

HB

440

# HOUSE COMMITTEE REPORT

(11)

Date referred: 4/10/87

FURTHER REFERRALS:

DATE: 5-2-87

The Finance Committee has considered HB 40

"An Act creating the Telecommunications Information Agency in the Office of the Governor; and providing for an effective date."

**RECOMMENDS:**

- replace with CS HB 40 (FINANCE)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  FINANCE letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

*Lee Adams*  
*Pat Kenehan*  
*John ...*  
*Randy ...*  
*Ch ...*  
*Max ...*  
*Steve ...*  
*Frank ...*  
*Tay ...*  
*Mike ...*

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Robert ...*

Chairman's signature

House Finance Committee  
Letter of Intent  
CSHB 40 (Fin)

It is the intent of the Legislature to provide a cabinet level body within the Office of the Governor, known as the Telecommunications Information Council, with the authority to establish, implement, and oversee information systems policy for the State of Alaska. The areas of responsibilities of the Council include information systems within state government and broadcast systems throughout the state.

To emphasize the importance that the Legislature attaches to the management of information resources, CSHB 40 (Fin) designates the Governor as chair of the Council and specifies membership of the Council as heads of state departments and the president of the University of Alaska.

It is the opinion of the Legislature that additional funding for the Council is not required. It is also the Legislature's intent that professional and clerical support is to be provided by existing staff within the Office of the Governor and by agencies represented on the Telecommunication Information Council.

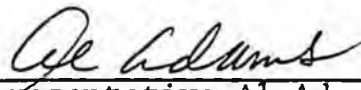
It is the opinion of the Legislature that coordinated management of information resources, such as data processing and telecommunications, benefits not only government but the public as well by facilitating dissemination of information. It is also the opinion of the Legislature that coordinated management is cost-effective and will help counter the impact of declining oil revenues.

"Information systems" is not defined in the bill so that the Council may effectively respond to (1) rapid advances in information technology, and (2) issues which agencies, the university or the court system may wish the Council to address.

It is the intent of the Legislature that the Council not get involved in the design, development, management, and operation of intra-agency information systems unless these activities impact the broad, statewide information system policy guidelines.

It is the intent of the Legislature that the Council include the Alaska Railroad Corporation in their assessment of the state's information resources. On the 10th day of the first session of the 16th Legislature, the Council shall submit a report to the legislature which includes a specific recommendation on the elimination of the exemption to comply with this statute granted the Alaska Railroad Corporation under AS 44.19.519.

It is the intent of the Legislature that the state supported broadcast network be treated as an information system due to the technological convergence of voice and data networks. The Legislature intends that the Council assume primary responsibility for policy development for the broadcast system, so that the public's information needs are served.

  
\_\_\_\_\_  
Representative Al Adams, Chair  
House Finance Committee

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

REQUEST: \_\_\_\_\_

Bill Version: CSHB 40 (Fin)  
Publish Date: May 1, 1987

Revision Date: \_\_\_\_\_  
Title: An Act creating Telecommuni-  
cation Information Council  
Sponsor: Boucher  
Requestor: House Special Committee  
on Telecommunications

Agency Affected: Office of the Governor  
BRU: Office of Management & Budget

Components: DIVISION OF POLICY

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES		-0-				
GRANTS, CLAIMS		-0-				
MISCELLANEOUS		-0-				
TOTAL OPERATING		-0-				

CAPITAL		-0-				
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REVENUE		-0-				
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER		-0-				
TOTAL		-0-				

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

Professional and clerical support is to be provided by existing staff within the Office of the Governor and by agencies represented on the Telecommunication Information Council.

Prepared by: Representative Al Adams, Chair  
Division: House Finance Committee

Phone: \_\_\_\_\_  
Date: May 1, 1987

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: CSHB 40 (Fin)  
Publish Date: May 1, 1987

**REQUEST:** \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act creating Telecommuni-  
cation Information Council  
Sponsor: Boucher  
Requestor: House Special Committee  
on Telecommunications

Agency Affected: Administration  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
<b>OPERATING</b>						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** Attach a separate page if necessary

It is assumed that the Council will replace the need for the Information Systems Committee (ISC) as it exists today. The Department of Administration would devote the minimal resources currently used in support of the ISC to support the Council.

Prepared by: Representative Al Adams, Chair  
Division: House Finance Committee

Phone: \_\_\_\_\_  
Date: May 1, 1987

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

Original sponsor: Boucher

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 40 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Telecommunications Information  
7 Council in the Office of the Governor; and providing  
8 for an effective date."

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

10 \* Section 1. PURPOSE. The purpose of this Act is to establish a coun-  
11 cil to develop and implement a cost-effective policy for managing the  
12 state's information and information technology resources in a comprehensive  
13 and coordinated manner so that state government may better serve the people  
14 of the state.

15 \* Sec. 2. AS 44.19 is amended by adding new sections to read:

16 ARTICLE 16. TELECOMMUNICATIONS INFORMATION COUNCIL.

17 Sec. 44.19.502. TELECOMMUNICATIONS INFORMATION COUNCIL. (a)

18 There is created within the Office of the Governor the Telecommunica-  
19 tions Information Council.

20 (b) The council is composed of the governor, the commissioner  
21 from each principal department of the executive branch, the president  
22 of the University of Alaska, and the executive director of the Legis-  
23 lative Affairs Agency. The chief justice of the supreme court may ap-  
24 point a member to serve on the council. Each commissioner shall  
25 appoint a deputy commissioner to serve as an alternate for the  
26 commissioner. The vice-president of the University of Alaska shall  
27 serve as alternate for the president.

28 (c) The governor shall preside over the council. The council  
29 shall meet at least four times each year. The council may meet more

1 frequently at the call of the chair or if requested by a majority of  
2 the council's members.

3 (d) The Office of the Governor shall provide professional and  
4 clerical staff for the council.

5 Sec. 44.19.504. POWERS AND DUTIES. (a) The council shall

6 (1) establish guidelines and prepare a state short-range  
7 and long-range information systems plan to meet state needs;

8 (2) in accordance with the state information systems plan,  
9 establish guidelines and direct state agencies to prepare agency  
10 information systems plans;

11 (3) in accordance with statutes governing the availability  
12 and confidentiality of information, establish guidelines for the  
13 accessing of information by the public;

14 (4) publish in the first quarter of each calendar year a  
15 report on the activities of the council.

16 (b) In addition to its duties under (a) of this section, the  
17 council may establish information-related policies and engage in  
18 information-related activities it considers necessary or appropriate.

19 (c) This section does not grant council responsibility for  
20 broadcast programming content. Program design, production, and use  
21 are the responsibility of the program-sponsoring agency or other  
22 entity.

23 (d) This section does not prohibit a state agency from devel-  
24 oping information systems that are inconsistent with the guidelines  
25 established in (a) of this section if the council gives written au-  
26 thorization for the user agency to engage in the independent design,  
27 development, management, or operation. The council may authorize  
28 independent development only upon a showing of necessity. A descrip-  
29 tion of authorization under this subsection shall be included in the

1 annual report required under this section. Written authorization  
2 under this subsection is not required for intra-agency use of micro-  
3 computers.

4 (e) A state agency, including an agency authorized to develop an  
5 independent system under (d) of this section, shall coordinate the  
6 design, development, management, and operation of its information  
7 systems with the council.

8 Sec. 44.19.506. COURT SYSTEM. The administrative director of  
9 courts shall establish information systems guidelines and prepare a  
10 short-range and long-range information systems plan for the court  
11 system. The guidelines and plan must be consistent with the tele-  
12 communications information guidelines and plan adopted by the council  
13 under AS 44.19.502 - 44.19.519 and must be adapted to the special  
14 needs of the judicial branch as determined by the administrator of  
15 courts.

16 Sec. 44.19.519. DEFINITIONS. In AS 44.19.502 - 44.19.519

17 (1) "council" means the Telecommunications Information  
18 Council;

19 (2) "state agencies" means all departments, divisions, and  
20 offices in the executive and legislative branches of state government  
21 and the University of Alaska; it does not mean the Alaska Railroad  
22 Corporation or an agency of the judicial branch of government.

23 \* Sec. 3. AS 44.21.150 is amended to read:

24 Sec. 44.21.150. DECLARATION OF PURPOSE. It is the purpose of  
25 AS 44.21.150 - 44.21.170 to designate the Department of Administration  
26 as the department responsible for the operation and management of  
27 automatic data processing resources and activities of the executive  
28 and legislative branches of state government and the judicial branch  
29 to the extent requested by that branch, to provide for cooperation

1 between the department and the Telecommunications Information Council  
2 in the Office of the Governor, and to provide for periodic review of  
3 state automatic data processing procedures and mechanisms. It is  
4 further the purpose of these sections to encourage cooperation between  
5 the state government and local governments in the use of automatic  
6 data processing systems.

7 \* Sec. 4. AS 44.21.160(a) is amended to read:

8 (a) Except as otherwise provided in (g) of this section, the  
9 department shall comply with the state information systems plan adopt-  
10 ed by the Telecommunications Information Council in the Office of the  
11 Governor in providing [PROVIDE] automatic data processing services  
12 responsive to the needs of state government [AND PROCURE, OPERATE AND  
13 STAFF ALL AUTOMATIC DATA PROCESSING EQUIPMENT FACILITIES USED BY STATE  
14 GOVERNMENT].

15 \* Sec. 5. AS 44.21.160(b) is amended to read:

16 (b) To carry out (a) of this section the department may, consis-  
17 tent with the state information systems plan adopted by the Telecommu-  
18 nications Information Council and with the departmental information  
19 systems plan,

20 (1) maintain a central staff of systems analysts, computer  
21 programmers and other staff members sufficient to provide systems  
22 analysis and computer programming support required by the executive  
23 and [,] legislative [AND JUDICIAL] branches of state government;

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

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

1 (4) recommend implementation priorities of requested data  
2 processing systems;

3 (5) determine and satisfy the data processing equipment and  
4 supply requirements of the executive and legislative branches, depart-  
5 ments, and agencies of state government;

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

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

11 (8) review state automatic data processing systems to  
12 encourage effectiveness, measure performance, and assure adherence to  
13 the standards developed under AS 44.21.150 - 44.21.170;

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

17 (10) [REQUIRE EACH STATE AGENCY TO PROCURE ITS AUTOMATIC  
18 DATA PROCESSING SERVICES FROM THE DEPARTMENT;

19 (11)] charge a state agency or other governmental agency for  
20 the cost of the automatic data processing services provided or pro-  
21 cured by the department for the agency.

