

LEG. FINANCE - BILLS 1979 - 1980 1377

CSSB 509

1377



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

3/23/90  
Date



DEPARTMENT OF ADMINISTRATION

Administrative Support

Personal Services:

1. Secretary I - Range 10	\$ 24.1
2. Clerk IV - Range 9	23.0
3. Accounting Clerk III - Range 10	24.1
4. Deputy Director - Range 23	55.0
5. Personnel Asst. I - Range 12	25.3

Reclass Director, Range 24 - 26 6.2

New Position dollars \$157.7

Transfer of PCN 252603 from DOTPF,  
Supply Officer II-\$30.9 (non-add)

Travel:

Staff	\$ 12.0
ITV Council travel & per diem	21.2
Moving costs	<u>35.0</u>

Total Travel \$ 68.2

Contractual:

Communications	\$ 6.0
Professional fees & services	50.0
Rent	<u>90.0</u>

Total Contractual \$146.0

Commodities: \$ 2.5

Equipment:

Office systems furniture	\$ 10.0
Word Processing	5.0
Calculators	<u>.5</u>

Total Equipment \$ 15.5

Total Administrative Support-----\$ 389.9

Division of Public Telecommunications

Assumes transfer of the following positions & support costs:

Telecommunications Planner (DPDP), approx. \$60.0 (non-add)

3 Planners (DOTPF), approx. \$161.6 (non-add)

Legal fees (Legal Svcs. Law), approx. \$133.0 (non-add)

The appropriation and personnel for the Alaska Public Broadcasting Commission will be transferred from DOE to Dept. of Administration. As it is approved by the Legislature.

New Positions.

1. Director-Public Telecomm. Svcs.	\$ 64.0
2. Secretary I	24.1
3. Economist II	38.8
4. Admin. Asst. I	25.3
5. Clerk Typist III	21.8
	<u>\$174.0</u>

Travel: \$ 30.0

Contractual:

Communications	\$ 6.0
Professional fees & services	40.0
	<u>\$ 46.0</u>

Division of Public Telecommunications (continued)

Commodities:	\$ 2.5
Equipment:	
Office systems furniture	\$12.6
Word processing	7.0
Other	3.0
	<u>\$22.6</u>

Division of Telecommunications Services

Assumes transfer of the following positions and support costs:

Division of Communications

Support to State agencies  
Remote Village Radio  
T.V. Demonstration Project -  
\$5,152.0 (non-add)

The Finance Committee has had COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 509 (Rules) amended (establishing telecommunications divisions in the Department of Commerce and Economic Development; transferring telecommunications functions to those divisions; and changing the name of the department to the Department of Commerce, Economic Development, and Telecommunications; and providing for an effective date) under consideration and a majority of the committee recommends it be replaced with HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 509 (Finance):

CSSB  
509  
(Rls)  
am

"An Act establishing telecommunications divisions in the Department of Administration; amending the statutes relating to telecommunications; transferring certain telecommunications functions to those divisions; and providing for an effective date."

that it do pass; attaches a letter of intent and a fiscal note. Concurring: Meekins (Chairman), Moss, Rogers, Schaeffer, Duncan and Guy. Not concurring: Montgomery, Haugen, McKinnon and Smith have no recommendation.

CSSB 509(Rls)am was referred to the Rules Committee for placement on the calendar.

Fiscal note appears in House Journal Supplement No. 84.

The letter of intent follows:

HOUSE FINANCE COMMITTEE

LETTER OF INTENT

HCS for CSSB 509

It is the intent of the legislature that the Department of Administration use the funds appropriated in the fiscal note for HCS CSSB 509 (Finance) to effect the consolidation of state telecommunications as directed in the legislation. The legislature recognizes that funding may not be sufficient to accomplish all of the goals and intents of HCS CSSB 509 (Finance). However, the first year is one of transition, and funding appropriated is deemed sufficient for the transitionary period. The Department of Administration shall present to the first session of the twelfth legislature a budget request for fiscal year 1982 sufficient to accomplish the goals and intents of HCS CSSB 509 (Finance) during FY 82.

*Russ Meekins*

Russ Meekins, Chairman

SCR committee recommends it do pass and attaches a fiscal  
43 note. Concurring: Meekins (Chairman), Rogers,  
am Freeman, Duncan, McKinno and Schaeffer. Not concur-  
ring: Montgomery has no recommendation.

SCR 43am was referred to the Rules Committee for place-  
ment on the calendar.

Fiscal note appears in House Journal Supplement No. 86.

CSSB The Judiciary Committee has had COMMITTEE SUBSTITUTE  
42 FOR SENATE BILL NO. 42 (relating to the termination  
of rental agreements of mobile home park dwellers and  
tenants) under consideration and a majority of the  
committee recommends it be replaced with the Judiciary  
HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL NO. 42 (Judiciary):

"An Act relating to rental agreements  
or leases of mobile home park dwell-  
ers and tenants."

and that it do pass. Concurring: Parr (Chairman),  
Malone, Martin, Brown, Anderson, Phillips and  
Buchholdt.

CSSB 42 was referred to the Rules Committee for place-  
ment on the calendar.

