

BY REP. BOUCHER, Brown

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR 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
7 Services; transferring certain functions from the
8 Department of Administration; relating to information
9 resource management; and providing for an effective
10 date."

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

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

13 CHAPTER 30. DEPARTMENT OF INFORMATION SERVICES.

14 ARTICLE 1. DEPARTMENT ORGANIZATION.

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

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

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

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

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

1 Sec. 44.30.030. CUSTOMER ADVISORY BOARD. (a) There is estab-
2 lished in the department the Customer Advisory Board, chaired by the
3 commissioner or a designee of the commissioner, and consisting of the

4 (1) division directors of the department;

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

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

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

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

13 (b) The Customer Advisory Board shall

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

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

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

20 Sec. 44.30.040. INFORMATION SERVICES CHARGES; FUND. (a) Fees
21 and surcharges for information services of the department are subject
22 to annual review and approval by the Telecommunications Information
23 Council.

24 (b) State agencies that receive information services from the
25 department shall include fees and surcharges for them in their annual
26 budget requests.

27 (c) The department shall separately account for fees and sur-
28 charges collected from state agencies and political subdivisions for
29 information services provided by the department. The legislature may

1 use the estimated balance in the account to make appropriations to the
2 information services fund established under (d) of this section.

3 (d) The information services fund is established as an intergov-
4 ernmental service fund for the use of the Department of Administration
5 for necessary expenses resulting from the provision of information
6 services to agencies and political subdivisions of the state. It
7 consists of money appropriated to it.

8 (e) Use of money from the information services fund by the
9 department for new or upgraded equipment, software, or services ex-
10 ceeding \$250,000 in cost must have the prior approval of the Telecom-
11 munications Information Council.

12 (f) Upon request of the Telecommunications Information Council,
13 the department shall use money in the information services fund to pay
14 the costs of the council, including its costs of performing reviews
15 under (e) of this section.

16 (g) The department shall maintain cost accounting records show-
17 ing the income and expenses of the information services fund. The
18 department shall submit a report on the operation of the fund to the
19 governor and the legislature at the time of submission of the depart-
20 mental budget.

21 (h) In this section, "information services" includes automatic
22 data processing services provided under AS 44.30.200 - 44.30.290 and
23 telecommunications services and operations described in AS 44.30.-
24 300 - 44.30.390.

25 **ARTICLE 2. INFORMATION RESOURCE PLANNING.**

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

29 (1) developing information resource policies for the agency

1 in conformance with policies and regulations adopted by the depart-
2 ment;

3 (2) coordinating all information resource management activ-
4 ities of the agency;

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

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

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

16 (1) a statement of the agency's programs, goals, and objec-
17 tives;

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

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

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

24 (5) a statement of the strategic objectives of the agency
25 relating to information resource management for the next two fiscal
26 years;

27 (6) for each program component, the existing and proposed
28 information resource management applications of the agency for the
29 next two fiscal years, the anticipated results to be achieved, the

1 measurable benefits to be derived including the measurement standards,
2 the major resources required, and the agency's total estimated costs
3 of each application;

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

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

8 Sec. 44.30.120. STATE STRATEGIC PLAN FOR INFORMATION RESOURCE
9 MANAGEMENT. (a) The commissioner, through the Customer Advisory
10 Board, shall prepare for review and approval by the Telecommunications
11 Information Council the state strategic plan for information resource
12 management.

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

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

24 (1) provide a strategic direction for information resource
25 management by state government for the ensuing two fiscal years;

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

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

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

3 (d) Copies of the plan approved by the Customer Advisory Board
4 shall be forwarded to the Telecommunications Information Council for
5 approval. Upon approval, the council shall forward the plan to the
6 governor for approval. Upon approval, he governor shall forward
7 copies of the plan to the Senate and House Finance Committees.

