

CS FOR SENATE BILL NO. 133(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 4/27/99
Referred: Finance

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act creating and providing for the Alaska Energy Conservation Commission
2 and transferring to it certain powers and duties of the Alaska Public Utilities
3 Commission; transferring regulation of pipelines to the Alaska Oil and Gas
4 Conservation Commission; repealing the Alaska Public Utilities Commission;
5 relating to regulation of waste collection and disposal; relating to the powers
6 of the chair of the Alaska Energy Conservation Commission; relating to the
7 appellate procedures of the Alaska Energy Conservation Commission; and
8 providing for an effective date."

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

10 * **Section 1.** AS 42 is amended by adding a new chapter to read:

11 **Chapter 42.04. Alaska Energy Conservation Commission.**

12 **Article 1. Commission and Staff.**

1 **Sec. 42.04.010. Alaska Energy Conservation Commission created.** (a)
2 There is created as an independent agency of the state the Alaska Energy Conservation
3 Commission.

4 (b) The commission may nominate one of its members to serve as chair. The
5 governor shall designate the chair of the commission, either by selecting the member
6 nominated by the commission or another member. The term as chair is four years.
7 The chair may not be appointed to successive terms as chair.

8 **Sec. 42.04.020. Commissioners.** (a) The commission consists of five
9 commissioners appointed by the governor and confirmed by the legislature in joint
10 session.

11 (b) The term of office of each member is six years. A commissioner, upon
12 the expiration of a term, shall continue to hold office until a successor is appointed and
13 qualified.

14 (c) A vacancy arising in the office of a commissioner shall be filled by
15 appointment by the governor and confirmed by the legislature in joint session, and,
16 except as provided in AS 39.05.080(4), an appointee selected to fill a vacancy shall
17 hold office for the balance of the full term for which the predecessor on the
18 commission was appointed.

19 (d) A vacancy in the commission does not impair the authority of a quorum
20 of commissioners to exercise all the powers and perform all the duties of the
21 commission.

22 (e) The governor may remove a commissioner from office for cause, including
23 incompetence, neglect of duty, or misconduct in office. A commissioner, to be
24 removed for cause, shall be given a copy of the charges and afforded an opportunity
25 to be publicly heard in person or by counsel in the commissioner's own defense upon
26 not less than 10 days' notice. If a commissioner is removed for cause, the governor
27 shall file with the lieutenant governor a complete statement of all charges made against
28 the commissioner and the governor's finding based on the charges, together with a
29 complete record of the proceedings.

30 (f) Members of the commission are in the exempt service and are entitled to
31 a monthly salary equal to Step C, Range 26, of the salary schedule in AS 39.27.011(a)

1 for Juneau, Alaska. The chair of the commission is entitled to a monthly salary equal
2 to Step C, Range 27, of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

3 (g) Each commissioner, before entering upon the duties of office, shall take
4 and subscribe to the oath prescribed for principal officers of the state.

5 **Sec. 42.04.030. Principal office; seal.** (a) The commission shall establish a
6 principal office and branch offices necessary to discharge its business efficiently. For
7 the convenience of the public or of parties to a proceeding, the commission may hold
8 meetings, hearings, or other proceedings at other locations.

9 (b) The commission shall have an official seal.

10 **Sec. 42.04.040. Legal counsel.** (a) The Department of Law shall provide full-
11 time legal counsel to the commission. The legal counsel provided by the Department
12 of Law is subject to the approval of the commission.

13 (b) The commission may contract for the services of specialized legal counsel
14 or legal consultants.

15 **Sec. 42.04.050. Employment of commission personnel.** (a) The chair of the
16 commission is responsible for directing the administrative functions of the commission
17 and carrying out the policies as set by the commission. The commission chair may
18 employ engineers, hearing officers, experts, clerks, accountants, and other agents and
19 assistants considered necessary. Employees of the commission who are not in the
20 exempt service under AS 39.25.110, other than legal counsel, are in the classified
21 service under AS 39.25.100.

22 (b) In addition to the staff of regular employees, the commission chair may
23 contract for and engage the services of consultants and experts considered necessary.

24 **Sec. 42.04.060. Restrictions on members and employees.** (a) A member of
25 the commission or an employee of the commission may not have an official connection
26 with, hold stock or securities in, or have a pecuniary interest in a public utility within
27 the state. Membership in a cooperative association is not a "pecuniary interest" within
28 the meaning of this section; however, a member or employee of the commission may
29 not be an officer, board member, or employee of a cooperative association. A member
30 or employee may not act upon a matter in which a relationship of the member or
31 employee with any person creates a conflict of interest.