HCS A letter of intent on HOUSE COMMITTEE SUBSTITUTE FOR  
CSSB COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 509 (Finance)  
509 amended House (short title: establishing telecommuni-  
(Fin) cations divisions in the Department of Administra-  
amH tion; effective date) follows:

The Honorable Terry Gardiner  
Speaker of the House  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Speaker:

After consideration by the House Commerce Committee  
of CS for SB 509, the Finance Committee adopted a  
slightly different version of the legislation, and that  
version has passed the House. Through this letter, the  
Chairman of the House Finance Committee and the Chairman

of the House Commerce Committee offer substitute language for a letter of intent for the legislation, based in part upon the letter of intent of the House Commerce Committee which appears on page 1426 of the House Journal, but taking into account the changes in the legislation which occurred from the time the bill was reported out of House Commerce to the time that it passed on the floor of the House.

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We recommend that the following be adopted as the letter of intent for the House Finance Committee substitute:

The primary goal of the Finance CS for CSSB 509 is to aggregate the state's telecommunications activities into one agency to assure responsibility and accountability for the state's telecommunications activity.

The major intent and purposes of the Finance CS for CSSB 509 are set out in the intent and purposes section. This letter of intent is to clarify the powers and duties of the telecommunications divisions and of the telecommunications commissions, as well as to provide intent for the continued operation of the Satellite Television Project.

Two major divisions are established in the Department of Administration: (1) the public telecommunications services division; and (2) the telecommunications systems division. Both divisions are to be supervised by a deputy commissioner. It is the intent of the legislation that the deputy commissioner be familiar with the various aspects of telecommunications and be skilled in the various aspects of executive management.

The public telecommunications services division is intended to serve the needs of noncommercial public broadcasting, instructional telecommunications, and health communications, giving technical, consultative, and other assistance and coordination as necessary to these constituencies.

The public telecommunications services division will serve as a primary state funding agency for grants to educational and other public services agencies for telecommunications and other activities as are necessary for the successful utilization of telecommunications for education and public service. The division shall establish policies and regulations for these education services grants with the approval of the Instructional Telecommunications Commission with staff approved by the Commission to directly supervise these instructional support activities.

HCS  
CSSB For the first time in Alaska, state law will specifically  
509 prohibit state agency interference with, and control of,  
(Fin) the content of any programming or communication delivered  
amH for any public purpose by any technology. Program  
content responsibility remains with the individual agency  
or entity providing program production or distribution.

The House believes strong and vigorous commissions performing "watch-dog" functions with regard to actions of the divisions is central to an enlightened telecommunications policy. The possibility of even the appearance of government influence or control of broadcast schedules or material is too great a threat to constitutionally guaranteed rights of free speech and press for the legislation to call for less than strong commissions with direct access to the Governor, the Legislature, and the citizenry.

The newly constituted Public Broadcasting Commission and Instructional Telecommunications Commission provide more insulation for recipients of state funds in these areas than the current system. The Commissions are also given, for the first time in statutory language, direct access to the Governor and the Legislature for their positions and recommendations. Finance CS for CS for SB 509 requires that division recommendations for instructional telecommunications grants, the individual requests for public broadcasting funds, and the recommendations of the respective Commissions all be forwarded to the Commissioner, the Governor, and the Legislature, so that the Governor and the Legislature can be fully informed of any conflict that may exist between the division and the respective commissions. In addition, the deputy commissioner is charged with the responsibility to report to the Governor, the Legislature and the Public Broadcasting and Instructional Telecommunications Commissions any attempt to influence the airing of any program or the content of any program.

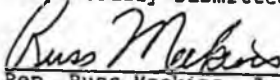
The telecommunications systems division is established to provide a full range of planning, design, development, management and consultative services for telecommunications used by state agencies and public institutions. These technical services are intended to assist the state's executive branch agencies and related organizations (i.e. policy advisory committees) in coordinating their use and development of telecommunications services. It is not intended that the division provide legislative or judicial branch services, unless specifically requested to do so by agencies within those branches of state government. The division should not seek to construct or operate telecommunications facilities to the

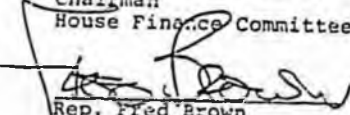
detriment of the communications rate payers of Alaska. The division shall be bound by AS 37.05 and by current FCC Rules and Regulations in procuring communications services for state agencies.

It is the intent of the House to continue the state-funded Satellite Television Project. As soon as is practical, the telecommunications systems division is to contract for the continued operation of the satellite delay center, and is to monitor the technical performance of the operations contractor. Specific language is included in Finance CS for CSSB 509 to assure the continuation of the Satellite Television Project as it is currently constituted. This language, for the first time, incorporates into statute the major role played by commercial stations and their network affiliates. The Public Broadcasting Commission will provide a selection mechanism for programming transmitted to rural areas. The procedure must maximize consideration of local preferences on as fairly representative a basis as is practicable. The language also protects existing contractual arrangements between and among the commercial stations and their affiliated networks and program suppliers.