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

15 (b) An annual performance report must contain

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

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

22 (3) a comparison of the agency's actual expenditures for
23 information resource management for the prior fiscal year and the
24 appropriations for that management contained in the agency's approved
25 budget; major differences between the expenditures and the approved
26 budget must be noted and justified;

27 (4) an inventory list, by major categories, of the agency's
28 communications and information technology resources, specifically
29 identifying, by application, the resources acquired during the

1 previous fiscal year; if the resources cannot be identified by appli-
2 cation, they shall be listed separately;

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

5 ARTICLE 3. AUTOMATIC DATA PROCESSING.

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

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

24 (b) To carry out (a) of this section the department may,
25 consistent with the strategic plan for information resource management
26 adopted by the Telecommunications Information Council and with the
27 departmental strategic plan,

28 (1) maintain a central staff of systems analysts, computer
29 programmers, and other staff members sufficient to provide systems

1 analysis and computer programming support required by the executive
2 and legislative branches of state government;

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

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

9 (4) recommend implementation priorities of requested data
10 processing systems;

11 (5) determine and satisfy the data processing equipment and
12 supply requirements of the executive and legislative branches of state
13 government;

14 (6) provide all facilities, equipment, and staff required
15 to convert data to a form suitable for processing on automatic data
16 processing equipment;

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

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

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

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

28 (c) The department may cooperate with political subdivisions of
29 the state in the development and operation of data processing systems

1 and may allow for the use of state facilities by political subdivi-
2 sions.

3 (d) In accordance with the state strategic plan adopted by the
4 Telecommunications Information Council, the department and the Univer-
5 sity of Alaska may develop and implement a plan for the integration of
6 automatic data processing facilities of the university with the state
7 facilities.

8 (e) If the action is not contrary to the state strategic plan
9 adopted by the Telecommunications Information Council, this section
10 does not prohibit

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

13 (2) the legislature from recruiting and employing data
14 processing personnel or from obtaining necessary contractual assis-
15 tance for automatic data processing activities;

16 (3) the judicial branch from establishing independent data
17 processing policies and implementation procedures; however, the pol-
18 icies and procedures must permit information exchange and implementa-
19 tion procedures compatible with other branches of government whenever
20 practical.

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

24 (g) The department shall provide or procure automatic data pro-
25 cessing services under AS 44.30.200 - 44.30.290 for the judicial
26 branch to the extent requested by that branch and may charge the
27 branch for the services.

28 Sec. 44.30.290. DEFINITION. In AS 44.30.200 - 44.30.290 "auto-
29 matic data processing" means

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

5 (2) data communications devices and those systems used with
6 automatic data processing equipment in the transmission and reception
7 of data; and

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

10 ARTICLE 4. TELECOMMUNICATIONS.

11 Sec. 44.30.300. COMMISSIONER'S RESPONSIBILITY. The commissioner
12 shall

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

15 (2) assure that department activities in no way constitute
16 an influence on the content or airing of programming, and report to
17 the governor and the Alaska Public Broadcasting Commission any request
18 or attempt by an employee of the state to influence the content or
19 airing of program material.

20 Sec. 44.30.310. TELECOMMUNICATIONS POWERS AND DUTIES. (a) In
21 accordance with the state strategic plan adopted by the Telecommunica-
22 tions Information Council and with the departmental strategic plan,
23 the department shall

24 (1) advise the council and the governor on matters of
25 policy and comprehensive state planning for telecommunications ser-
26 vices;

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

29 (3) coordinate, manage, and supervise state programs in

1 telecommunications, including the management of those telecommunica-
2 tions services for the state obtained from common carriers and from
3 the communications industry;

4 (4) when requested, provide technical and consulting assis-
5 tance to the executive, judicial, and legislative branches of state
6 government, to the University of Alaska, and to private noncommercial
7 entities that request that assistance in facility procurement and
8 leasing and in identifying long-range goals and objectives for the
9 state and its political subdivisions in all aspects of telecommunica-
10 tions, including public, educational, and instructional telecommunica-
11 tions;