1 (b) A member or employee of the commission may not, after leaving the
2 position as a member or employee of the commission, act as agent for or on behalf of
3 a public utility in any matter before the commission that was before the commission
4 during the employee's employment or the member's term of office. A violation of this
5 subsection is a class A misdemeanor.

6 (c) Members and employees of the commission, except clerical and secretarial
7 staff, are subject to AS 39.50. Members and employees of the commission are subject
8 to AS 39.52.

9 (d) A member of the commission is disqualified from voting upon any matter
10 before the commission in which the member has a conflict of interest.

11 **Sec. 42.04.070. Powers and duties of commission chair.** (a) The chair of
12 the commission shall

13 (1) employ the commission staff;

14 (2) establish and implement a time management system for the
15 commission;

16 (3) assign the work of the commission to members and staff of the
17 commission so that matters before the commission are resolved as expeditiously and
18 competently as possible; when assigning a matter, the chair shall also set a date by
19 which time the matter should be completed.

20 (b) The chair of the commission may appoint a hearing officer to hear a matter
21 that has come before the commission; a member of the commission may serve as
22 hearing officer.

23 (c) When the chair of the commission believes that it is in the public interest
24 for the commission to participate as a party in an adjudicatory matter, the chair shall
25 enter into a personal services contract on behalf of the commission with a person to
26 represent the public interest in the matter.

27 **Sec. 42.04.080. Decision-making procedures.** (a) Except as provided in
28 AS 42.05.171, when a matter comes for decision before the commission under
29 AS 42.05, the chair shall appoint a hearing panel composed of three or more members
30 to hear and decide the case. The panel shall exercise the powers of the commission
31 with respect to the matter.

1 (b) A decision of a hearing panel under AS 42.05 may be appealed to a five-
 2 member appellate panel of the commission. The chair shall appoint the members of
 3 the appellate panel, one of whom must be the chair. The members of the hearing
 4 panel may be appointed to serve on the appellate panel. The appellate panel may grant
 5 or deny a request for appeal.

6 **Article 2. Communications Carriers Section.**

7 **Sec. 42.04.100. Communications carriers section.** There is established
 8 within the commission a communications carriers section that shall develop,
 9 recommend, and administer policies and programs with respect to the regulation of
 10 rates, services, accounting, and facilities of communications common carriers within
 11 the state involving the use of wire, cable, radio, and space satellites.

12 * **Sec. 2.** AS 29.35.050(c) is amended to read:

13 (c) A municipality may establish an intermediate transfer site for the collection
 14 and disposal of garbage, refuse, trash, or other waste material without purchasing the
 15 certificate, equipment, or facilities of a waste material carrier certificated by the
 16 **former** Alaska Public Utilities Commission. The municipality may, without
 17 compensating a certificated waste carrier operating in the area, provide for or contract
 18 with a certificated or noncertificated entity to provide for the collection and disposal
 19 of waste material left at the intermediate transfer site.

20 * **Sec. 3.** AS 29.35.070(a) is amended to read:

21 (a) The assembly acting for the area outside all cities in the borough and the
 22 council acting for the area in a city may regulate, fix, establish, and change the rates
 23 and charges imposed for a utility service provided to the municipality or its inhabitants
 24 by a utility that is not subject to regulation under AS 42.05 unless that utility is
 25 exempted from regulation under AS 42.05.711(a), **(d) - (h), (j)** or **(k)** [(d) - (k)] or is
 26 exempted under regulations adopted under AS 42.05.810 from complying with all or
 27 part of **AS 42.05.141 - 42.05.721** [AS 42.05.010 - 42.05.721].

28 * **Sec. 4.** AS 29.35.137(6) is amended to read:

29 (6) "local exchange telephone company" means a telephone utility
 30 certificated **under AS 42.05** [BY THE ALASKA PUBLIC UTILITIES
 31 COMMISSION] to provide local exchange service;

1 * **Sec. 5.** AS 37.05.146(b) is amended to read:

2 (b) The program receipts listed in this subsection are accounted for separately,
3 and appropriations from these program receipts are not made from the unrestricted
4 general fund:

5 (1) federal receipts;

6 (2) University of Alaska receipts (AS 14.40.491);

7 (3) designated program receipts; in this paragraph, "designated program
8 receipts" means money received by the state from a source other than the state or
9 federal government that is restricted to a specific use by the terms of a gift, grant,
10 bequest, or contract;

11 (4) receipts of the following:

12 (A) highway working capital fund (AS 44.68.210);

13 (B) correctional industries fund (AS 33.32.020);

14 (C) loan funds;

15 (D) international airport revenue fund (AS 37.15.430);

16 (E) corporate receipts earned or managed by a public
17 corporation of the state;