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Respectfully submitted,

  
Rep. Russ Meekins, Jr.  
Chairman  
House Finance Committee

  
Rep. Fred Brown  
Chairman  
House Commerce Committee

#### REPORTS OF SPECIAL COMMITTEES

The FREE CONFERENCE COMMITTEE, which has had COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 192 (Finance) amended (providing for equalization of the tax resources of

CSHB  
192  
(Fin)  
amH

6/2/80

Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

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

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

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

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

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

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

1 of information in these systems and institutions;

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

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

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

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

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

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

24 (A) comprehensive telecommunications planning for the state;

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

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

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

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

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

4 ARTICLE 4. TELECOMMUNICATIONS.

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

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

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

12 (b) The deputy commissioner shall

13 (1) provide executive direction for the activities of the  
14 telecommunications divisions;

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

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

23 (1) advise the governor on matters of policy and comprehen-  
24 sive state planning for telecommunications services;

25 (2) make an annual report to the governor and to the legis-  
26 lature on the activities of the telecommunications divisions;

27 (3) coordinate with the Department of Law to insure the  
28 representation of the public interest in matters pertaining to the  
29 availability, adequacy, cost and design of telecommunications services

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

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

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

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

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

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

1 plans and programs involving the use of telecommunications;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 Sec. 44.21.178. DIVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

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

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

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

1 may be requested by

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

4 (B) the University of Alaska; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 tion;

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

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

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

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

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

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

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

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

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

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

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

8 (c) The Public Broadcasting Commission may

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 commissioner of health and social services; an

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 expenses authorized under AS 39.20.180.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (b) The department may

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

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

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

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

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

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

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

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

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

7 \* Sec. 11. AS 14.58 is repealed.

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

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

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Sofo

Original sponsor: Finance Committee

Offered: 5/16/80  
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 509

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing telecommunications divisions in  
7 the Department of Commerce and Economic Development;  
8 transferring telecommunications functions to those  
9 divisions; and changing the name of the department to  
10 the Department of Commerce, Economic Development, and  
11 Telecommunications; and providing for an effective  
12 date."

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

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

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

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

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

27 (4) current and projected public, business and government needs  
28 for additional and enhanced telecommunications and information transfer  
29 services and equipment are highly diverse, reflecting the increasingly com-

Letter of Intent 5/16/80

1 plex and interactive character of the social and economic systems and in-  
2 stitutions of the state, and the increasingly important and diversified role  
3 of information in these systems and institutions;

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

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

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

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

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

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

26 (A) comprehensive telecommunications planning for the state;

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

29 (C) increased effectiveness in coordinating and assisting

1 public service telecommunications users;

2 (D) the establishment of consistent public policy for the  
3 state related to telecommunications systems and services, and better  
4 public understanding of the state's policies and programs.

5 \* Sec. 2. AS 44.33 is amended by adding new sections to read:

6 ARTICLE 11. TELECOMMUNICATIONS.

7 Sec. 44.33.501. TELECOMMUNICATIONS DIVISIONS. There is estab-  
8 lished in the department

9 (1) a division of public telecommunications services; and

10 (2) a division of telecommunications systems.

11 Sec. 44.33.503. DEPUTY COMMISSIONER. (a) The telecommunications  
12 divisions shall be administered by a deputy commissioner of the depart-  
13 ment appointed by the commissioner.

14 (b) The deputy commissioner shall

15 (1) provide executive direction for the activities of the  
16 telecommunications divisions;

17 (2) assure that division activities in no way constitute an  
18 influence on the content or airing of programming and report to the  
19 governor, the commissioner, and the Public Broadcasting Commission or  
20 the Instructional Telecommunications Commission any request or attempt  
21 to influence the content or airing of program material.

22 Sec. 44.33.507. POWERS AND DUTIES OF THE TELECOMMUNICATIONS DIVI-  
23 SIONS. (a) The telecommunications divisions shall

24 (1) advise the governor on matters of policy and comprehen-  
25 sive state planning for telecommunications services;

26 (2) make an annual report to the governor and to the legis-  
27 lature on the activities of the telecommunications divisions;

28 (3) coordinate with the Department of Law to insure the  
29 representation of the public interest in matters pertaining to the

1 availability, adequacy, cost and design of telecommunications services  
2 and facilities before state and federal legal and regulatory forums;

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

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

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

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

29 (8) provide information and assistance to state agencies to

1 promote governmental coordination and unity in the preparation of agency  
2 plans and programs involving the use of telecommunications;

3 (9) apply for and accept federal and private money, property,  
4 or assistance, that may be appropriated, granted or otherwise made  
5 available to the telecommunications divisions and use and disperse money  
6 and property for purposes consistent with the terms of AS 44.33.501 -  
7 44.33.517 subject to reasonable limitations imposed by the grantor;

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

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

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

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

21 (14) provide that all activities of the telecommunications  
22 divisions are responsive to existing state statutes and regulations, and  
23 to the regulations and rulings of the Federal Communications Commis-  
24 sion.

25 (b) The telecommunications divisions may

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

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

1 state to carry out the provisions of AS 44.33.501 - 44.33.517;

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

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

10 (5) hold public hearings to obtain information for the pur-  
11 pose of carrying out the provisions of AS 44.33.501 - 44.33.517.