12 (5) prepare and maintain a state comprehensive telecommu-
13 nications development plan to further state telecommunications devel-
14 opment and to meet state telecommunications needs and prepare and
15 maintain a comprehensive inventory of all state communications facili-
16 ties;

17 (6) whenever feasible, procure services from private enter-
18 prise or certified and franchised utilities and contract for the
19 construction, management, operation, and maintenance of telecommunica-
20 tions systems, and develop a procurement policy consistent with
21 AS 36.30 (State Procurement Code); the procurement policy must seek to
22 achieve the maximum benefit to the public, and methods of procurement,
23 including lease, purchase, rental, or combinations of lease, purchase,
24 and rental, must be selected on the basis of factors such as the ratio
25 of long-range costs versus benefits, life cycle costing, and the costs
26 to the communications industry to the extent that these costs may
27 affect local and long distance basic telephone rates; procurement,
28 contracting, construction, and maintenance under this paragraph is
29 governed by AS 36.30;

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

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

10 (9) participate with other governmental units in planning,
11 and assist local governments and governmental conferences and councils
12 in the state in planning and coordinating their activities relating to
13 telecommunications;

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

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

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

23 (13) provide that all activities of the department are
24 responsive to state statutes and regulations, and to the regulations
25 and rulings of the Federal Communications Commission.

26 (b) The department may

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

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

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

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

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

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

14 Sec. 44.30.320. TELECOMMUNICATIONS SERVICES. (a) In accordance
15 with the state strategic plan adopted by the Telecommunications Infor-
16 mation Council and with the departmental strategic plan, the depart-
17 ment shall provide

18 (1) technical consultation to educational and public tele-
19 communications users;

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

24 (A) public school districts and the Department of
25 Education;

26 (B) the University of Alaska; and

27 (C) other state agencies as approved by the commis-
28 sioner;

29 (3) coordination and support for health and safety-related

1 functions, including the administrative and client services provided
2 by state, federal, and private agencies;

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

7 (5) assistance, through design, development, and promotion,
8 to local school districts or other local and regional education agen-
9 cies for the regionalization of instructional telecommunications
10 services;

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

13 (7) assistance to the Alaska Public Broadcasting Commission
14 and any commission-designated subcommittees, as necessary to perform
15 assigned department functions; the department shall cooperate with the
16 commission and subcommittees in order to develop policies that are
17 responsive to the user groups that are represented on the commission.

18 (b) Subject to available funding, the department may make grants
19 to educational and public telecommunication users except grants for
20 public broadcasting purposes.

21 (c) The department shall study, plan, and develop integrated
22 instructional telecommunications services for all residents of the
23 state, and shall annually report on current fiscal year instructional
24 telecommunications activities and, after public hearings, submit to
25 the governor and the legislature an annually updated long-term devel-
26 opment plan prepared in consultation with the Department of Education,
27 the University of Alaska, local school districts, and other local and
28 regional education areas.

29 (d) The department shall, after public hearings, submit to the

1 governor an annually updated long-term development plan for telecon-
2 ferencing facilities and services, including facilities and services
3 used both by state agencies and groups other than state agencies.

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

6 (f) This section does not imply department responsibility for
7 programming content. Program design, production, and use are the
8 responsibility of the program-sponsoring agency or other entity, not
9 the department.

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

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

15 (2) manage centrex and other telephone-related services of
16 state agencies;

17 (3) be responsible generally for telecommunications systems
18 and design for state agencies; and

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

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

23 (1) coordinating with the satellite television user groups
24 and entities; and

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

27 (c) Decisions and policies relating to programming under the
28 satellite television project, including scheduling and allocation
29 policies, may not be made by the department, but may only be made by a

1 network that is representative of participating rural television
2 users, by commercial broadcast users, or by other affected participat-
3 ing user groups and entities under procedures provided by statute or,
4 if no statute applies, then by agreement of the affected user networks
5 or groups. The department shall assist users in preparing agreements
6 that may be required under this subsection.