22 \* Sec. 6. AS 44.21.160(d) is amended to read:

23 (d) In accordance with the state information systems plan adopt-  
24 ed by the Telecommunications Information Council, the [THE] department  
25 and the University of Alaska may develop and implement a plan for the  
26 integration of automatic data processing facilities of the university  
27 [UNIVERSITY OF ALASKA] with the state facilities. [HOWEVER, THE  
28 INTEGRATION PLAN AUTHORIZED BY THIS SUBSECTION MAY NOT BE PUT INTO  
29 OPERATION UNTIL APPROVED BY THE PRESIDENT OF THE UNIVERSITY OF ALASKA

1 AND THE DEPARTMENT.]

2 \* Sec. 7. AS 44.21.160(e) is repealed and reenacted to read:

3 (e) If the action is not contrary to the state information  
4 systems plan adopted by the Telecommunications Information Council,  
5 this section does not prohibit

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

8 (2) the legislature from recruiting and employing data  
9 processing personnel or from obtaining necessary contractual assis-  
10 tance for automatic data processing activities;

11 (3) the judicial branch from establishing independent data  
12 processing policies and implementation procedures; however, the  
13 policies and procedures must permit information exchange and imple-  
14 mentation procedures compatible with other branches of government  
15 whenever practical.

16 \* Sec. 8. AS 44.21.266 is amended to read:

17 Sec. 44.21.266. DUTIES OF THE COMMISSION. The commission shall

18 (1) [REPEALED

19 (2) REPEALED

20 (3) REPEALED

21 (4)] 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 44.21.256 - 44.21.290, subject to reasonable limitations  
27 imposed by the grantor;

28 (2) [(5)] provide consultative services in all aspects of  
29 public broadcasting to all public or private agencies in the state

1 which request them;

2 (3) [(6)] serve as a library and clearinghouse for public  
3 broadcasting information;

4 (4) [(7) REPEALED

5 (8) REPEALED

6 (9)] through grants to qualified entities, develop an inte-  
7 grated public broadcasting network for the state;

8 (5) [(10) REPEALED

9 (11)] through grants to qualified entities, develop and  
10 distribute public broadcasting programming in the state;

11 (6) [(12)] prepare and submit to the governor and the  
12 legislature, in compliance with the state information systems plan  
13 adopted by [CONSULTATION WITH] the Telecommunications Information  
14 Council in the Office of the Governor [TELECOMMUNICATIONS DIVISIONS IN  
15 THE DEPARTMENT OF ADMINISTRATION], a long term plan for the develop-  
16 ment of public broadcasting stations and systems in the state, and  
17 annually update the plan; and

18 (7) [(13)] perform all other functions necessary to ensure  
19 the orderly and coordinated development of public broadcasting in the  
20 state.

21 \* Sec. 9. AS 44.21.310(a) is amended to read:

22 (a) In accordance with the state information systems plan adopt-  
23 ed by the Telecommunications Information Council and with the depart-  
24 mental information systems plan, the [THE] department shall

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

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

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

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

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

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

1 governed by AS 36.30;

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

5 (8) apply for and accept federal and private money, proper-  
6 ty, or assistance, that may be appropriated, granted, or otherwise  
7 made available to the department and use and disburse money and prop-  
8 erty for purposes consistent with AS 44.21.300 - 44.21.330 and AS 44.-  
9 21.256 - 44.21.290, subject to reasonable limitations imposed by the  
10 grantor;

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

15 (10) provide for the orderly transition to new telecommu-  
16 nications services and systems by state agencies;

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

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

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

27 \* Sec. 10. AS 44.21.315(a) is amended to read:

28 (a) In accordance with the state information systems plan adopt-  
29 ed by the Telecommunications Information Council and with the

1 departmental information systems plan, the [THE] department shall pro-  
2 vide

3 (1) technical consultation to educational and public tele-  
4 communications users;

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

9 (A) public school districts and the Department of  
10 Education;

11 (B) the University of Alaska; and

12 (C) other state agencies as approved by the [DEPUTY]  
13 commissioner;

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

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

21 (5) assistance, through design, development, and promotion,  
22 to local school districts or other local and regional education agen-  
23 cies for the regionalization of instructional telecommunications  
24 services;

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

27 (7) assistance to the Alaska Public Broadcasting Commission  
28 and any commission-designated subcommittees, as necessary to perform  
29 assigned department functions; the department shall cooperate with the

1 commission and subcommittees in order to develop policies which are  
2 responsive to the user groups which are represented on the commission.

3 \* Sec. 11. AS 44.21.320(e) is amended to read:

4 (e) Nothing in AS 44.21.300 - 44.21.330 prohibits a state agency  
5 from developing telecommunications systems within its own agency if  
6 the agency is in compliance with the state information systems plan  
7 adopted by the Telecommunications Information Council and with the  
8 agency's own information systems plan and if the commissioner gives  
9 written authorization for the agency to engage in its own design,  
10 development, management, or operation. The commissioner may authorize  
11 independent development only upon a showing of necessity. A descrip-  
12 tion of all authorization under this subsection must be included in  
13 the annual report required under AS 44.21.310(a)(2).

14 \* Sec. 12. This Act takes effect July 1, 1987.  
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# Alaska State Legislature

REPRESENTATIVE  
PAT POURCHOT

HOUSE FINANCE COMMITTEE,  
VICE CHAIR

HOUSE ETHICS COMMITTEE, CHAIR

LEGISLATIVE BUDGET & AUDIT  
COMMITTEE



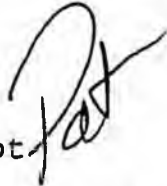
## House of Representatives MEMORANDUM

ANCHORAGE  
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ANCHORAGE, AK 99510  
(W) (907) 276-6818  
(H) (907) 338-2425

JUNEAU  
P.O. BOX V  
STATE CAPITOL  
JUNEAU, AK 99811  
(907) 465-3712

DATE: May 1, 1987

TO: House Finance Members

FROM: Representative Pat Pourchot 

SUBJECT: Draft Finance CS for CSHB 40 (Tele), "An Act creating the Telecommunications Information Council in the Office of the Governor; and providing for an effective date."

Proper management of the state's information resources is cost-effective and will allow the state to make significant improvements in the quality, quantity, and accessibility of information at all levels of state government. Both the private sector and the government will benefit by having readily available, accurate and complete information upon which to base their decisions.

Current problem areas (such as computer chargebacks, allocation of scarce data processing and telecommunications resources, system redundancy, incompatibilities and cost inefficiencies) suggest the need for a body which oversees management and development of the state's information resources. CSHB 40 (Fin) would:

- (1) create a council to develop and implement policies for the management of the state's information resources within the Office of the Governor;
- (2) begin comprehensive and coordinated "information resource management" planning for the state; and
- (3) merge telecommunications and data processing in the policy and planning process.

A zero fiscal note is attached. Professional and clerical support for the Council is to be provided by existing staff within the Office of the Governor and by agencies represented on the Telecommunication Information Council.

The Governor and the Commissioners of the Departments of Administration, Natural Resources, Corrections, Community and Regional Affairs, and Transportation have indicated their support for the bill. In addition, the President of the University of Alaska and the Court System have also indicated their support and willingness to serve on the proposed Council.

The Subcommittee has endorsed the draft CSHB 40 (Finance).

DRAFT CSHB 40 (FINANCE)

The draft CS contains the following substantive changes:

\* SECTION 2.

Page 1, lines 22 - 23: deleted:

"and the executive director of the Alaska  
Public Broadcasting Commission."

Rationale: The Public Broadcasting Commission is within the Department of Administration, whose commissioner serves as a member of the council. Including the director of public broadcasting as a member of the council would effectively give the Department of Administration greater representation on the council than other agencies. In addition, all other committee members are at the commissioner level or higher.

Page 1, line 24: Following "council." added:

"Each commissioner shall appoint a deputy commissioner to serve as an alternate for the commissioner. The vice president of the university of Alaska shall serve as the alternate for the president."

Rationale: To provide for circumstances in which a council member is unable to attend a council meeting, a deputy commissioner, or vice president of the university will serve as the designated alternate.

Page 2, lines 8 - 10: amended to read as follows:

"(2) in accordance with the state information systems plan, establish guidelines and direct state agencies to prepare agency information systems plans."

Rationale: New language added "in accordance with the state information systems plan" for purposes of clarification.

Page 2, lines 11 - 13: amended to read as follows:

"(3) in accordance with statutes governing the availability and confidentiality of information, establish guidelines for the accessing of information by the public;"

Rationale: New language added "in accordance with statutes governing the availability and confidentiality of information," for purposes of clarification.

Page 2, lines 16 - 18: amended to read as follows:

"(b) In addition to its duties under (a) of this

section, the council may establish information-related policies and engage in information-related activities it considers necessary or appropriate."

Rationale: New language added "information-related" for purposes of clarification.

Page 3, lines 1: following "section." added:

"Written authorization under this subsection is not required for intra-agency use of microcomputers."

Rationale: This sentence was added in response to concerns expressed by several committee members that the original language was unduly restrictive, and could interfere with one's ability to design or develop programs specific to one's own needs.

Page 3, lines 8 - 15: added the following:

"Sec. 44.19.506. COURT SYSTEM. The administrative director of courts shall establish information systems guidelines and prepare a short-range and long-range information systems plan for the court system. The guidelines and plan must be consistent with the telecommunications information guidelines and plan adopted by the council under AS 44.19.502 - 44.19.519 and must be adapted to the special needs of the judicial branch as determined by the administrator of courts."

Rationale: This amendment clarifies the cooperation between the court system and the council, but allows for the "special needs of the judicial branch." Included at the request of the court system.

The remaining sections are amendments to existing Department of Administration (DOA) statutes. The effects of the amendments are to:

- (1) bring existing statutes into compliance with the powers and duties of the council,
- (2) remove obsolete language, and
- (3) recognize the need of the judiciary as a separate branch of government to adopt policies specially adapted to judicial needs, but also reflect an intent that the judiciary cooperate with other branches and agencies when possible.

\*SECTION 3. Amends Department of Administration statutes that relate to data processing to indicate coordination between the department and the council.

\*SECTION 4. DOA data processing statutes are amended to indicate compliance with council's state information system plan. Obsolete language is removed.

\*SECTION 5. Amends DOA data processing statutes that relate to DOA powers to indicate that actions must be consistent with council and departmental information systems plans. Removes obsolete language.

\*SECTION 6. DOA data processing statutes that relate to the University of Alaska are amended to indicate cooperation between DOA and the university, and adherence to the council's state information systems plan. The university president's veto power is removed.

\*SECTION 7. The DOA data processing statute that relates to miscellaneous provisions is repealed and reenacted to indicate which actions may be undertaken by the DOA and the legislative and judicial branches, as long as those actions are not contrary to the council's state information system plan. These changes recognize the need of the judiciary as a separate branch of government to adopt policies specially adapted to judicial needs, but also reflect an intent that the judiciary cooperate with other branches and agencies when possible.

\*SECTION 8. DOA statutes that relate to the Public Broadcasting Commission are amended to indicate compliance with the council's state information systems plan.