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

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

20 Sec. 44.33.509. DIVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

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

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

28 (1) coordination and support to telecommunications services  
29 for instruction, including technical assistance and assistance in pre-

1 paration of applications for grants related to program development as  
2 may be requested by

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

5 (B) the University of Alaska; and

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

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

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

12 (B) the division shall receive and review requests for  
13 operating and capital support from public broadcasting entities,  
14 and may award grants to those entities subject to the dispute reso-  
15 lution powers of the Public Broadcasting Commission under AS 44.-  
16 33.511(b)(3);

17 (C) the division shall pursue the development of public  
18 broadcast services to all residents of the state, and, in consulta-  
19 tion with the Public Broadcasting Commission, develop and submit to  
20 the governor and legislature, with the approval of the Public  
21 Broadcasting Commission, a two-year development plan of public  
22 broadcasting in the state;

23 (D) the division may not control or be responsible for  
24 the program content or policy of public broadcasters except that  
25 grants or technical assistance may not be given to a broadcaster  
26 who is in violation of federal or state laws;

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

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

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

9           (6) establishment of operational policies by the division of  
10 public telecommunications services upon review and approval by the  
11 appropriate telecommunications commissions;

12           (7) assistance to the Public Broadcasting Commission and the  
13 Instructional Telecommunications Commission, and any commission-design-  
14 nated subcommittees, as necessary to perform assigned division functions;  
15 the division shall cooperate with these commissions and subcommittees in  
16 order to develop policies which are responsive to the user groups which  
17 are represented on the commissions.

18           (c) The division of public telecommunications services shall  
19 study, plan and develop integrated instructional telecommunications  
20 services for all residents of the state, and shall annually report on  
21 current fiscal year instructional telecommunications activities and,  
22 with the approval of the Instructional Telecommunications Commission,  
23 submit to the governor and the legislature an updated two year develop-  
24 ment plan prepared in consultation with education agencies and the  
25 Instructional Telecommunications Commission.

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

29           (e) Nothing in this section is intended to imply division re-

1 sponsibility for programming content. Program design, production, and  
2 use remain the responsibility of the program-sponsoring agency, not the  
3 division.

4 Sec. 44.33.511. PUBLIC BROADCASTING COMMISSION. (a) The Public  
5 Broadcasting Commission is established in the division of public tele-  
6 communications services. The Public Broadcasting Commission consists of  
7 the following nine members:

8 (1) four members representing the public radio stations in  
9 the state each of whom shall be a member of the governing board of a  
10 public radio licensee; each governing board of a public radio licensee  
11 shall propose a nominee and the four nominees receiving the most votes  
12 of the public broadcast licensees in the state shall be elected to the  
13 commission;

14 (2) one member representing the public television stations in  
15 the state who is a member of the governing board of a public television  
16 station; each governing board of a public television licensee shall  
17 propose a nominee and the nominee receiving the most votes of the public  
18 broadcast licensees shall be elected to the commission;

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

25 (4) one member who is an employee, manager, or holder of an  
26 ownership interest in a commercial broadcasting station to be appointed  
27 by the governor from a list of nominees provided by a recognized commer-  
28 cial broadcasting trade organization;

29 (5) in the case of public broadcast licenses held by the

1 University of Alaska the applicable policy advisory council established  
2 by the Board of Regents shall be the governing board under (1) and (2)  
3 of this subsection.

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

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

7 (2) the review and approval of regulations relating to public  
8 broadcasting before their adoption by the division of public telecom-  
9 munications services;

10 (3) the resolution of any dispute involving the grant award  
11 process;

12 (4) the review of grant requests for public broadcasting  
13 stations proposed to the division of public telecommunications services;  
14 the recommendations of the commission together with the original  
15 requests of the public broadcasting stations, shall be forwarded to the  
16 governor and the legislature;

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

20 (6) cooperation with the division of public telecommunications  
21 services in developing policies responsive to the user groups represented  
22 on the commission;

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

28 (8) the reporting of any other recommendations for public  
29 broadcasting directly to the division of public telecommunications

1 services, the deputy commissioner, the governor and the legislature; and

2 (9) the recommendation to the legislature, no later than  
3 February 1, 1981, of an equitable state foundation program and formula  
4 for disbursing basic public broadcasting entity grants.

5 (c) Members of the Public Broadcasting Commission serve overlap-  
6 ping terms of four years. Four of the first members of the Public  
7 Broadcasting Commission shall serve two-year terms and the remaining  
8 five members shall serve four-year terms, to be determined by lot.  
9 Terms of Public Broadcasting Commission members expire on June 30.  
10 Before the expiration of the term of a member or upon the creation of a  
11 vacancy other than by expiration, the division of public telecommunica-  
12 tions services shall conduct an election to secure a successor or the  
13 appointing authority shall appoint a successor to succeed the member  
14 whose term is expiring or for the unexpired term. A person appointed or  
15 elected to the Public Broadcasting Commission may not serve more than  
16 two consecutive terms, or a maximum of eight years, whichever is shorter.

17 (d) The Public Broadcasting Commission shall meet at least once  
18 every two months and may hold public hearings and other meetings as  
19 necessary throughout the state. Meetings and hearings may be conducted  
20 with the use of available teleconferencing facilities, including, if  
21 available, leased broadcast lines. Substantive actions or determinations  
22 of the Public Broadcasting Commission must be agreed to by a majority of  
23 the the members of the commission. At least one meeting each year shall  
24 be conducted with a quorum of the Public Broadcasting Commission physic-  
25 ally present.

26 (e) Members of the Public Broadcasting Commission serve without  
27 compensation but are entitled to per diem and travel expenses authorized  
28 under AS 39.20.180.