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

10 (e) The provisions of AS 44.30.300 - 44.30.390 do not prohibit a
11 state agency from developing telecommunications systems within its own
12 agency if the agency is in compliance with the state strategic plan
13 adopted by the Telecommunications Information Council and with the
14 agency's own strategic plan and if the commissioner gives written
15 authorization for the agency to engage in its own design, development,
16 management, or operation. The commissioner may authorize independent
17 development only upon a showing of necessity. A description of all
18 authorization under this subsection must be included in the annual
19 report required under AS 44.30.310(a)(2).

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

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

24 (1) "public broadcasting" means the delivery of radio or
25 television noncommercial programming intended for the general public
26 by any method of telecommunications;

27 (2) "public telecommunications" means telecommunications
28 that serve public broadcasting, general educational, instructional,
29 medical, safety, emergency, or public participation functions;

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

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

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

14 ARTICLE 5. ALASKA BROADCASTING COMMISSION.

15 Sec. 44.30.400. CREATION OF ALASKA PUBLIC BROADCASTING COMMIS-
16 SION. There is created within the department the Alaska Public Broad-
17 casting Commission.

18 Sec. 44.30.410. MEMBERSHIP AND TERM OF OFFICE. (a) The commis-
19 sion consists of nine members appointed by the governor, without
20 regard to political affiliation, subject to confirmation by a majority
21 of the members of the legislature in joint session. In making appoint-
22 ments to the commission, the governor shall give due consideration to
23 representation from such fields as higher education, elementary and
24 secondary education, communications, commercial broadcasting, public
25 health, public works, labor, commerce, and the professions. Members
26 may be removed only for cause.

27 (b) The members of the commission shall serve staggered terms of
28 five years.

29 Sec. 44.30.420. COMPENSATION AND EXPENSES. Members of the

1 commission receive no salary, but are entitled to per diem and travel
2 expenses authorized by law for other commissions.

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

6 Sec. 44.30.440. PURPOSE OF THE COMMISSION. The commission is
7 created to encourage and supervise the development of an integrated
8 public broadcasting system for the state and for the coordination of
9 all public broadcasting stations. The primary purpose of the commis-
10 sion is the encouragement and support of noncommercial public broad-
11 casting in the state through the provision of operating and capital
12 grants in support of the delivery of noncommercial programs intended
13 for a general audience by locally controlled nonprofit broadcast
14 stations or telecommunications entities. The commission may support
15 stations and entities which also engage in the delivery of instruc-
16 tional, for-credit programs, and the commission may provide funds for
17 those purposes, but the primary purpose of commission funds is the
18 support of activities that result in the delivery of general audience,
19 noncommercial material.

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

21 (1) apply for federal and private funds for public broad-
22 casting purposes and receive all federal, state, or private funds,
23 property or assistance that may be appropriated, granted, or otherwise
24 made available to the commission for public broadcasting purposes, and
25 use and disburse funds and property for purposes consistent with the
26 terms of AS 44.30.400 - 44.30.490, subject to reasonable limitations
27 imposed by the grantor;

28 (2) provide consultative services in all aspects of public
29 broadcasting to all public or private agencies in the state which

1 request them;

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

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

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

8 (6) prepare and submit to the governor and the legislature,
9 in compliance with the state information systems plan adopted by the
10 Telecommunications Information Council in the Office of the Governor,
11 a long term plan for the development of public broadcasting stations
12 and systems in the state, and annually update the plan; and

13 (7) perform all other functions necessary to ensure the
14 orderly and coordinated development of public broadcasting in the
15 state.

