



# LAWS OF ALASKA

2000

**Source**

CSSB 229(FIN)

**Chapter No.**

5

**AN ACT**

Relating to the employment of hearing examiners, arbitrators, and mediators by the Regulatory Commission of Alaska; repealing a requirement that the principal office of the Alaska Oil and Gas Conservation Commission move to the same location as the principal office of the Regulatory Commission of Alaska; relating to the sharing of record-keeping facilities and clerical staff by the two commissions; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: March 24, 2000

Actual Effective Date: March 25, 2000

AN ACT

1 Relating to the employment of hearing examiners, arbitrators, and mediators by the Regulatory  
2 Commission of Alaska; repealing a requirement that the principal office of the Alaska Oil and  
3 Gas Conservation Commission move to the same location as the principal office of the  
4 Regulatory Commission of Alaska; relating to the sharing of record-keeping facilities and clerical  
5 staff by the two commissions; and providing for an effective date.

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7 \* **Section 1.** AS 42.04.050(a) is amended to read:  
8 (a) The chair of the commission is responsible for directing the administrative  
9 functions of the commission and carrying out the policies as set by the commission.  
10 The commission chair may employ engineers, hearing examiners [OFFICERS],  
11 administrative law judges, arbitrators, mediators, experts, clerks, accountants, and  
12 other agents and assistants considered necessary. Employees of the commission who

## Chapter 5

1 are not in the exempt service under AS 39.25.110 or the partially exempt service under  
2 AS 39.25.120 [,] are in the classified service under AS 39.25.100.

3 \* **Sec. 2.** AS 42.04.050(c) is amended to read:

4 (c) At the request of the Alaska Oil and Gas Conservation Commission and  
5 to the extent workload permits, the Regulatory Commission of Alaska shall make  
6 available to the Alaska Oil and Gas Conservation Commission the services of a  
7 hearing examiner [OFFICER].

8 \* **Sec. 3.** AS 42.04.070(b) is amended to read:

9 (b) The chair of the commission may appoint a hearing examiner [OFFICER]  
10 or an administrative law judge to hear a matter that has come before the commission;  
11 a member of the commission may serve as hearing examiner [OFFICER] or, if  
12 qualified, as an administrative law judge.

13 \* **Sec. 4.** AS 42.05.171 is amended to read:

14 **Sec. 42.05.171. Formal hearings.** A formal hearing that the commission has  
15 power to hold may be held by or before a hearing panel appointed under  
16 AS 42.04.080, a hearing examiner [OFFICER], or an administrative law judge  
17 designated for the purpose by the chair of the commission. In appropriate cases, a  
18 formal hearing may be held before an arbitrator or mediator designated for the  
19 purpose by the commission. The testimony and evidence in a formal hearing may be  
20 taken by the panel, by the hearing examiner [OFFICER], by the arbitrator, by the  
21 mediator, or by the administrative law judge to whom the hearing has been assigned.  
22 A decision of a hearing examiner [OFFICER], an arbitrator, a mediator, or an  
23 administrative law judge is not final until approved by the commission. A  
24 commissioner who has not heard or read the testimony, including the argument, may  
25 not participate in making a decision of a hearing panel. A party may file a petition  
26 for reconsideration of, or an administrative appeal of, a decision by a hearing  
27 examiner [OFFICER], an arbitrator, a mediator, or an administrative law judge that  
28 has been approved by the commission, or a decision of a hearing panel. The full  
29 commission shall act on the petition for reconsideration or the appeal. In determining  
30 the place of a hearing, the commission shall give preference to holding the hearing at  
31 a place most convenient for those interested in the subject of the hearing.

- 1 \* **Sec. 5.** Section 27, ch. 25, SLA 1999, is repealed.
- 2 \* **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).