29 Sec. 44.33.512. INSTRUCTIONAL TELECOMMUNICATIONS COMMISSION. (a)

1 The Instructional Telecommunications Commission is established in the  
2 division of public telecommunications services. The Instructional  
3 Telecommunications Commission consists of nine members appointed as  
4 follows:

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

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

8 (3) one member appointed by the Board of Regents of the  
9 University of Alaska;

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

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

13 (6) one member appointed by the Alaska Adult Education Asso-  
14 ciation;

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

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

21 (b) The duties of the Instructional Telecommunications Commission  
22 include

23 (1) the review of policies of the division of public tele-  
24 communications services relating to instructional applications of tele-  
25 communications;

26 (2) the review of regulations relating to instructional  
27 telecommunications before their adoption by the division of public  
28 telecommunications services;

29 (3) the establishment of educational priorities and the

1 review of division procedures relating to project grant awards made by  
2 the division to educational agencies;

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

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

9 (6) the annual review and approval of the instructional  
10 telecommunications current fiscal year activities report and two-year  
11 development plan before submission of the report and plan to the governor  
12 and to the legislature;

13 (7) serving as the user entity to coordinate educational  
14 television program material provided by sponsor agencies with the  
15 satellite television project under AS 44.33.514(b)(2);

16 (8) the communication of any other recommendations for in-  
17 structional telecommunications directly to the division of public tele-  
18 communications services, the deputy commissioner, the governor and the  
19 legislature.

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

24 (d) Members of the Instructional Telecommunications Commission  
25 serve overlapping terms of four years. Five of the first members of the  
26 Instructional Telecommunications Commission serve two-year terms and the  
27 remaining four serve four-year terms, to be determined by lot. Terms of  
28 Instructional Telecommunications Commission members expire on June 30.  
29 Before the expiration of the term of a member or upon the creation of a

1 vacancy other than by expiration, the appointing authority shall appoint  
2 a successor to succeed the member whose term is expiring or for the  
3 unexpired term. A person appointed to the Instructional Telecommunica-  
4 tions Commission may not serve more than two consecutive terms, or a  
5 maximum of eight years, whichever is shorter.

6 (e) The Instructional Telecommunications Commission shall meet at  
7 least quarterly and may hold public hearings and other meetings as  
8 necessary throughout the state. Meetings and hearings may be conducted  
9 with the use of available teleconferencing facilities. Substantive  
10 actions or determinations of the Instructional Telecommunications Commis-  
11 sion must be agreed to by a majority of the members of the commission.  
12 At least one meeting each year will be conducted with a quorum of the  
13 Instructional Telecommunications Commission physically present.

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

17 Sec. 44.33.513. DIVISION OF TELECOMMUNICATIONS SYSTEMS. (a) The  
18 division of telecommunications systems shall be administered by a direc-  
19 tor appointed by the commissioner.

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

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

24 (2) manage centrex and other telephone-related services of  
25 the state;

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

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

1 (c) Nothing in AS 44.33.501 - 44.33.517 prohibits a state agency  
2 from developing telecommunications systems within its own agency if the  
3 commissioner gives written authorization for the agency to engage in its  
4 own design, development, management, or operation. The commissioner may  
5 authorize independent development only upon a showing of necessity. A  
6 description of all authorization under this subsection shall be included  
7 in the annual report required under AS 44.33.507(a)(2).

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

12 Sec. 44.33.514. SATELLITE TELEVISION PROJECT. (a) Within the  
13 limits of available financing, the division of telecommunications systems  
14 shall administer the satellite television project by

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

18 (2) coordinating with the satellite television user groups  
19 and entities identified in this chapter for the provision of intrastate  
20 and interstate satellite television services; and

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

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

27 (1) Representatives of each Alaska commercial television  
28 network affiliated station shall select programs from their respective  
29 network for use in a manner determined by them that is consistent with

1 existing program rights and other relevant contract rights.

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

6 (3) The Rural Alaska Television Network (RATNet) shall select  
7 programs for scheduled intrastate evening programming intended for use  
8 by rural Alaskan communities participating in the satellite television  
9 project in a manner consistent with the provisions of this chapter and  
10 procedures established by the RATNet. The Rural Alaska Television  
11 Network is an unincorporated association with an existence separate from  
12 the state but affiliated with the division of telecommunications systems,  
13 which shall conduct its business in a manner consistent with bylaws  
14 established by it and which are not inconsistent with this chapter.  
15 RATNet shall conduct its business through a council, composed of seven  
16 persons nominated by the participating communities in a procedure estab-  
17 lished by the bylaws of the Rural Alaska Television Network. An execu-  
18 tive committee of RATNet may represent the council to the extent author-  
19 ized by the council and bylaws. The council shall be convened at least  
20 once every two months, and meetings may be held by teleconference to the  
21 extent that these facilities are available. At least one meeting each  
22 year shall be conducted with a quorum of the council physically present.  
23 Members of the council of the Rural Alaska Television Network serve  
24 without compensation but are entitled to per diem and travel expenses  
25 authorized under AS 39.20.180 to compensate them for costs incurred in  
26 the services to the state under this section.

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

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

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

3 (c) Each satellite television user group identified in (b) of this  
4 section shall select a representative to serve on an executive users'  
5 committee for the purpose of facilitating cooperation among the users.  
6 Scheduling conflicts shall be resolved by the user groups and entities  
7 informally among themselves whenever possible. The executive users'  
8 committee shall resolve scheduling conflicts referred to it in a manner  
9 consistent with this chapter.