\*SECTION 9. The DOA statute that relates to telecommunications powers and duties is amended to indicate compliance with the council and departmental information systems plans.

\*SECTION 10. The DOA telecommunications statute that relates to services is amended to indicate compliance with council and departmental information systems plans.

\*SECTION 11. The DOA telecommunications statute that relates to independent telecommunications systems development is amended to indicate compliance with council and agency's information systems plans.

\*SECTION 12. Effective date, July 1, 1987.

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

Bill Version: CSHB 40 (FIN)  
Publish Date: HOUSE 4/10/87

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act Creating Telecommuni-  
cation Information Council  
Sponsor: Boucher  
Requestor: House Special Committee

Agency Affected: Office of the Governor  
BRU: Office of Management and Budget

Components: Division of Policy

on Telecommunications

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		52.5				
TRAVEL		5.0				
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		57.5				

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		57.5				
FEDERAL FUNDS						
OTHER						
TOTAL		57.5				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Michael A. Nizich, Director  
Division: Division of Administrative Services

Phone: 465-3616  
Date: 4/6/87

Approved by Commissioner: Carol P. Kastelic  
Agency: Office of the Governor

Date: 4/6/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

House Bill 40 specifies that the Office of the Governor shall provide professional and clerical staff, for the Telecommunications Information Council. Personal Services funding requirements are estimated as follows:

Professional Staff

21-A @ \$3,448 x 9 months = \$31,032 x approx. 28% Benefits = \$39,800

Clerical Staff

12-A @ \$1,874 x 5 months = \$ 9,370 x approx. 33% Benefits = \$12,700

Travel for Professional Staff	<u>\$52,500</u>
	<u>5,000</u>
Total:	\$57,500

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

FIN

Bill Version: CSHB 40 (TOD) ~~40~~  
Publish Date: HOUSE 4/10/87

REQUEST

Revision Date: April 7, 1987  
Title: Telecommunications

Agency Affected: Administration  
BRU: \_\_\_\_\_

Sponsor: Boucher  
Requestor: \_\_\_\_\_

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
<b>OPERATING</b>						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: Attach a separate page if necessary

It is assumed that the Council will replace the need for the Information Systems Committee (ISC) as it exists today. The Department of Administration would devote the minimal resources currently used in support of the ISC to support the Council.

Prepared By: Karen Morgan *Karen R. Morgan*  
Division: Data Resources Management

Phone: 465-2220  
Date: April 7, 1987

Approved by Commissioner: Garrey Peska *Garrey Peska*  
Agency: Department of Administration

Date: 4/7/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

# Alaska State Legislature

POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4931

DISTRICT 10  
BOX 111038  
ANCHORAGE, ALASKA 99511  
(907) 349-2192



CHAIRMAN  
Special Committee on  
Telecommunications

MEMBER  
Labor and Commerce  
State Affairs  
Finance—Subcommittee Administration

Representative H. A. "Red" Boucher

## M E M O R A N D U M

TO: REPRESENTATIVE AL ADAMS  
CHAIRMAN, HOUSE FINANCE COMMITTEE

FROM: REPRESENTATIVE H.A. "RED" BOUCHER *JAB*

RE: JUDICIAL BRANCH AMENDMENTS TO CSHB 40 (TELE)

DATE: APRIL 24, 1987

-----

The following amendments clarify the judicial branch's role as a participant on the Telecommunications Information Council.

A. The amendments proposed in the Alaska Court System letter of April 20 do the following:

1. Remove obsolete or inconsistent language in existing Department of Administration data processing statutes.
2. Allow independent judicial branch data processing policies and implementation, as long as its actions are not contrary to the state information systems plan adopted by the council.

B. The amendment proposed in the April 22 memo from Legislative Affairs clarifies the cooperation between the court system and the council, but allows for the "special needs of the judicial branch."

The Administrative Director of the Alaska Court System has agreed to these amendments.



Alaska Court System  
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE  
STAFF COUNSEL

303 K Street  
Anchorage, Alaska 99501

(907) 284-8228

April 20, 1987

Representative H. A. Boucher  
Alaska State Legislature  
P. O. Box V  
Juneau, Alaska 99811

Dear Representative Boucher:

Last week I spoke with Doug Humes from your office about language in Section 7 of CSHB 40 which impacts the court system. This language did not appear in the original version of the bill, and appears inconsistent with several other sections of the measure which address the special needs of the judiciary (see the definition of state agency at page 3, line 5; also section 3 and section 9, paragraph (4)).

The court system submits the following proposed revisions to the bill:

1. Section 5, page 4, line 9. Delete "judicial branch", which appears in existing law. The court system presently maintains an internal central staff which provides systems analysis and computer programming support to the courts.
2. Section 5, page 4, line 19. Change "branches" to "legislative branch." The court system presently determines and satisfies its data processing equipment and supply requirements.
3. Section 7, page 5, beginning at line 18. The court system suggests the following revision (proposed new language underlined; proposed deletions bracketed):
  - (e) If the action is not contrary to the state information systems plan adopted by the Telecommunications Information Council, this section does not prohibit:
    - (1) the department from obtaining necessary contractual assistance for automatic data processing activities;

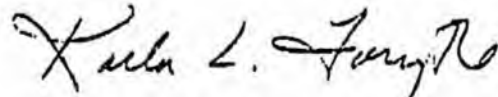
Representative H. A. Boucher  
April 20, 1987  
Page Two

- (2) the legislature [OR JUDICIAL SYSTEM] from recruiting and employing data processing personnel or from obtaining necessary contractual assistance for automatic data processing activities;
- (3) the judicial branch from establishing independent data processing policies and implementation procedures. However, the policies and procedures shall permit information exchange and implementation procedures compatible with other branches of government whenever practical.

These proposed changes recognize the need of the judiciary as a separate branch of government to adopt policies specially adapted to judicial needs, but also reflect an intent that the judiciary cooperate with other branches and agencies when possible.

Thank you for the opportunity to comment on this legislation. I will be glad to provide additional information or answer any questions.

Sincerely,



Karla L. Forsythe  
Staff Counsel

KLF:bs

cc: Arthur H. Snowden, II, Administrative Director  
Dick Delaplain, Manager, Technical Operations

4/20/87-2

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

MEMORANDUM

April 22, 1987

SUBJECT: Additional language for CSHB 40 (Telecommunications)  
(Telecommunications Information Council)

TO: Representative Red Boucher  
Attention: Doug Humes

FROM: Teresa B. Cramer *TBC*  
Legislative Counsel

You have requested language that could be inserted into CSHB 40 (Telecommunications) to direct the court system to consider complying with the information systems plan developed by the telecommunications information council. The following is modelled on AS 36.30.030 in the State Procurement Code:

Sec. 44.19.506. COURT SYSTEM. The administrative director of courts shall establish information systems guidelines and prepare a short-range and long-range information systems plan for the court system. The guidelines and plan must be consistent with the telecommunications information guidelines and plan adopted by the telecommunications information council under AS 44.19.502 - 44.19.519 and must be adapted to the special needs of the judicial branch as determined by the administrator of courts.

If I may be of further assistance, please advise.

TC:csh  
c8/007

Original sponsor: Boucher

See memo from  
Boucher plus attachments  
to follow changes

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 40 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Telecommunications Information  
7 Council in the Office of the Governor; and providing  
8 for an effective date."

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

10 \* Section 1. PURPOSE. The purpose of this Act is to establish a coun-  
11 cil to develop and implement a cost-effective policy for managing the  
12 state's information and information technology resources in a comprehensive  
13 and coordinated manner so that state government may better serve the people  
14 of the state.

15 \* Sec. 2. AS 44.19 is amended by adding new sections to read:

16 ARTICLE 16. TELECOMMUNICATIONS INFORMATION COUNCIL.

17 Sec. 44.19.502. TELECOMMUNICATIONS INFORMATION COUNCIL. (a)

18 There is created within the Office of the Governor the Telecommunica-  
19 tions Information Council.

20 (b) The council is composed of the governor, the commissioner  
21 from each principal department of the executive branch, the president  
22 of the University of Alaska, the executive director of the Legislative  
23 Affairs Agency, and the executive director of the Alaska Public Broad-  
24 casting Commission. The chief justice of the supreme court may ap-  
25 point a member to serve on the council.

26 (c) The governor shall preside over the council. The council  
27 shall meet at least four times each year. The council may meet more  
28 frequently at the call of the chair or if requested by a majority of  
29 the council's members.

1 (d) The Office of the Governor shall provide professional and  
2 clerical staff for the council.

3 Sec. 44.19.504. POWERS AND DUTIES. (a) The council shall

4 (1) establish guidelines and prepare a state short-range  
5 and long-range information systems plan to meet state needs;

6 (2) establish guidelines and direct state agencies to  
7 prepare agency information systems plans;

8 (3) establish guidelines for the accessing of information  
9 by the public;

10 (4) publish in the first quarter of each calendar year a  
11 report on the activities of the council.

12 (b) In addition to its duties under (a) of this section, the  
13 council may establish policies and engage in activities it considers  
14 necessary or appropriate.

15 (c) This section does not grant council responsibility for  
16 broadcast programming content. Program design, production, and use  
17 are the responsibility of the program-sponsoring agency or other  
18 entity.

19 (d) This section does not prohibit a state agency from devel-  
20 oping information systems that are inconsistent with the guidelines  
21 established in (a) of this section if the council gives written au-  
22 thorization for the user agency to engage in the independent design,  
23 development, management, or operation. The council may authorize  
24 independent development only upon a showing of necessity. A descrip-  
25 tion of authorization under this subsection shall be included in the  
26 annual report required under this section.

27 (e) A state agency, including an agency authorized to develop an  
28 independent system under (d) of this section, shall coordinate the  
29 design, development, management, and operation of its information

1 systems with the council.

2 Sec. 44.19.506. COURT SYSTEM. The administrative director of  
3 courts shall establish information systems guidelines and prepare a  
4 short-range and long-range information systems plan for the court  
5 system. The guidelines and plan must be consistent with the tele-  
6 communications information guidelines and plan adopted by the council  
7 under AS 44.19.502 - 44.19.519 and must be adapted to the special  
8 needs of the judicial branch as determined by the administrator of  
9 courts.

10 Sec. 44.19.519. DEFINITIONS. In AS 44.19.502 - 44.19.519

11 (1) "council" means the Telecommunications Information  
12 Council;

13 (2) "state agencies" means all departments, divisions, and  
14 offices in the executive and legislative branches of state government  
15 and the University of Alaska; it does not mean the Alaska Railroad  
16 Corporation or an agency of the judicial branch of government.