18 (F) fish and game fund (AS 16.05.100);

19 (G) school fund (AS 43.50.140);

20 (H) training and building fund (AS 23.20.130);

21 (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222,
22 AS 39.35, and former AS 39.37);

23 (J) permanent fund (art. IX, sec. 15, Alaska Constitution);

24 (K) public school trust fund (AS 37.14.110);

25 (L) second injury fund (AS 23.30.040);

26 (M) fishermen's fund (AS 23.35.060);

27 (N) FICA administration fund (AS 39.30.050);

28 (O) receipts of the employee benefits program established under
29 AS 39.30.150 - 39.30.180;

30 (P) receipts of the deferred compensation program established
31 under AS 39.45;

- 1 (Q) clean air protection fund (AS 46.14.260);
- 2 (R) receipts of the group insurance programs established under
- 3 AS 39.30.090;
- 4 (S) mental health trust fund (AS 37.14.031);
- 5 (T) Alaska children's trust (AS 37.14.200);
- 6 (U) commercial fisheries test fishing operations
- 7 (AS 16.05.050(15));
- 8 (V) Alaska **Energy Conservation** [PUBLIC UTILITIES]
- 9 Commission under AS 42.05 [AND AS 42.06];
- 10 **(W) Alaska Oil and Gas Conservation Commission under**
- 11 **AS 42.06;**

12 (5) receipts of or from the trust established by AS 37.14.400 -

13 37.14.450, except reimbursements described in AS 37.14.410.

14 * **Sec. 6.** AS 38.05.810(f) is amended to read:

15 (f) The commissioner shall lease state land for telephone or electric

16 transmission and distribution lines for less than the appraised value of the land if the

17 lessee is a nonprofit cooperative association organized under AS 10.25. The

18 commissioner may lease state land that is not located within the boundary of a

19 municipality for the disposal of garbage, refuse, trash, or other waste material for less

20 than the appraised value of the land if the lessee is **approved by the commissioner**

21 **and collects and disposes** [A LICENSED PUBLIC UTILITY AUTHORIZED TO

22 COLLECT AND DISPOSE] of garbage, refuse, trash, or other waste material outside

23 the boundaries of a municipality. Before determining the annual rental, the

24 commissioner shall consider the nature of the public service rendered by the nonprofit

25 cooperative association or **approved lessee** [LICENSED PUBLIC UTILITY] and the

26 terms of the grant under which the land was acquired by the state. A nonprofit

27 cooperative association may not construct improvements other than transmission or

28 distribution lines and substations on land leased under this subsection. **An approved**

29 **lessee** [A LICENSED PUBLIC UTILITY] may not construct permanent improvements

30 on land leased under this subsection that are not related to the purpose of the lease.

31 * **Sec. 7.** AS 39.50.200(b)(24) is amended to read:

1 (24) Alaska Energy Conservation [PUBLIC UTILITIES] Commission
2 (AS 42.04.010) [(AS 42.05.010)];

3 * **Sec. 8.** AS 42.05.151(b) is amended to read:

4 (b) The commission shall adopt regulations governing practice and procedure,
5 consistent with due process of law, including the conduct of formal and informal
6 investigations, pre-hearing conferences, hearings, and proceedings, and the handling
7 of procedural motions by a single commissioner. **The regulations must provide for**
8 **the hearing of a matter by a hearing panel and appeal of the matter to a five-**
9 **member appellate panel in accordance with AS 42.04.080.** Technical rules of
10 evidence need not apply to investigations, pre-hearing conferences, hearings, and
11 proceedings before the commission. The commission shall provide for representation
12 by out-of-state attorneys substantially in accordance with Rule 81, Alaska Rules of
13 Civil Procedure.

14 * **Sec. 9.** AS 42.05.171 is amended to read:

15 **Sec. 42.05.171. Formal hearings.** A formal hearing that the commission has
16 power to hold may be held by or before **a hearing panel appointed under**
17 **AS 42.04.080** [THREE OR MORE COMMISSIONERS], a hearing officer, or an
18 administrative law judge designated for the purpose by the **chair of the** commission.
19 The testimony and evidence in a formal hearing may be taken by the **panel**
20 [COMMISSIONERS], by the hearing officer, or by the administrative law judge to
21 whom the hearing has been assigned. A commissioner who has not heard or read the
22 testimony, including the argument, may not participate in making a decision of the
23 commission. In determining the place of a hearing, the commission shall give
24 preference to holding the hearing at a place most convenient for those interested in the
25 subject of the hearing.