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

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

19 Sec. 44.33.517. DEFINITIONS. In AS 44.33.501 - 44.33.517,

20 (1) "basic public broadcasting entity grants" means those  
21 grants administered by the state to the various classes of public radio  
22 and television broadcasters which provide a minimum stipend for the  
23 capital and operating expenses of those broadcasters;

24 (2) "commissioner" means the commissioner of the Department  
25 of Commerce, Economic Development, and Telecommunications;

26 (3) "department" means the Department of Commerce, Economic  
27 Development, and Telecommunications;

28 (4) "deputy commissioner" means the deputy commissioner of  
29 telecommunications in the department who administers the telecommuni-

1 cations divisions;

2 (5) "public broadcasting" means the delivery of radio or  
3 television noncommercial programming intended for the general public by  
4 any method of telecommunications;

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

8 (7) "state agencies" means all departments, divisions and  
9 offices in the executive branch of state government but does not mean an  
10 agency of the legislative or judicial branch of government or the Uni-  
11 versity of Alaska;

12 (8) "telecommunications" means the transmission and reception  
13 of messages, impressions, pictures and signals by means of electro-  
14 magnetic transmission with or without benefit of a closed transmission  
15 medium including all instrumentalities, facilities, apparatus, and  
16 services, whether conveyed by cable, wire, radiated through space, or  
17 transmitted through other media within a specified area or between  
18 designated points;

19 (9) "telecommunications divisions" means the division of  
20 public telecommunications services and the division of telecommuni-  
21 cations systems;

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

24 \* Sec. 3. AS 44.15.010(8) is amended to read:

25 (8) Department of Commerce, [AND] Economic Development, and  
26 Telecommunications

27 \* Sec. 4. AS 44.21.160 is amended by adding a new subsection to read:

28 (f) The department and its division of data processing shall  
29 coordinate with the divisions of telecommunications of the Department of

1 Commerce, Economic Development, and Telecommunications in providing for  
2 the effective transfer of information by telecommunications through the  
3 establishment of compatible systems and common standards.

4 \* Sec. 5. AS 44.33.020 is amended by adding a new paragraph to read:

5 (24) study, design, implement, and manage the telecommunica-  
6 tions systems and services of the state under AS 44.33.501 - 44.33.517.

7 \* Sec. 6. AS 44.42.020 is amended to read:

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

9 (1) plan, design, construct and maintain all state modes of  
10 transportation and transportation facilities [, COMMUNICATION FACILI-  
11 TIES,] and all docks, floats, breakwaters, buildings and similar faci-  
12 lities;

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

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

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

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

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

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

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1 (8) study alternative means of transportation in the state,  
2 considering the economic, social, and environmental impacts of each  
3 alternative;

4 (9) coordinate and develop state and regional transportation  
5 systems, considering deletions, additions, and the absence of altera-  
6 tions;

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

12 (11) supervise and maintain all state automotive and mechan-  
13 ical equipment, aircraft, and vessels, except vessels and aircraft used  
14 by the Department of Fish and Game or the Department of Public Safety;  
15 [AND]

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

18 (13) complete and maintain a current inventory of public  
19 facilities, including a projection of the serviceability of the facili-  
20 ties and projections of replacements and additions to facilities needed  
21 to provide the level of services programmed by the various user agencies,  
22 for municipalities with populations of less than 12,000 and for unincor-  
23 porated communities, and perform those duties on a cooperative basis  
24 with larger municipalities.

25 (b) The department may

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

29 (2) exercise the power of eminent domain, including the

1 declaration of taking as provided in AS 09.55.

2 \* Sec. 7. AS 44.42.055(b)(3)(F) is amended to read:

3 (F) [COMMUNICATIONS FACILITIES AND] transportation  
4 facilities;

5 \* Sec. 8. All references to the Department of Commerce and Economic  
6 Development and to the commissioner of commerce and economic development in  
7 the Alaska Statutes shall be read as the Department of Commerce, Economic  
8 Development, and Telecommunications and the commissioner of commerce, eco-  
9 nomic development, and telecommunications, respectively, in order to carry  
10 out the intent and purpose of this Act.

11 \* Sec. 9. The balance of the appropriation to the Department of Trans-  
12 portation and Public Facilities found in sec. 23, page 48, lines 15 - 37, and  
13 sec. 25, page 79, lines 31 - 36, and page 80, lines 1 - 22, ch. 80, SLA 1979,  
14 are transferred to the Department of Commerce, Economic Development, and  
15 Telecommunications.

16 \* Sec. 10. The balance of the appropriation to the Alaska Public Broad-  
17 casting Commission found in sec. 23, page 9, line 23, ch. 80, SLA 1979, is  
18 transferred to the Department of Commerce, Economic Development, and Telecom-  
19 munications.

20 \* Sec. 11. The balances of the appropriations for capital projects made  
21 to the Alaska Public Broadcasting Commission in sec. 25, page 55, lines 28 -  
22 36, and page 56, lines 4 - 12, ch. 80, SLA 1979, are transferred to the  
23 Department of Commerce, Economic Development, and Telecommunications.

24 \* Sec. 12. The unexpended balances of any other appropriations for capi-  
25 tal projects made to the Alaska Public Broadcasting Commission and the De-  
26 partment of Transportation and Public Facilities, division of communications,  
27 are transferred to the Department of Commerce, Economic Development, and  
28 Telecommunications.

29 \* Sec. 13. AS 14.58 is repealed.

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\* Sec. 14. Nothing in this Act shall require the state to discontinue any services presently provided to state agencies or the public.

\* Sec. 15. This Act takes effect July 1, 1980.