17 \* Sec. 3. AS 44.21.150 is amended to read:

18 Sec. 44.21.150. DECLARATION OF PURPOSE. It is the purpose of  
19 AS 44.21.150 - 44.21.170 to designate the Department of Administration  
20 as the department responsible for the operation and management of  
21 automatic data processing resources and activities of the executive  
22 and legislative branches of state government and the judicial branch  
23 to the extent requested by that branch, to provide for cooperation  
24 between the department and the Telecommunications Information Council  
25 in the Office of the Governor, and to provide for periodic review of  
26 state automatic data processing procedures and mechanisms. It is  
27 further the purpose of these sections to encourage cooperation between  
28 the state government and local governments in the use of automatic  
29 data processing systems.

1 \* Sec. 4. AS 44.21.160(a) is amended to read:

2 (a) Except as otherwise provided in (g) of this section, the  
3 department shall comply with the state information systems plan adopt-  
4 ed by the Telecommunications Information Council in the Office of the  
5 Governor in providing [PROVIDE] automatic data processing services  
6 responsive to the needs of state government [AND PROCURE, OPERATE AND  
7 STAFF ALL AUTOMATIC DATA PROCESSING EQUIPMENT FACILITIES USED BY STATE  
8 GOVERNMENT].

9 \* Sec. 5. AS 44.21.160(b) is amended to read:

10 (b) To carry out (a) of this section the department may, consis-  
11 tent with the state information systems plan adopted by the Telecommu-  
12 nications Information Council and with the departmental information  
13 systems plan,

14 (1) maintain a central staff of systems analysts, computer  
15 programmers and other staff members sufficient to provide systems  
16 analysis and computer programming support required by the executive  
17 and [,] legislative [AND JUDICIAL] branches of state government;

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

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

24 (4) recommend implementation priorities of requested data  
25 processing systems;

26 (5) determine and satisfy the data processing equipment and  
27 supply requirements of the executive and legislative branches, depart-  
28 ments, and agencies of state government:

29 (6) provide all facilities, equipment, and staff required

1 to convert data to a form suitable for processing on automatic data  
2 processing equipment;

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

5 (8) review state automatic data processing systems to  
6 encourage effectiveness, measure performance, and assure adherence to  
7 the standards developed under AS 44.21.150 - 44.21.170;

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

11 (10) [REQUIRE EACH STATE AGENCY TO PROCURE ITS AUTOMATIC  
12 DATA PROCESSING SERVICES FROM THE DEPARTMENT;

13 (11)] charge a state agency or other governmental agency for  
14 the cost of the automatic data processing services provided or pro-  
15 cured by the department for the agency.

16 \* Sec. 6. AS 44.21.160(d) is amended to read:

17 (d) In accordance with the state information systems plan adopt-  
18 ed by the Telecommunications Information Council, the [THE] department  
19 and the University of Alaska may develop and implement a plan for the  
20 integration of automatic data processing facilities of the university  
21 [UNIVERSITY OF ALASKA] with the state facilities. . [HOWEVER, THE  
22 INTEGRATION PLAN AUTHORIZED BY THIS SUBSECTION MAY NOT BE PUT INTO  
23 OPERATION UNTIL APPROVED BY THE PRESIDENT OF THE UNIVERSITY OF ALASKA  
24 AND THE DEPARTMENT.]

25 \* Sec. 7. AS 44.21.160(e) is repealed and reenacted to read:

26 (e) If the action is not contrary to the state information  
27 systems plan adopted by the Telecommunications Information Council,  
28 this section does not prohibit

29 (1) the department from obtaining necessary contractual

1 assistance for automatic data processing activities;

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

5 (3) the judicial branch from establishing independent data  
6 processing policies and implementation procedures; however, the  
7 policies and procedures must permit information exchange and imple-  
8 mentation procedures compatible with other branches of government  
9 whenever practical.

10 \* Sec. 8. AS 44.21.266 is amended to read:

11 Sec. 44.21.266. DUTIES OF THE COMMISSION. The commission shall

12 (1) [REPEALED

13 (2) REPEALED

14 (3) REPEALED

15 (4)] apply for federal and private funds for public broad-  
16 casting purposes and receive all federal, state, or private funds,  
17 property or assistance that may be appropriated, granted or otherwise  
18 made available to the commission for public broadcasting purposes, and  
19 use and disburse funds and property for purposes consistent with the  
20 terms of AS 44.21.256 - 44.21.290, subject to reasonable limitations  
21 imposed by the grantor;

22 (2) [(5)] provide consultative services in all aspects of  
23 public broadcasting to all public or private agencies in the state  
24 which request them;

25 (3) [(6)] serve as a library and clearinghouse for public  
26 broadcasting information;

27 (4) [(7) REPEALED

28 (8) REPEALED

29 (9)] through grants to qualified entities, develop an

1 integrated public broadcasting network for the state;

2 (5) [(10) REPEALED

3 (11)] through grants to qualified entities, develop and  
4 distribute public broadcasting programming in the state;

5 (6) [(12)] prepare and submit to the governor and the  
6 legislature, in compliance with the state information systems plan  
7 adopted by [CONSULTATION WITH] the Telecommunications Information  
8 Council in the Office of the Governor [TELECOMMUNICATIONS DIVISIONS IN  
9 THE DEPARTMENT OF ADMINISTRATION], a long term plan for the develop-  
10 ment of public broadcasting stations and systems in the state, and  
11 annually update the plan; and

12 (7) [(13)] perform all other functions necessary to ensure  
13 the orderly and coordinated development of public broadcasting in the  
14 state.

15 \* Sec. 9. AS 44.21.310(a) is amended to read:

16 (a) In accordance with the state information systems plan adopt-  
17 ed by the Telecommunications Information Council and with the depart-  
18 mental information systems plan, the [THE] department shall

19 (1) advise the council and the governor on matters of  
20 policy and comprehensive state planning for telecommunications ser-  
21 vices;

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

24 (3) coordinate, manage, and supervise state programs in  
25 telecommunications, including the management of those telecommunica-  
26 tion services for the state obtained from common carriers and from the  
27 communications industry;

28 (4) when requested, provide technical and consulting assis-  
29 tance to the executive, judicial, and legislative branches of state

1 government, to the University of Alaska, and to private noncommercial  
2 entities which request that assistance in facility procurement and  
3 leasing and in identifying long-range goals and objectives for the  
4 state and its political subdivisions in all aspects of telecommunica-  
5 tions, including public, educational, and instructional telecommunica-  
6 tions;

7 (5) prepare and maintain a state comprehensive telecommu-  
8 nications development plan to further state telecommunications devel-  
9 opment and to meet state telecommunications needs and prepare and  
10 maintain a comprehensive inventory of all state communications facil-  
11 ities;

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

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

28 (8) apply for and accept federal and private money, proper-  
29 ty, or assistance, that may be appropriated, granted, or otherwise

1 made available to the department and use and disburse money and prop-  
2 erty for purposes consistent with AS 44.21.300 - 44.21.330 and AS 44.-  
3 21.256 - 44.21.290, subject to reasonable limitations imposed by the  
4 grantor;

5 (9) participate with other governmental units in planning,  
6 and assist local governments and governmental conferences and councils  
7 in the state in planning and coordinating their activities relating to  
8 telecommunications;

9 (10) provide for the orderly transition to new telecommu-  
10 nications services and systems by state agencies;

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

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

18 (13) provide that all activities of the department are  
19 responsive to state statutes and regulations, and to the regulations  
20 and rulings of the Federal Communications Commission.

21 \* Sec. 10. AS 44.21.315(a) is amended to read:

22 (a) In accordance with the state information systems plan adopt-  
23 ed by the Telecommunications Information Council and with the depart-  
24 mental information systems plan, the [THE] department shall provide

25 (1) technical consultation to educational and public tele-  
26 communications users;

27 (2) coordination and support to telecommunications services  
28 for instruction, including technical assistance and assistance in  
29 preparation of applications for grants related to program development

1 as may be requested by

2 (A) public school districts and the Department of  
3 Education;

4 (B) the University of Alaska; and

5 (C) other state agencies as approved by the [DEPUTY]  
6 commissioner;

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

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

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

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

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

25 \* Sec. 11. AS 44.21.320(e) is amended to read:

26 (e) Nothing in AS 44.21.300 - 44.21.330 prohibits a state agency  
27 from developing telecommunications systems within its own agency if  
28 the agency is in compliance with the state information systems plan  
29 adopted by the Telecommunications Information Council and with the

1 agency's own information systems plan and if the commissioner gives  
2 written authorization for the agency to engage in its own design,  
3 development, management, or operation. The commissioner may authorize  
4 independent development only upon a showing of necessity. A descrip-  
5 tion of all authorization under this subsection must be included in  
6 the annual report required under AS 44.21.310(a)(2).

7 \* Sec. 12. This Act takes effect July 1, 1987.  
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SUMMARY OF CSHB 40

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PURPOSE AND RATIONALE

To create a council to develop and implement policies for the management of the state's information resources.

Proper management of our information resources will allow state government to make major advances in how it serves the people without raising the cost of government.

Full participation in the "Information Age" requires that the state's information technology be harnessed and directed toward solving state problems and achieving state goals.

THE EFFECT OF THE BILL

- \* Establishes an "information" policy and planning group within the Office of the Governor.
- \* Begins comprehensive and coordinated "information resource management" planning for the state.
- \* Merges telecommunications and data processing in the policy and planning process.

THE COUNCIL

- \* Created within the the Office of the Governor.
- \* Chaired by the governor.
- \* Comprised of the commissioners from each of the principal state agencies.
- \* Includes the University of Alaska; the university is a key member of the council due to the importance of the academic and educational aspects of the university system.
- \* Relies on staff within each state agency for technical support. The Office of the Governor will also provide staff support.

SECTIONAL ANALYSIS / CSHB 40 (Tele)  
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\* Section 1. Statement of purpose.

\* Section 2. Chapter 19 (Office of the Governor) is amended by adding new sections.

Sec. 44.19.502. The Telecommunications Information Council is created within the Office of the Governor.

- Council composition described.
- Meeting schedule and support staff described.

Sec. 44.19.504. POWERS AND DUTIES

Subsection (a):

- Council's main duty will be to establish guidelines and prepare a state information systems plan.
- Council will also direct state agencies to prepare agency information system plans.
- Council must establish guidelines for public access to information.

Subsection (b) gives the Council latitude to address "information" related issues that may come up. See Definitions section in Bill Folder for clarification of "information".

Subsection (c) is a standard "non-interference in programming content" statement.

Subsections (d) and (e) allow for flexibility among state agencies in the development of their information systems. Independent development, however, must still be coordinated with the Council.

Sec. 44.19.519. DEFINITIONS.

The words "council" and "state agencies" are defined.

THE REMAINING SECTIONS ARE AMENDMENTS TO EXISTING DEPARTMENT OF ADMINISTRATION STATUTES. THE EFFECT OF THE AMENDMENTS IS TO BRING EXISTING STATUTES INTO COMPLIANCE WITH THE POWERS AND DUTIES OF THE COUNCIL, AND TO REMOVE OBSOLETE LANGUAGE.

