadcasting to all public or private agencies in the state which
11 request them;

12 (3) serve as a library and clearinghouse for public broad-
13 casting information;

14 (4) through grants to qualified entities, develop an inte-
15 grated public broadcasting network for the state;

16 (5) through grants to qualified entities, develop and
17 distribute public broadcasting programming in the state;

18 (6) prepare and submit to the governor and the legislature,
19 in compliance with the state information systems plan adopted by the
20 Telecommunications Information Council in the Office of the Governor,
21 a long term plan for the development of public broadcasting stations
22 and systems in the state, and annually update the plan; and

23 (7) perform all other functions necessary to ensure the
24 orderly and coordinated development of public broadcasting in the
25 state.

26 Sec. 44.30.460. POWERS OF THE COMMISSION. (a) The commission
27 may

28 (1) employ all consultative, technical, and clerical person-
29 nel necessary for the implementation of AS 44.30.400 - 44.30.490,

1 within the limits of available funds;

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

4 (3) provide grants to locally controlled non-profit tele-
5 communications entities that lease, purchase, construct, own, operate,
6 and manage and are the licensees of public broadcasting stations,
7 production centers, and other related equipment and facilities for the
8 production and transmission of open circuit, closed circuit, 2,500
9 megahertz, and other transmission means necessary to provide fully
10 effective public broadcasting in the state;

11 (4) appoint unpaid advisory committees to assist in devel-
12 opment of programs for public television broadcasts;

13 (5) provide assistance to licensed commercial broadcasting
14 stations for the broadcast of public affairs programming.

15 (b) In performing its duties and exercising its authority under
16 AS 44.30.400 - 44.30.490, the commission may not exercise control over
17 the specific content or airing of any program material.

18 Sec. 44.30.470. COMMERCIAL BROADCASTING. The provisions of
19 AS 44.30.400 - 44.30.490 not may be construed to restrict or control
20 commercial broadcast stations or companies operating or licensed in
21 the state.

22 Sec. 44.30.490. DEFINITIONS. In AS 44.30.400 - 44.30.490,
23 unless the context otherwise requires,

24 (1) "commission" means the Alaska Public Broadcasting
25 Commission;

26 (2) "public broadcasting" includes, but is not limited to,
27 television and radio transmission by 2,500 megahertz, closed circuit
28 or microwave video and audio programming, slow-scan television pro-
29 gramming, programming via satellite, teletype or facsimile

1 transmission, and distribution methods when the transmission, program-
2 ming, and distribution are intended to serve a noncommercial public
3 purpose.

4 ARTICLE 6. GENERAL PROVISIONS.

5 Sec. 44.30.990. DEFINITIONS. In this chapter

6 (1) "commissioner" means the commissioner of information
7 services;

8 (2) "department" means the Department of Information Ser-
9 vices.

10 * Sec. 2. AS 14.40 is amended by adding a new section to read:

11 Sec. 14.40.172. INFORMATION RESOURCE MANAGEMENT. (a) The Board
12 of Regents shall establish in the University of Alaska a position of
13 information resource manager. The manager's duties shall be compara-
14 ble to those of an information resource manager appointed under
15 AS 44.30.100.

16 (b) The Board of Regents shall submit to the Customer Advisory
17 Board of the Department of Information Services a university strategic
18 plan for information resource management. The contents of the plan
19 must be similar to that required under AS 44.30.110.

20 * Sec. 3. AS 22.05 is amended by adding a new section to read:

21 Sec. 22.05.027. INFORMATION RESOURCE MANAGEMENT. (a) At the
22 discretion of the supreme court, it may appoint an information re-
23 source manager with duties comparable to those of information resource
24 managers appointed under AS 44.30.100.

25 (b) The supreme court may coordinate its information resource
26 management with the Department of Information Services by submitting
27 to the department a court system strategic plan for information ser-
28 vices similar in content to the plans required under AS 44.30.110.