6/2/80

Original sponsor: Finance Committee

1 IN THE SENATE BY THE FINANCE COMMITTEE

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

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

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

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

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

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

1 of information in these systems and institutions;

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

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

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

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

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

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

24 (A) comprehensive telecommunications planning for the state;

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

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

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

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

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

4 ARTICLE 4. TELECOMMUNICATIONS.

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

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

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

2 (b) The deputy commissioner shall

- 3 (1) provide executive direction for the activities of the  
4 telecommunications divisions;  
5 (2) assure that division activities in no way constitute an  
6 influence on the content or airing of programming and report to the  
7 governor, the commissioner, and the Public Broadcasting Commission or  
8 the Instructional Telecommunications Commission any request or attempt  
9 to influence the content or airing of program material.

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

- 3 (1) advise the governor on matters of policy and comprehen-  
4 sive state planning for telecommunications services;  
5 (2) make an annual report to the governor and to the legis-  
6 lature on the activities of the telecommunications divisions;  
7 (3) coordinate with the Department of Law to insure the  
8 representation of the public interest in matters pertaining to the  
9 availability, adequacy, cost and design of telecommunications services

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

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

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

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

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

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

1 plans and programs involving the use of telecommunications;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 Sec. 44.21.178. DIVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

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

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

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

1 may be requested by

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

4 (B) the University of Alaska; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 tion;

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

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

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

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

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

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

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

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

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

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

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

8 (c) The Public Broadcasting Commission may

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 commissioner of health and social services; an

2 (8) two members of the general public appointed by the governor with due regard for geographical representation and the relative  
3 need or use of instructional telecommunication services.  
4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 expenses authorized under AS 39.20.180.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (b) The department may

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

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

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

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

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

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

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

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

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

7 \* Sec. 11. AS 14.58 is repealed.

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

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

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LETTER OF INTENT  
FOR  
SB 509

It is the intent of the legislature that the Department of Administration use the funds appropriated in the fiscal note for SB 509 to effect the consolidation of state telecommunications as directed in the legislation. The legislature recognizes that funding may not be sufficient to accomplish all of the goals and intents of SB 509. However, the first year is one of transition, and funding appropriated is deemed sufficient for the transitional period. The Department of Administration shall present to the first session of the twelfth legislature a budget request for fiscal year 1982 sufficient to accomplish the goals and intents of SB 509 during FY 82.

love

require public hearings on telecommunications plans

page 7, line 21, after Commission, insert "and after public hearings"

page 8, line 22, after Commission, insert "and after public hearings"

add teleconferencing plan

page 8

insert new (d) and renumber remaining sections

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

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST HCS for SB 509 (Finance)  
Bill/Resolution No. \_\_\_\_\_  
Title Establishing Telecommunications divisions in Commerce & Econ. Dev.  
Requested by House Finance Committee Date 5/27/80

II. FISCAL DETAIL  
Agency Affected Administration  
Program Category Affected General Government  
BRU, Program, or Subprogram(s) Affected Admin. & Support, Public Telecommunications  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		331.7		ONGOING		
200 TRAVEL		98.2		"		
300 CONTRACTUAL		192.0		"		
400 COMMODITIES		5.0		"		
500 EQUIPMENT		38.1		"		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		665.0				

FUNDING (Thousands of Dollars)

GENERAL FUND		665.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		10				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached detail sheets

IV. DATE 5/27/80 PREPARED BY Alison Elgee  
AGENCY Legislative Finance  
PHONE 465-3795  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

DEPARTMENT OF ADMINISTRATIONAdministrative Support

## Personal Services:

1. Secretary I - Range 10	\$ 24.1
2. Clerk IV - Range 9	23.0
3. Accounting Clerk III - Range 10	24.1
4. Deputy Director - Range 23	55.0
5. Personnel Asst. I - Range 12	25.3

Reclass Director, Range 24 - 26	<u>6.2</u>
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New Position dollars	\$157.7
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Transfer of PCN 252603 from DOTPF,  
Supply Officer II-\$30.9 (non-add)

## Travel:

Staff	\$ 12.0
ITV Council travel & per diem	21.2
Moving costs	<u>35.0</u>

Total Travel	\$ 68.2
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## Contractual:

Communications	\$ 6.0
Professional fees & services	50.0
Rent	<u>90.0</u>

Total Contractual	\$146.0
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Commodities:	\$ 2.5
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## Equipment:

Office systems furniture	\$ 10.0
Word Processing	5.0
Calculators	<u>.5</u>

Total Equipment	\$ 15.5
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Total Administrative Support-----\$ 389.9

Division of Public Telecommunications

Assumes transfer of the following positions & support costs:

Telecommunications Planner (DPDP), approx. \$60.0 (non-add)

3 Planners (DOTPF), approx. \$161.6 (non-add)

Legal fees (Legal Svcs. Law), approx. \$133.0 (non-add)

The appropriation and personnel for the Alaska Public Broadcasting Commission will be transferred from DOE to Dept. of Administration. As it is approved by the Legislature.