\* Sec. 3. Department of Administration (DOA) statutes that relate to data processing are amended to indicate coordination between the department and the council.

\* Sec. 4. DOA data processing statutes are amended to indicate compliance with council's state information systems plan. Obsolete language is removed.

\* Sec. 5. DOA data processing statutes that relate to DOA powers are amended to indicate that DOA actions must be consistent with council and departmental information systems plans. Paragraph 10 is obsolete and therefore removed.

\* Sec. 6. DOA data processing statutes that relate to the University of Alaska are amended to indicate cooperation between DOA and the university, and adherence to the council's state information systems plan. The university president's veto power is removed.

\* Sec. 7. The DOA data processing statute that relates to miscellaneous provisions is repealed and reenacted to indicate which actions may be undertaken by DOA and the legislative and judicial branches, as long as those actions are not contrary to the council's state information system plan.

\* Sec. 8. DOA statutes that relate to the Public Broadcasting Commission are amended to indicate compliance with the council's state information systems plan.

\* Sec. 9. The DOA statute that relates to telecommunications powers and duties is amended to indicate compliance with the council and departmental information systems plans.

\* Sec. 10. The DOA telecommunications statute that relates to services is amended to indicate compliance with council and departmental information systems plans.

\* Sec. 11. The DOA telecommunications statute that relates to independent telecommunications systems development is amended to indicate compliance with council and agency's information systems plans.

\* Sec. 12. Effective date, July 1, 1987.

## DEFINITIONS

Information means any communication or reception of knowledge such as facts, data, or opinions including numerical, graphic, or narrative forms whether oral or maintained in any medium such as computerized data bases, paper, microform, or magnetic tape.

Information Resource Management means the planning, budgeting, organizing, directing, training, and control associated with manual and automated information systems. The term encompasses both information use and sharing and the related resources such as personnel, facilities, hardware, software, funds, and data.

Information Technology means data processing, telecommunications, office system technologies and services.

Data Processing means the automated collection, storage, manipulation and retrieval of data, including central processing units for micro, mini, and mainframe computers and related peripheral equipment such as terminals, document scanners, word processors, intelligent copiers, printing systems, data transmission equipment and related software such as operating systems and application programs.

Telecommunications means voice, data, radio, and video transmission and switching facilities of public telecommunications systems as well as operating and network software.

Office System Technologies means office equipment such as typewriters, duplicating and photocopying equipment, paper format record, microfilm and microfiche equipment, and printing equipment and services.

Information Services means providing of consulting assistance for any aspect of information technology, systems, and networks.

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400

April 17, 1987

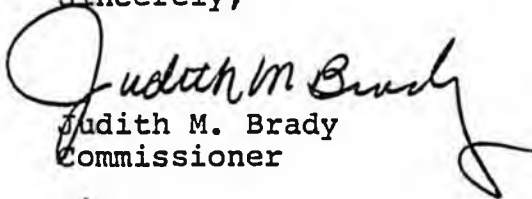
The Honorable H.A. "Red" Boucher  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99801

Dear Representative Boucher:

Your staff has requested a position paper on CS HB 40  
(Telecommunications).

The Department supports the committee substitute. I would be willing to serve on the Telecommunications Information Council and support the activities of the Council with DNR staff within the constraints of our own staffing levels.

Sincerely,

  
Judith M. Brady  
Commissioner

cc: James K. Barnett, Deputy Commissioner  
Sharon L. Barton, Director,  
Division of Management

JMB:rlc

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF CORRECTIONS**

REPLY TO:

POUCH T  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3376

April 20, 1987

The Honorable Al Adams  
Chair  
House Finance Committee  
P.O. Box V  
Juneau, Alaska 99811

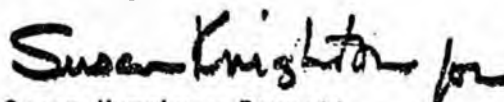
Dear Representative Adams:

I have reviewed CSHB 40, support the legislation, and urge its swift passage. It is a necessary and badly needed step toward bringing high level oversight to the management of the state's information resources.

The Department of Corrections relies heavily on the capabilities of the state's telecommunication network and has plans for expanded uses. We realize the importance of careful and coordinated planning so that current and future resources are there when we need them.

I look forward to serving on the council and will draw on the expertise within the department for technical support.

Sincerely,



Susan Humphrey-Barnett  
Commissioner

SHB:cc



Official Business

# Alaska State Legislature

## House

Will be run  
as a Fin.  
letter intent  
of committee  
P.O. BOX  
State Capitol  
Juneau, Alaska 99811

House Special Committee on Telecommunications

### LETTER OF INTENT

#### CSHB 40 (Telecommunications)

It was the intent of the House Special Committee on Telecommunications to provide through CSHB 40 (Telecommunications) a high level body to oversee the making of telecommunication policy for the State of Alaska. The oversight responsibilities of this body would include information systems within state government and broadcast systems throughout the state.

It was the belief of the Committee that formation of a Telecommunications Information Council within the Office of the Governor would make possible effective management of a major resource that has until recently attracted little notice: Information.

It was the belief of the Committee that intelligent use of this resource is critical to the continued development of this state and that it can be used to help counter the impact of declining oil revenues.

By making the heads of major state departments members of the council and by calling for the Governor to sit as chairman, CSHB 40 is intended to signal to all state agencies the importance that is attached to efficient management of this information resource. It was the belief of the House committee that only state officials as high ranking as this possess the authority to make the telecommunication policy decisions which are necessary now. It is anticipated that the staff work for the council would be the responsibility of a high level member of the Governor's Office and that it would require 25 percent or more of that person's time.

#### Information Management

Much of the work of state government involves the movement of information. The first step in the development of an Information Resource Management system within the state government has already been taken. Individual departments have

data bases and some are developing systems for moving information. These systems can enable state agencies to make better decisions, to make them more quickly, and to make decisions in areas that are now neglected. This can not, however, happen within a policy vacuum.

CSHB 40 is intended to enable the state government to take its second and third steps in Information Resource Management. The information systems we have today have developed with minimal overall direction. They need to be evaluated. Is the information within them the information needed to enable government to do its job well? Does this information get to those who need it -- and in time? This bill would create a mechanism for this kind of evaluation. It would also create a body able to address the broader policy implications of the movement of information within the state government. It creates a body able to address such issues as how to move information across agency lines, and how to move it between state agencies and the private sector.

The information systems that are being used today include the telephone and teleconferencing as well as computers. These systems will change as new applications such as teletext and videotex are refined. Understanding of the technologies is important, and there are those in state government who are already charged with addressing technological issues. The council would draw on the knowledge of these people.

But what is needed most -- and what the proposed council can provide -- is leadership in determining what information we want.

Actions in this area that might be taken by the council:

- \*review state and agency information systems plans. Are they compatible? Will they help achieve state and agency goals?

- \*provide direction to agencies as they develop data bases and information systems;

- \*review all changes proposed by agencies in their information systems;

- \*identify needed changes that have not been recognized by anyone else. What can be done that isn't being done to get the right information to the right people in the right form at the right time?

The council's efforts should result in data bases that provide similar information in comparable form across departments. Information systems should be able to easily

transmit that information from department to department. Some of the information systems within state government today -- such as the University of Alaska Computer Network and the State of Alaska Computer System -- are incompatible. It is in the interest of the state to find a way to move information between these systems.

The council can make government better without making it more expensive. It can help agencies improve their services by assuring that they get better information to work with. It can also make government more efficient by identifying and eliminating information activities that serve no useful purpose.

### Broadcast System

The state government has played a major and essential role in the development of a broadcast system that now encompasses the state. This system today includes the Rural Alaska TV Network channel and the public radio and public television stations supported through the Alaska Public Broadcasting Commission. The state has also contributed to the development of commercial radio and television.

Without this system, many communities would not have access to timely information about the larger world they are a part of. They would be effectively disenfranchised from the democratic process. For many Alaskans, the broadcast system remains the only means of access to the state's information resources.

Although Alaska's broadcast system provides information of value to its users, it is not generally regarded as an information system. But already the voice and digital networks are converging. For several months now, the University of Alaska has been sending over the RATNET channel digital information that could be received with special equipment throughout the state. The council may choose to treat broadcast issues as relatively separate from information issues. That separation is unlikely to continue for long. In the future -- given the development of transmission networks and communication centers that will merge voice and data communications -- the state's broadcast and information systems will appear far less distinct than they do today.

The broadcast system, like the information systems, requires continued evaluation and improvement. The second major task of the telecommunications council would be to address that requirement. There does not now exist any body with the responsibility or the power to assure that this telecommunication system is managed in a way that assures the state's information needs are being served.

There is a need to determine what categories of programming it is in the interest of the state government to provide Alaskans. It is then necessary to identify the most efficient means of providing this programming. Finally, the state must provide support. All this can be done without interfering with program content decisions. All this must be done if the state is to be assured that its broadcast dollars are being well spent.

There is also a need to assure the preservation -- even the growth -- of the statewide telecommunication system. This system has been a major factor in Alaska's development. It has brought political debates, news of the world as well as tv classrooms to villages that lack daily mail service and local newspapers and have only one or two local teachers. It has been used to carry emergency warnings and as a community message service. It has provided fisheries information to fishermen.

This system can provide entertainment, information, services; it can foster awareness of the state as a community. Ten years from now this system may carry kinds of information that we do not even recognize today. It can do many things -- but only if it is there. The proposed council can make sure that it is there.

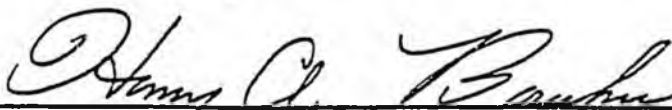
Many alternatives are being discussed today for the further development of broadcast telecommunication in Alaska. These include cable TV, direct broadcast satellite TV, and use of low power TV for community programming. Should the state encourage the development of regional or local "information utilities" that would assume the primary responsibility for information flows within their areas? It is the belief of the House Special Committee on Telecommunications that the proposed council would be the body best qualified to address the issue of how telecommunication should develop.

## Conclusion

The mandate of the proposed Telecommunications Information Council is broad. The state's telecommunication system is as extensive and as complex as its transportation system. The council would be the only body with responsibility for all of it.

Its role would be similar to that of the Supreme Court in interpreting the Constitution: The council would not concern itself with narrow issues and with details except when these elements are relevant to more general concerns about telecommunication.

The council's focus as it considers telecommunication should be on the horizon, not on the innards of the information machine. Hardware's fine, but we mustn't lose sight of what we want to do with it. The Telecommunications Information Council is our assurance that we won't.

A handwritten signature in cursive script, reading "Henry A. Boucher", written over a horizontal line.