16 Sec. 44.30.460. POWERS OF THE COMMISSION. (a) The commission
17 may

18 (1) employ all consultative, technical, and clerical person-
19 nel necessary for the implementation of AS 44.30.400 - 44.30.490,
20 within the limits of available funds;

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

23 (3) provide grants to locally controlled non-profit tele-
24 communications entities that lease, purchase, construct, own, operate,
25 and manage and are the licensees of public broadcasting stations,
26 production centers, and other related equipment and facilities for the
27 production and transmission of open circuit, closed circuit, 2,500
28 megahertz, and other transmission means necessary to provide fully
29 effective public broadcasting in the state;

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

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

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

8 Sec. 44.30.470. COMMERCIAL BROADCASTING. The provisions of
9 AS 44.30.400 - 44.30.490 not may be construed to restrict or control
10 commercial broadcast stations or companies operating or licensed in
11 the state.

12 Sec. 44.30.490. DEFINITIONS. In AS 44.30.400 - 44.30.490,
13 unless the context otherwise requires,

14 (1) "commission" means the Alaska Public Broadcasting
15 Commission;

16 (2) "public broadcasting" includes, but is not limited to,
17 television and radio transmission by 2,500 megahertz, closed circuit
18 or microwave video and audio programming, slow-scan television pro-
19 gramming, programming via satellite, teletype or facsimile transmis-
20 sion, and distribution methods when the transmission, programming, and
21 distribution are intended to serve a noncommercial public purpose.

22 ARTICLE 6. GENERAL PROVISIONS.

23 Sec. 44.30.990. DEFINITIONS. In this chapter

24 (1) "commissioner" means the commissioner of information
25 services;

26 (2) "department" means the Department of Information Ser-
27 vices.

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

29 Sec. 14.40.172. INFORMATION RESOURCE MANAGEMENT. (a) The Board

1 of Regents shall establish in the University of Alaska a position of
2 information resource manager. The manager's duties shall be compara-
3 ble to those of an information resource manager appointed under
4 AS 44.30.100.

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

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

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

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

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

19 (b) The Alaska Legislative Council may coordinate its informa-
20 tion resource management with the Department of Information Services
21 by appointing an information resource manager with duties comparable
22 to those of information resource managers appointed under AS 44.-
23 30.100. The council may require that the manager submit to the de-
24 partment a legislative strategic plan for information services similar
25 in content to the plans required under AS 44.30.110.

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

27 (7) Alaska Public Broadcasting Commission (AS 44.30.400
28 [AS 44.21.256]);

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

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

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

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

23 (b) The council is composed of the governor, the commissioner
24 from each principal department of the executive branch, the president
25 of the University of Alaska, [AND] the executive director of the
26 Legislative Affairs Agency, a member of the public appointed by the
27 governor, and one legislator from each house, appointed by the respec-
28 tive presiding officer. The legislators shall serve as nonvoting
29 members of the council. The public member appointed by the governor

1 may not have a direct financial interest in the information services
2 industry. The chief justice of the supreme court may appoint a member
3 to serve on the council. Each commissioner shall appoint a deputy
4 commissioner to serve as an alternate for the commissioner. The vice-
5 president of the University of Alaska shall serve as alternate for the
6 president.

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

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

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

11 (a) The council shall

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

16 (2) approve or disapprove the state strategic plan for
17 information resource management prepared by the Department of Informa-
18 tion Services;

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

23 (4) [(3)] in accordance with statutes governing the avail-
24 ability and confidentiality of information, establish guidelines for
25 the accessing of information by the public;

26 (5) [(4)] publish in the first quarter of each calendar
27 year a report on the activities of the council;

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

1 * Sec. 10. AS 44.21.020(11), 44.21.020(13), 44.21.150, 44.21.160, 44.-
2 21.170, 44.21.257, 44.21.258, 44.21.260, 44.21.262, 44.21.264, 44.21.266,
3 44.21.268, 44.21.270, 44.21.290, 44.21.305, 44.21.310, 44.21.315, 44.21.-
4 320, and 44.21.330 are repealed.

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