## New Positions:

1. Director-Public Telecomm. Svcs.	\$ 64.0
2. Secretary I	24.1
3. Economist II	38.8
4. Admin. Asst. I	25.3
5. Clerk Typist III	21.8
	<u>\$174.0</u>

Travel:	\$ 30.0
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## Contractual:

Communications	\$ 6.0
Professional fees & services	40.0
	<u>\$ 46.0</u>

Division of Public Telecommunications (continued)

Commodities:	\$ 2.5
Equipment:	
Office systems furniture	\$12.6
Word processing	7.0
Other	3.0
	<u>\$22.6</u>

Division of Telecommunications Services

Assumes transfer of the following positions and support costs:

Division of Communications

Support to State agencies  
Remote Village Radio  
T.V. Demonstration Project -  
\$5,152.0 (non-add)

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. CSB509  
 Title \_\_\_\_\_  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Department of Commerce & Economic Development  
 Program Category Affected General Government  
 BRU, Program, or Subprogram(s) Affected Telecommunications  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		2,772.6				
200 TRAVEL		258.3				
300 CONTRACTUAL		3,519.5				
400 COMMODITIES		203.4				
500 EQUIPMENT		28.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		3,376.8				
TOTAL		10,158.6				

FUNDING (Thousands of Dollars)

GENERAL FUND		9,865.1				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Inter-Agency Receipts		293.5				

POSITIONS

FULL TIME		69				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- The costs of the new deputy commissioner position and costs of all administrative support from the Dept. of Commerce & Economic Development will be shown on a fiscal note prepared by that agency.
- It is proposed that the major portion of the agency will be housed within the Division of Communications Building in Anchorage.
- Proposed budget for the new agency 10,158.6  
 Less suggested offset 9,155.1  
 Net Increase 1,003.5

IV. DATE 5/15/80 PREPARED BY Alison Elgee, Fiscal Analyst  
 AGENCY Legislative Finance Division  
 PHONE 465-3795  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

PROPOSED FY 81 BUDGET (Thousands of dollars)

Personal Services

<u>Positions</u>	<u>Title</u>	<u>Annual Salary/Benefits</u>
Juneau/Anchorage:		
1	Director--Public Telecommunications Services	64.0
1	Director--Telecommunications Systems	64.0
1	Technologist	57.7
1	Economist II	38.8
1	Policy & Program Specialist II	53.9
2	Budget Analyst II	68.0
2	Administrative Assistant I	53.6
4	Secretary I	96.4
4	Clerk Typist III	87.2
1	Grants Administrator	36.3
2	Section Chiefs (Range 21A)	94.6
1	Section Chiefs (Range 22A)	50.5
6	Telecommunications Coordinators	232.8
2	Accounting Clerk I	43.6
1	Contracts Officer III	36.3
5	Telecommunications Engineers	252.5
1	Electronic Technicians Supervisor	44.3
16	Electronic Technicians	664.0
2	Teletype Operators	48.2
1	Deputy Director	53.9
1	Electrician	41.5
1	Electronic Maintenance Supervisor	44.3
1	Regional Applications Technology Supervisor	47.3

<u>Positions</u>	<u>Title</u>	<u>Annual Salary/Benefits</u>
Fairbanks:		
1	Electronic Technicians Supervisor	50.5
4	Electronic Technicians	189.2
1	Telecommunications Coordinators	44.3
1	Teletype Operator	26.8
Soldotna:		
2	Electronic Technicians	88.6
Dillingham:		
1	Electronic Technician	52.2
Glasgow:		
<u>1</u>	Electronic Technician	<u>47.3</u>
69		2772.6

4 day meetings  
60 per day  
350. RT.

18 9 PBC - 1 meeting per year  
9 ITC - 1 meeting per year  
committee with  
- travel & per diem

RATNET -

EXPENDITURES (Thousands of dollars)

<u>Personal Services</u>		2,772.6
<u>Travel</u>		
Field/Administrative Travel		
In-State Transportation	160.2	
in-State Per Diem	24.5	
Out-of-State Transportation	21.6	
Out-of-State Per Diem	5.0	
Boards, Commissions & Legislators <sup>1/</sup>	<u>47.0</u>	
Total Travel		258.3
<u>Contractual</u>		
Communications	118.1	
Professional Fees & Services	178.5	
Printing & Advertising	19.6	
Space Expense & fees	2,771.4	
Equipment Rental	80.7	
Other Fees	<u>351.2</u>	
Total Contractual		3,519.5
<u>Commodities</u>		203.4
<u>Equipment</u>		28.0
<u>Grants</u>		<u>3,376.8</u>
	TOTAL . . . . .	\$10,158.6

1/ Includes:

4 meetings of 2 days each for the 9 member Public Broadcasting Commission:

    Per Diem           4.3  
    Transportation 12.6

4 meetings of 2 days each for the 9 member Instructional Telecommunications Commission:

    Per Diem           4.3  
    Transportation 12.6

4 meetings of 2 days each for the Executive members of the Rural Alaska Television Network:

    Per Diem           3.4  
    Transportation 9.8

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST SB 509  
 Bill/Resolution No. \_\_\_\_\_  
 Title \_\_\_\_\_  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected \_\_\_\_\_  
 Program Category Affected \_\_\_\_\_  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		(9,155.1)				

FUNDING (Thousands of Dollars)

GENERAL FUND		(8,861.6)				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Inter-Agency Receipts		( 293.5)				

POSITIONS

FULL TIME		(52)				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- Figures used to offset against the proposed agency are the Governor's recommended budget figures for FY 81.

IV. DATE 3/12/80 PREPARED BY Alison Elgee, Fiscal Analyst  
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 PHONE 465-3795

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)