Representative H.A. "Red" Boucher  
Chairman, House Special Committee on Telecommunications

Original sponsor: Boucher

1 IN THE HOUSE  
2 CS FOR HOUSE BILL NO. 40 (Telecommunications)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act creating the Telecommunications Information  
7 Council in the Office of the Governor; and providing  
8 for an effective date."  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
10 \* Section 1. PURPOSE. The purpose of this Act is to establish a coun-  
11 cil to develop and implement a cost-effective policy for managing the  
12 state's information and information technology resources in a comprehensive  
13 and coordinated manner so that state government may better serve the people  
14 of the state.  
15 \* Sec. 2. AS 44.19 is amended by adding new sections to read:  
16 ARTICLE 16. TELECOMMUNICATIONS INFORMATION COUNCIL.  
17 Sec. 44.19.502. TELECOMMUNICATIONS INFORMATION COUNCIL. (a)  
18 There is created within the Office of the Governor the Telecommunica-  
19 tions Information Council.  
20 (b) The council is composed of the governor, the commissioner  
21 from each principal department of the executive branch, the president  
22 of the University of Alaska, the executive director of the Legislative  
23 Affairs Agency, and the executive director of the Alaska Public Broad-  
24 casting Commission. The chief justice of the supreme court may ap-  
25 point a member to serve on the council.  
26 (c) The governor shall preside over the council. The council  
27 shall meet at least four times each year. The council may meet more  
28 frequently at the call of the chair or if requested by a majority of  
29 the council's members.

1 (d) The Office of the Governor shall provide professional and  
2 clerical staff for the council.

3 Sec. 44.19.504. POWERS AND DUTIES. (a) The council shall

4 (1) establish guidelines and prepare a state short-range  
5 and long-range information systems plan to meet state needs;

6 (2) establish guidelines and direct state agencies to  
7 prepare agency information systems plans;

8 (3) establish guidelines for the accessing of information  
9 by the public;

10 (4) publish in the first quarter of each calendar year a  
11 report on the activities of the council.

12 (b) In addition to its duties under (a) of this section, the  
13 council may establish policies and engage in activities it considers  
14 necessary or appropriate.

15 (c) This section does not grant council responsibility for  
16 broadcast programming content. Program design, production, and use  
17 are the responsibility of the program-sponsoring agency or other  
18 entity.

19 (d) This section does not prohibit a state agency from devel-  
20 oping information systems that are inconsistent with the guidelines  
21 established in (a) of this section if the council gives written au-  
22 thorization for the user agency to engage in the independent design,  
23 development, management, or operation. The council may authorize  
24 independent development only upon a showing of necessity. A descrip-  
25 tion of authorization under this subsection shall be included in the  
26 annual report required under this section.

27 (e) A state agency, including an agency authorized to develop an  
28 independent system under (d) of this section, shall coordinate the  
29 design, development, management, and operation of its information

1 systems with the council.

2 Sec. 44.19.519. DEFINITIONS. In AS 44.19.502 - 44.19.519

3 (1) "council" means the Telecommunications Information  
4 Council;

5 (2) "state agencies" means all departments, divisions, and  
6 offices in the executive and legislative branches of state government  
7 and the University of Alaska; it does not mean the Alaska Railroad  
8 Corporation or an agency of the judicial branch of government.

9 \* Sec. 3. AS 44.21.150 is amended to read:

10 Sec. 44.21.150. DECLARATION OF PURPOSE. It is the purpose of  
11 AS 44.21.150 - 44.21.170 to designate the Department of Administration  
12 as the department responsible for the operation and management of  
13 automatic data processing resources and activities of the executive  
14 and legislative branches of state government and the judicial branch  
15 to the extent requested by that branch, to provide for cooperation  
16 between the department and the Telecommunications Information Council  
17 in the Office of the Governor, and to provide for periodic review of  
18 state automatic data processing procedures and mechanisms. It is  
19 further the purpose of these sections to encourage cooperation between  
20 the state government and local governments in the use of automatic  
21 data processing systems.

22 \* Sec. 4. AS 44.21.160(a) is amended to read:

23 (a) Except as otherwise provided in (g) of this section, the  
24 department shall comply with the state information systems plan adopt-  
25 ed by the Telecommunications Information Council in the Office of the  
26 Governor in providing [PROVIDE] automatic data processing services  
27 responsive to the needs of state government [AND PROCURE, OPERATE AND  
28 STAFF ALL AUTOMATIC DATA PROCESSING EQUIPMENT FACILITIES USED BY STATE  
29 GOVERNMENT].

1 \* Sec. 5. AS 44.21.160(b) is amended to read:

2 (b) To carry out (a) of this section the department may, consis-  
3 tent with the state information systems plan adopted by the Telecommu-  
4 nications Information Council and with the departmental information  
5 systems plan,

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

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

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

16 (4) recommend implementation priorities of requested data  
17 processing systems;

18 (5) determine and satisfy the data processing equipment and  
19 supply requirements of the branches, departments and agencies of state  
20 government;

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

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

26 (8) review state automatic data processing systems to  
27 encourage effectiveness, measure performance, and assure adherence to  
28 the standards developed under AS 44.21.150 - 44.21.170;

29 (9) develop and conduct an automatic data processing

1 training program designed to serve the technical and managerial needs  
2 of state government;

3 (10) [REQUIRE EACH STATE AGENCY TO PROCURE ITS AUTOMATIC  
4 DATA PROCESSING SERVICES FROM THE DEPARTMENT;

5 (11)] charge a state agency or other governmental agency for  
6 the cost of the automatic data processing services provided or pro-  
7 cured by the department for the agency.

8 \* Sec. 6. AS 44.21.160(d) is amended to read:

9 (d) In accordance with the state information systems plan adopt-  
10 ed by the Telecommunications Information Council, the [THE] department  
11 and the University of Alaska may develop and implement a plan for the  
12 integration of automatic data processing facilities of the university  
13 [UNIVERSITY OF ALASKA] with the state facilities. [HOWEVER, THE  
14 INTEGRATION PLAN AUTHORIZED BY THIS SUBSECTION MAY NOT BE PUT INTO  
15 OPERATION UNTIL APPROVED BY THE PRESIDENT OF THE UNIVERSITY OF ALASKA  
16 AND THE DEPARTMENT.]

17 \* Sec. 7. AS 44.21.160(e) is repealed and reenacted to read:

18 (e) If the action is not contrary to the state information  
19 systems plan adopted by the Telecommunications Information Council,  
20 this section does not prohibit

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

23 (2) the legislature or judicial system from recruiting and  
24 employing data processing personnel or from obtaining necessary con-  
25 tractual assistance for automatic data processing activities.

26 \* Sec. 8. AS 44.21.266 is amended to read:

27 Sec. 44.21.266. DUTIES OF THE COMMISSION. The commission shall

28 (1) [REPEALED

29 (2) REPEALED

1           (3) REPEALED

2           (4)] 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 44.21.256 - 44.21.290, subject to reasonable limitations  
8           imposed by the grantor;

9           (2) [(5)] provide consultative services in all aspects of  
10          public broadcasting to all public or private agencies in the state  
11          which request them;

12          (3) [(6)] serve as a library and clearinghouse for public  
13          broadcasting information;

14          (4) [(7) REPEALED

15          (8) REPEALED

16          (9)] through grants to qualified entities, develop an inte-  
17          grated public broadcasting network for the state;

18          (5) [(10) REPEALED

19          (11)] through grants to qualified entities, develop and  
20          distribute public broadcasting programming in the state;

21          (6) [(12)] prepare and submit to the governor and the  
22          legislature, in compliance with the state information systems plan  
23          adopted by [CONSULTATION WITH] the Telecommunications Information  
24          Council in the Office of the Governor [TELECOMMUNICATIONS DIVISIONS IN  
25          THE DEPARTMENT OF ADMINISTRATION], a long term plan for the develop-  
26          ment of public broadcasting stations and systems in the state, and  
27          annually update the plan; and

28          (7) [(13)] perform all other functions necessary to ensure  
29          the orderly and coordinated development of public broadcasting in the

1 state.

2 \* Sec. 9. AS 44.21.310(a) is amended to read:

3 (a) In accordance with the state information systems plan adopt-  
4 ed by the Telecommunications Information Council and with the depart-  
5 mental information systems plan, the [THE] department shall

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

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

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

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

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

28 (6) whenever feasible, procure services from private enter-  
29 prise or certified and franchised utilities and contract for the

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

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

15 (8) apply for and accept federal and private money, proper-  
16 ty, or assistance, that may be appropriated, granted, or otherwise  
17 made available to the department and use and disburse money and prop-  
18 erty for purposes consistent with AS 44.21.300 - 44.21.330 and AS 44.-  
19 21.256 - 44.21.290, subject to reason-able limitations imposed by the  
20 grantor;

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

25 (10) provide for the orderly transition to new telecommu-  
26 nications services and systems by state agencies;

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

1 systems;

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

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

8 \* Sec. 10. AS 44.21.315(a) is amended to read:

9 (a) In accordance with the state information systems plan adopt-  
10 ed by the Telecommunications Information Council and with the depart-  
11 mental information systems plan, the [THE] department shall provide

12 (1) technical consultation to educational and public tele-  
13 communications users;

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

18 (A) public school districts and the Department of  
19 Education;

20 (B) the University of Alaska; and

21 (C) other state agencies as approved by the [DEPUTY]  
22 commissioner;

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

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

1           (5) assistance, through design, development, and promotion,  
2 to local school districts or other local and regional education agen-  
3 cies for the regionalization of instructional telecommunications  
4 services;

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

7           (7) assistance to the Alaska Public Broadcasting Commission  
8 and any commission-designated subcommittees, as necessary to perform  
9 assigned department functions; the department shall cooperate with the  
10 commission and subcommittees in order to develop policies which are  
11 responsive to the user groups which are represented on the commission.

12 \* Sec. 11. AS 44.21.320(e) is amended to read:

13           (e) Nothing in AS 44.21.300 - 44.21.330 prohibits a state agency  
14 from developing telecommunications systems within its own agency if  
15 the agency is in compliance with the state information systems plan  
16 adopted by the Telecommunications Information Council and with the  
17 agency's own information systems plan and if the commissioner gives  
18 written authorization for the agency to engage in its own design,  
19 development, management, or operation. The commissioner may authorize  
20 independent development only upon a showing of necessity. A descrip-  
21 tion of all authorization under this subsection must be included in  
22 the annual report required under AS 44.21.310(a)(2).

23 \* Sec. 12. This Act takes effect July 1, 1987.

Introduced: 1/19/87  
 Referred: House Special Committee  
 on Telecommunications and Finance

1 IN THE HOUSE

BY BOUCHER

2

HOUSE BILL NO. 40

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act creating the Telecommunications Information Agency in the Office of the Governor; and providing for an effective date."

7

8

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

10 \* Section 1. PURPOSE. The purpose of this Act is to establish an  
 11 agency to develop and implement a cost-effective policy for managing the  
 12 state's information and information technology resources in a comprehensive  
 13 and coordinated manner so that state government may better serve the people  
 14 of the state.