29 * Sec. 4. AS 24.20.061 is amended by adding a new subsection to read:

1 (b) The Alaska Legislative Council may coordinate its informa-
2 tion resource management with the Department of Information Services
3 by appointing an information resource manager with duties comparable
4 to those of information resource managers appointed under AS 44.-
5 30.100. The council may require that the manager submit to the de-
6 partment a legislative strategic plan for information services similar
7 in content to the plans required under AS 44.30.110.

8 * Sec. 5. AS 39.50.200(b)(7) is amended to read:

9 (7) Alaska Public Broadcasting Commission (AS 44.30.400
10 [AS 44.21.256]);

11 * Sec. 6. AS 44.17.005 is amended to read:

12 Sec. 44.17.005. OFFICES AND DEPARTMENTS. There are in the state
13 government the following principal offices and departments:

- 14 (1) Office of the Governor;
- 15 (2) Department of Administration;
- 16 (3) Department of Law;
- 17 (4) Department of Revenue;
- 18 (5) Department of Education;
- 19 (6) Department of Health and Social Services;
- 20 (7) Department of Labor;
- 21 (8) Department of Commerce and Economic Development;
- 22 (9) Department of Military and Veterans' Affairs;
- 23 (10) Department of Natural Resources;
- 24 (11) Department of Fish and Game;
- 25 (12) Department of Public Safety;
- 26 (13) [REPEALED,
- 27 (14) REPEALED,
- 28 (15)] Department of Transportation and Public Facilities;
- 29 (14) [(16)] Department of Environmental Conservation;

- 1 (15) [~~(17)~~] Department of Community and Regional Affairs;
2 (16) [~~(18)~~] Department of Corrections;
3 (17) Department of Information Services.

4 * Sec. 7. AS 44.19.502(b) is amended to read:

5 (b) The council is composed of the governor, the commissioner
6 from each principal department of the executive branch, the president
7 of the University of Alaska, a business or public administration
8 faculty member of the University of Alaska appointed by the governor,
9 [AND] the executive director of the Legislative Affairs Agency, a
10 member of the public appointed by the governor, and one legislator
11 from each house, appointed by the respective presiding officer. The
12 legislators shall serve as nonvoting members of the council. The
13 public member appointed by the governor may not have a direct finan-
14 cial interest in the information services industry. The chief justice
15 of the supreme court may appoint a member to serve on the council.
16 Each commissioner shall appoint a deputy commissioner to serve as an
17 alternate for the commissioner. The vice-president of the University
18 of Alaska shall serve as alternate for the president.

19 * Sec. 8. AS 44.19.502(d) is amended to read:

20 (d) The Department of Information Services [OFFICE OF THE GOVER-
21 NOR] shall provide professional and clerical staff for the council.

22 * Sec. 9. AS 44.19.504(a) is amended to read:

23 (a) The council shall

24 (1) establish guidelines for the Department of Information
25 Services to consider when it prepares [AND PREPARE A] state short-
26 range strategic plans and long-range plans for information resource
27 management [INFORMATION SYSTEMS PLAN] to meet state needs;

28 (2) approve or disapprove the state strategic plan for
29 information resource management prepared by the Department of

1 Information Services;

2 (3) in accordance with the state strategic plan for infor-
3 mation resource management [SYSTEMS PLAN], establish guidelines for
4 [AND DIRECT] state agencies to use to prepare agency strategic [INFOR-
5 MATION SYSTEMS] plans for information resource management;

6 (4) [(3)] in accordance with statutes governing the avail-
7 ability and confidentiality of information, establish guidelines for
8 the accessing of information by the public;

9 (5) [(4)] publish in the first quarter of each calendar
10 year a report on the activities of the council;

11 (6) approve or disapprove expenditures from the internal
12 service account established under AS 44.30.040.

13 * Sec. 10. AS 44.21.020(11), 44.21.020(13), 44.21.150, 44.21.160, 44.-
14 21.170, 44.21.257, 44.21.258, 44.21.260, 44.21.262, 44.21.264, 44.21.266,
15 44.21.268, 44.21.270, 44.21.290, 44.21.305, 44.21.310, 44.21.315, 44.21.-
16 320, and 44.21.330 are repealed.

17 * Sec. 11. This Act takes effect July 1, 1991.