15 \* Sec. 2. AS 44.19 is amended by adding new sections to read:

16 ARTICLE 16. TELECOMMUNICATIONS INFORMATION AGENCY.

17 Sec. 44.19.502. TELECOMMUNICATIONS INFORMATION AGENCY. There is  
 18 created within the Office of the Governor the Telecommunications  
 19 Information Agency.

20 Sec. 44.19.504. INFORMATION TECHNOLOGY PROCUREMENTS. (a) A  
 21 department or agency in the executive or legislative branches may not  
 22 make a procurement for information technology that exceeds \$25,000  
 23 unless the Telecommunications Information Agency approves.

24 (b) The Telecommunications Information Agency shall develop a  
 25 procurement policy consistent with the State Procurement Code (AS 36.-  
 26 30) for procurement, contracting, construction, and maintenance of  
 27 information technology. The procurement policy must seek to achieve  
 28 the maximum benefit to the public, and methods of procurement, includ-  
 29 ing lease, purchase, rental, or combinations of lease, purchase, and

1 rental, must be selected on the basis of factors such as the ratio of  
2 long-range costs versus benefits, life-cycle costing, and the costs to  
3 the communications industry to the extent that these costs may affect  
4 local and long distance basic telephone rates.

5 (c) Procurements by state agencies involving information tech-  
6 nology shall be conducted according to regulations adopted by the  
7 Telecommunications Information Agency.

8 (d) Whenever feasible, the Telecommunications Information Agency  
9 shall procure services from private enterprise or certified and fran-  
10 chised utilities and contract with them for the construction, manage-  
11 ment, operation, and maintenance of telecommunications systems.

12 Sec. 44.19.506. OTHER POWERS AND DUTIES. (a) The Telecommuni-  
13 cations Information Agency shall also

14 (1) determine what information state agencies have, ascer-  
15 tain where the information is located and who needs the information,  
16 and coordinate public access to information;

17 (2) assist and educate state agencies and, if requested,  
18 private noncommercial entities and political subdivisions of the  
19 state, including the University of Alaska, in the use of information  
20 technology and systems analysis;

21 (3) establish evaluation criteria for state-funded programs  
22 that use information technology;

23 (4) obtain economical information technology equipment and  
24 services;

25 (5) represent the state, when requested by the governor, in  
26 information resource management and technology matters;

27 (6) provide for the disposal of all information technology  
28 property that is surplus to the needs of a using state agency;

29 (7) advise the governor on matters of policy and

1 comprehensive state planning for telecommunications information sys-  
2 tems;

3 (8) make an annual report to the governor and to the legis-  
4 lature on the activities of the Telecommunications Information Agency;

5 (9) coordinate, manage, and supervise programs of state  
6 agencies in information technology, including the management of those  
7 telecommunication services for the state obtained from common carriers  
8 and from the communications industry;

9 (10) prepare and maintain both short-range and long-range  
10 telecommunications information systems plans to further state informa-  
11 tion systems development and to meet state needs, provide managerial  
12 leadership in the use of telecommunications information systems, and  
13 prepare and maintain a comprehensive inventory of all communications  
14 facilities of state agencies;

15 (11) maintain a central staff of systems analysts and other  
16 staff members sufficient to provide systems analysis support required  
17 by the executive and legislative branches of state government;

18 (12) review all budget requests for telecommunications  
19 information systems services and recommend to the governor approval,  
20 modification, or disapproval;

21 (13) apply for and accept federal and private money, proper-  
22 ty, or assistance, that may be appropriated, granted, or otherwise  
23 made available to the state for information technology and use and  
24 disburse money and property for purposes consistent with AS 44.19.-  
25 502 - 44.19.519, subject to reasonable limitations imposed by the  
26 grantor;

27 (14) assist, through design, development, and promotion,  
28 local school districts or other local and regional education agencies  
29 in the regionalization of instructional telecommunications services;

1 (15) establish operational policies for public telecommu-  
2 nications services other than public broadcasting; and

3 (16) assist the Alaska Public Broadcasting Commission and  
4 any commission-designated subcommittees, to perform assigned agency  
5 functions; the Telecommunications Information Agency shall cooperate  
6 with the commission and subcommittees in order to develop policies  
7 that are responsive to the user groups that are represented on the  
8 commission.

9 (b) The Telecommunications Information Agency may

10 (1) recommend implementation priorities of requested tele-  
11 communications information systems;

12 (2) for state agencies, determine and satisfy their data  
13 processing equipment and supply requirements that exceed \$25,000;

14 (3) review state automatic data processing systems to  
15 encourage effectiveness, measure performance, and assure adherence to  
16 the standards developed under this section;

17 (4) charge a state agency or other governmental agency for  
18 the cost of the automatic data processing services provided or pro-  
19 cured by the Telecommunications Information Agency for the using  
20 agency;

21 (5) coordinate the Telecommunications Information Agency's  
22 functions with local, regional, state, and federal officials, private  
23 groups and individuals, and with officials of other countries, prov-  
24 inces, and states;

25 (6) enter into contracts and subcontracts on behalf of the  
26 state to carry out the provisions of AS 44.19.502 - 44.19.519; and

27 (7) hold public hearings to obtain information to carry out  
28 the provisions of AS 44.19.502 - 44.19.519.

29 Sec. 44.19.508. DATA PROCESSING. (a) The Telecommunications

1 Information Agency may develop and implement a plan for the inte-  
2 gration of automatic data processing facilities of the University of  
3 Alaska with the facilities of state agencies. The integration plan  
4 authorized by this subsection may not be put into operation until  
5 approved by the president of the University of Alaska.

6 (b) The Telecommunications Information Agency shall provide or  
7 procure automatic data processing services under this section for the  
8 judicial branch to the extent requested by that branch, and may charge  
9 the branch for the services.

10 (c) The director of the Telecommunications Information Agency  
11 shall deposit the data processing services fees charged to political  
12 subdivisions in the general fund. The commissioner of administration  
13 shall separately account for all fees that are collected and deposited  
14 under this section. The legislature may use the annual estimated  
15 balance in the account to make appropriations to the Telecommunica-  
16 tions Information Agency to carry out AS 44.19.502 - 44.19.519.

17 Sec. 44.19.510. TELECOMMUNICATIONS. (a) Subject to available  
18 funds, the Telecommunications Information Agency may make grants to  
19 educational and public telecommunication users, except grants for  
20 public broadcasting purposes.

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

29 (c) The Telecommunications Information Agency shall, after

1 public hearings, submit to the governor an annually updated long-term  
2 development plan for teleconferencing facilities and services, includ-  
3 ing facilities and services used both by state agencies and groups  
4 other than state agencies.

5 (d) The Telecommunications Information Agency may not own,  
6 operate, or be the licensee of a public noncommercial broadcast sta-  
7 tion or production center.

8 (e) This section does not imply Telecommunications Information  
9 Agency responsibility for programming content. Program design, pro-  
10 duction, and use are the responsibility of the program-sponsoring  
11 agency or other entity, not the Telecommunications Information Agency.

12 (f) This section does not prohibit a state agency from devel-  
13 oping telecommunications systems within its own agency if the director  
14 of the Telecommunications Information Agency gives written authoriza-  
15 tion for the user agency to engage in its own design, development,  
16 management, or operation. The director may authorize independent  
17 development only upon a showing of necessity. A description of au-  
18 thorization under this subsection shall be included in the annual  
19 report required under AS 44.19.506.

20 (g) 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 Telecommunications  
23 Information Agency.

24 Sec. 44.19.519. DEFINITIONS. In AS 44.19.502 - 44.19.519,

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

28 (2) "public telecommunications" means telecommunications  
29 that serve public broadcasting, general educational, instructional,

1 medical, safety, emergency, or public participation functions;

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

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

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

14 \* Sec. 3. AS 18.07.111(9) is amended to read:

15 (9) "health care facility" means a private, municipal,  
16 state or federal hospital, psychiatric hospital, tuberculosis hospi-  
17 tal, skilled nursing facility, kidney disease treatment center  
18 (including freestanding hemodialysis units), intermediate care facil-  
19 ity, and ambulatory surgical facility; the term excludes

20 (A) an Alaska Pioneers' Home administered by the  
21 Department of Administration under AS 44.21.020 [AS 44.21.020-  
22 (10)] and AS 47.25.010 - 47.25.100; and

23 (B) the offices of private physicians or dentists  
24 whether in individual or group practice;

25 \* Sec. 4. AS 36.30.850(b) is amended to read:

26 (b) This chapter applies to every expenditure of state funds  
27 irrespective of their sources, including federal assistance except as  
28 otherwise specified in AS 36.30.890, by the state, acting through an  
29 agency, under a contract, except that this chapter does not apply to

- 1 (1) grants;
- 2 (2) contracts for professional witnesses to provide for  
3 professional services or testimony relating to existing or probable  
4 lawsuits in which the state is or may become a party;
- 5 (3) contracts of the University of Alaska where the work is  
6 to be performed substantially by students enrolled in the university;
- 7 (4) contracts for medical doctors and dentists;
- 8 (5) acquisitions or disposals of real property or interest  
9 in real property, except as provided in AS 36.30.080;
- 10 (6) disposals under AS 38.05;
- 11 (7) contracts for the preparation of ballots under AS 15.-  
12 15.030;
- 13 (8) acquisitions or disposals of property and other con-  
14 tracts relating to airports under AS 02.15.070, 02.15.090, and 02.-  
15 15.091;
- 16 (9) disposals of obsolete property under AS 19.05.060;
- 17 (10) disposals of obsolete material or equipment under  
18 AS 35.20.060;
- 19 (11) agreements with providers of services under AS 47.07;  
20 AS 47.08; AS 47.10; AS 47.17; AS 47.24; AS 47.25.195, and 47.25.310;
- 21 (12) contracts of the Department of Fish and Game for  
22 flights that involve specialized flying and piloting skills and are  
23 not point-to-point;
- 24 (13) purchases of income-producing assets for the state  
25 treasury or a public corporation of the state;
- 26 (14) procurements of information technology that exceed  
27 \$25,000 and disposals of information technology under AS 44.19.502 -  
28 44.19.519.

29 \* Sec. 5. AS 44.21.020 is amended to read:

1           Sec. 44.21.020. DUTIES OF DEPARTMENT. The Department of Admin-  
2           istration shall

3                   (1) [REPEALED

4                   (2)] make surveys and studies to improve administrative  
5           procedures, methods, and organization;

6                   (2) [(3)] keep general accounts;

7                   (3) [(4)] approve vouchers and disburse funds for all  
8           purposes;

9                   (4) [(5)] operate centralized purchasing and supply ser-  
10          vices, and necessary storerooms and warehouses;

11                   (5) [(6)] allot space in state buildings to the various  
12          departments according to need and available space;

13                   (6) [(7)] supervise telephone, mailing, messenger, dupli-  
14          cating, and similar services adaptable to centralized management;

15                   (7) [(8)] administer the public employees' retirement  
16          system and teachers' retirement system;

17                   (8) [(9)] administer a statewide personnel program, includ-  
18          ing central personnel services such as recruitment, examination,  
19          position classification, and pay administration;

20                   (9) [(10)] administer the Alaska Pioneers' Homes;

21                   (10) [(11)] administer and supervise a statewide automatic  
22          data processing program;

23                   (11) [(12)] REPEALED

24                   (13) STUDY, DESIGN,] implement [, AND MANAGE] the telecommu-  
25          nications systems and services of the state under AS 44.21.300 -  
26          44.21.330.

27          \* Sec. 6. AS 44.21.150 is amended to read:

28                   Sec. 44.21.150. DECLARATION OF PURPOSE. It is the purpose of  
29          AS 44.21.150 - 44.21.170 to designate the Department of Administration

1 as the department responsible for the operation [AND MANAGEMENT] of  
2 automatic data processing resources and activities of the executive  
3 and legislative branches of state government and the judicial branch  
4 to the extent requested by that branch, to provide for cooperation  
5 between the department and the Telecommunications Information Agency  
6 in the Office of the Governor, and to provide for periodic review of  
7 state automatic data processing procedures and mechanisms. It is  
8 further the purpose of these sections to encourage cooperation between  
9 the state government and local governments in the use of automatic  
10 data processing systems.

11 \* Sec. 7. AS 44.21.160(a) is amended to read:

12 (a) Except as otherwise provided in (g) of this section, the  
13 department shall cooperate with the Telecommunications Information  
14 Agency in the Office of the Governor to provide automatic data pro-  
15 cessing services responsive to the needs of state government and to  
16 procure, operate, and staff all automatic data processing equipment  
17 facilities used by state government.

18 \* Sec. 8. AS 44.21.160(b) is repealed and reenacted to read:

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

20 (1) maintain a central staff of computer programmers and  
21 other staff members sufficient to provide systems analysis and com-  
22 puter programming support required by the executive, legislative and  
23 judicial branches of state government;

24 (2) provide all facilities, equipment and staff required to  
25 convert data to a form suitable for processing on automatic data  
26 processing equipment;

27 (3) develop and publish systems analysis, computer program-  
28 ming and computer operations standards;

29 (4) develop and conduct an automatic data processing

1 training program designed to serve the technical and managerial needs  
2 of state government;

3 (5) require each state agency to procure its automatic data  
4 processing services from the department if the procurement does not  
5 exceed \$25,000;

6 (6) charge a state agency or other governmental agency for  
7 the cost of the automatic data processing services provided or pro-  
8 cured by the department for the agency.

9 \* Sec. 9. AS 44.21.160(e) is amended to read:

10 (e) [NOTHING IN THIS SECTION PRECLUDES THE DEPARTMENT FROM  
11 AUTHORIZING RECRUITMENT AND EMPLOYMENT OF DATA PROCESSING PERSONNEL BY  
12 OTHER DEPARTMENTS OF THE EXECUTIVE BRANCH WHEN THE COMMISSIONER DETER-  
13 MINES THAT THE NEEDS OF THE OTHER DEPARTMENTS WILL BE BEST SERVED BY  
14 THE AUTHORIZATION.] Nothing in this section precludes the department  
15 from obtaining necessary contractual assistance for automatic data  
16 processing activities if the amount does not exceed \$25,000. Nothing  
17 in this section precludes the legislature or judicial system from  
18 recruiting and employing data processing personnel or from obtaining  
19 necessary contractual assistance for automatic data processing activ-  
20 ities.

21 \* Sec. 10. AS 44.21.160(f) is amended to read:

22 (f) The Department of Administration [DIVISION OF DATA PROCESS-  
23 ING] shall coordinate with the Telecommunications Information Agency  
24 in the Office of the Governor [DIVISION OF TELECOMMUNICATIONS] in  
25 providing for the effective transfer of information by telecommu-  
26 nications through the establishment of compatible systems and common  
27 standards.

28 \* Sec. 11. AS 44.21.266 is amended to read:

29 Sec. 44.21.266. DUTIES OF THE COMMISSION. The commission shall

1 (1) [REPEALED

2 (2) REPEALED

3 (3) REPEALED

4 (4)] apply for federal and private funds for public broad-  
5 casting purposes and receive all federal, state or private funds,  
6 property or assistance that may be appropriated, granted or otherwise  
7 made available to the commission for public broadcasting purposes, and  
8 use and disburse funds and property for purposes consistent with the  
9 terms of AS 44.21.256 - 44.21.290, subject to reasonable limitations  
10 imposed by the grantor;

11 (2) [(5)] provide consultative services in all aspects of  
12 public broadcasting to all public or private agencies in the state  
13 which request them;

14 (3) [(6)] serve as a library and clearinghouse for public  
15 broadcasting information;

16 (4) [(7) REPEALED

17 (8) REPEALED

18 (9)] through grants to qualified entities, develop an inte-  
19 grated public broadcasting network for the state;

20 (5) [(10) REPEALED

21 (11)] through grants to qualified entities, develop and  
22 distribute public broadcasting programming in the state;

23 (6) [(12)] prepare and submit to the governor and the  
24 legislature, in consultation with the Telecommunications Information  
25 Agency in the Office of the Governor [TELECOMMUNICATIONS DIVISIONS IN  
26 THE DEPARTMENT OF ADMINISTRATION], a long term plan for the develop-  
27 ment of public broadcasting stations and systems in the state, and  
28 annually update the plan; and

29 (7) [(13)] perform all other functions necessary to ensure

1 the orderly and coordinated development of public broadcasting in the  
2 state.

3 \* Sec. 12. AS 44.21.310 is repealed and reenacted to read:

4 Sec. 44.21.310. POWERS AND DUTIES OF THE DEPARTMENT CONCERNING  
5 TELECOMMUNICATIONS. (a) The department shall

6 (1) make an annual report to the governor and to the legis-  
7 lature on the activities of the department concerning telecommunica-  
8 tions;

9 (2) provide that all activities of the department related  
10 to telecommunications are responsive to state statutes and regula-  
11 tions, and to the regulations and rulings of the Federal Communica-  
12 tions Commission;

13 (3) provide technical consultation to educational and  
14 public telecommunications users;

15 (4) assist the Alaska Public Broadcasting Commission and  
16 any commission-designated subcommittees to perform assigned depart-  
17 mental functions; the department shall cooperate with the commission  
18 and subcommittees in order to develop policies that are responsive to  
19 the user groups that are represented on the commission; and

20 (5) assure that departmental activities in no way con-  
21 stitute an influence on the content or airing of programming, and  
22 report to the governor, the commissioner, and the Alaska Public Broad-  
23 casting Commission any request or attempt by an employee of the state  
24 to influence the content or airing of program material.

25 (b) The department may

26 (1) coordinate its functions with local, regional, state,  
27 and federal officials, private groups and individuals, and with offi-  
28 cials of other jurisdictions; and

29 (2) enter into contracts and subcontracts on behalf of the

1 state if the amount does not exceed \$25,000 to carry out the provi-  
2 sions of AS 44.21.300 - 44.21.330.

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

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

7 (e) Nothing in this section implies departmental responsibility  
8 for programming content. Program design, production, and use are the  
9 responsibility of the program-sponsoring agency or other entity, not  
10 the department.

11 \* Sec. 13. AS 44.21.320(b) is amended to read:

12 (b) Except as provided in (e) of this section, the department  
13 [DIVISION OF TELECOMMUNICATIONS OPERATIONS] may [, CONSISTENT WITH THE  
14 PROVISIONS OF AS 44.21.310(a)(6)]

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

17 (2) manage centrex and other telephone-related services of  
18 state agencies;

19 (3) be responsible generally for telecommunications systems  
20 and design for state agencies; and

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

23 \* Sec. 14. AS 44.21.320(c) is amended to read:

24 (c) Within the limits of available financing, the department  
25 [DIVISION OF TELECOMMUNICATIONS OPERATIONS] shall administer and  
26 operate the satellite television project, by

27 (1) coordinating with the satellite television user groups  
28 and entities; and

29 (2) providing liaison, management support, and technical

1 assistance for the satellite television project.

2 \* Sec. 15. AS 44.21.320(d) is amended to read:

3 (d) Decisions and policies relating to programming under the  
4 satellite television project, including scheduling and allocation  
5 policies, may not be made by the [DIVISIONS OF TELECOMMUNICATIONS OR  
6 THE] department, but may only be made by a network that is representa-  
7 tive of participating rural television users, by commercial broadcast  
8 users or by other affected participating user groups and entities  
9 under procedures provided by statute or, if no statute applies, then  
10 by agreement of the affected user networks or groups. The department  
11 shall assist users in preparing agreements that may be required under  
12 this subsection.

13 \* Sec. 16. AS 44.21.320(e) is amended to read:

14 (e) The [DIVISIONS OF TELECOMMUNICATIONS AND THE] department may  
15 not engage in any activity which interferes with a contract or program  
16 right relating to commercial television programming, including but not  
17 limited to any right protected by copyright.

18 \* Sec. 17. TRANSITION. All litigation, hearings, investigations and  
19 other proceedings pending under a law amended or repealed by this Act, or  
20 in connection with functions transferred by this Act, continue in effect  
21 and may be continued and completed notwithstanding a transfer or amendment  
22 or repeal provided for in this Act. Certificates, orders, and regulations  
23 issued or adopted under authority of a law amended or repealed by this Act  
24 remain in effect for the term issued, or until revoked, vacated, or other-  
25 wise modified under the provisions of this Act. All contracts, rights,  
26 liabilities, and obligations created by or under a law amended or repealed  
27 by this Act, and in effect on July 1, 1987, remain in effect notwithstand-  
28 ing this Act's taking effect. Records, equipment, and other property of  
29 agencies of the state whose functions are transferred under this Act shall

1 be transferred commensurate with the provisions of this Act.

2 \* Sec. 18. NAME CHANGE. To be consistent with the changes made by this  
3 Act, wherever in the Alaska Statutes and in regulations adopted under those  
4 statutes "division of telecommunications services," "division of telecommu-  
5 nications operations," and other terms identifying the divisions are used,  
6 they must be read as referring to the Department of Administration or the  
7 Telecommunications Information Agency as appropriate under the provisions  
8 of this Act. Under AS 01.05.031, the revisor of statutes shall implement  
9 this section in the statutes and under AS 44.62.125(b)(6), the regulations  
10 attorney shall implement this section in the administrative regulations.

11 \* Sec. 19. AS 44.21.160(d), 44.21.300, 44.21.305, 44.21.315, 44.21.-  
12 320(a), 44.21.320(f), 44.21.320(g), and 44.21.330(3) are repealed.

13 \* Sec. 20. This Act takes effect July 1, 1987.