26 * **Sec. 10.** AS 42.05.254(b) is amended to read:

27 (b) The commission shall by regulation establish a method to determine
28 annually the amount of the regulatory cost charge for a public utility. If the amount
29 the commission expects to collect under (a) of this section [AND UNDER
30 AS 42.06.286(a)] exceeds the authorized budget of the commission, the commission
31 shall, by order, reduce the percentages set out in (a) of this section so that the total

1 amount of the fees collected approximately equals the authorized budget of the
2 commission for the fiscal year.

3 * **Sec. 11.** AS 42.05.712(h) is amended to read:

4 (h) A utility or cooperative that is already exempt from regulation under this
5 section or that is exempt from regulation under AS 42.05.711(e) [, (i),] or (k) may
6 elect to terminate its exemption in the same manner.

7 * **Sec. 12.** AS 42.05.990(2) is amended to read:

8 (2) "commission" means the Alaska **Energy Conservation** [PUBLIC
9 UTILITIES] Commission;

10 * **Sec. 13.** AS 42.05.990(4) is amended to read:

11 (4) "public utility" or "utility" includes every corporation whether
12 public, cooperative, or otherwise, company, individual, or association of individuals,
13 their lessees, trustees, or receivers appointed by a court, that owns, operates, manages,
14 or controls any plant, pipeline, or system for

15 (A) furnishing, by generation, transmission, or distribution,
16 electrical service to the public for compensation;

17 (B) furnishing telecommunications service to the public for
18 compensation;

19 (C) furnishing water, steam, or sewer service to the public for
20 compensation;

21 (D) furnishing by transmission or distribution of natural or
22 manufactured gas to the public for compensation **to the extent the**
23 **transmission and distribution are not regulated by the Alaska Oil and Gas**
24 **Conservation Commission under AS 42.06;**

25 (E) furnishing for distribution or by distribution petroleum or
26 petroleum products to the public for compensation when the consumer has no
27 alternative in the choice of supplier of a comparable product and service at an
28 equal or lesser price **and to the extent the distribution is not regulated by**
29 **the Alaska Oil and Gas Conservation Commission under AS 42.06** [;

30 (F) FURNISHING COLLECTION AND DISPOSAL SERVICE
31 OF GARBAGE, REFUSE, TRASH, OR OTHER WASTE MATERIAL TO

1 THE PUBLIC FOR COMPENSATION];

2 * **Sec. 14.** AS 42.05.995 is amended to read:

3 **Sec. 42.05.995. Short title.** This chapter may be cited as the Alaska Public
4 Utilities **Regulatory** [COMMISSION] Act.

5 * **Sec. 15.** AS 42.06.286(b) is amended to read:

6 (b) The commission shall by regulation establish a method to determine
7 annually the amount of the regulatory cost charge. If the amount the commission
8 expects to collect under (a) of this section [AND UNDER AS 42.05.254(a)] exceeds
9 the authorized budget of the commission **that is related to the implementation of this**
10 **chapter, including an appropriate share of the commission's administrative**
11 **expenses**, the commission shall, by order, reduce the percentage set out in (a) of this
12 section so that the total amount of the fees collected approximately equals the
13 authorized budget of the commission for the fiscal year.

14 * **Sec. 16.** AS 42.06.445(e) is amended to read:

15 (e) A commissioner [, AND THE EXECUTIVE DIRECTOR,] may certify as
16 to all official records of the commission under this section and may certify as to all
17 official acts of the commission under this chapter.

18 * **Sec. 17.** AS 42.06.630(2) is amended to read:

19 (2) "commission" means the Alaska **Oil and Gas Conservation**
20 [PUBLIC UTILITIES] Commission (**AS 31.05.005**);

21 * **Sec. 18.** AS 42.45.020(b) is amended to read:

22 (b) Subject to AS 42.45.060, the department may make loans from the rural
23 electrification revolving loan fund to electric utilities certified **under AS 42.05** [BY
24 THE ALASKA PUBLIC UTILITIES COMMISSION]. A loan from the fund may be
25 made only for the purpose of extending new electric service into an area of the state
26 that an electric utility may serve under a certificate of public convenience and
27 necessity issued **under AS 42.05** [BY THE ALASKA PUBLIC UTILITIES
28 COMMISSION]. A loan may be made from the fund to an electric utility if the utility
29 invests the money necessary to provide one pole, one span of line, one transformer,
30 and one service drop for each consumer for whom immediate service would be
31 provided by the extension of electric service. However, a loan may not be made from

1 the fund unless

2 (1) the loan is recommended by a loan advisory committee appointed
3 under AS 42.45.030; and

4 (2) the extension of electric service would provide immediate service
5 to at least three consumers.

6 * **Sec. 19.** AS 44.66.010(a)(4) is amended to read:

7 (4) Alaska **Energy Conservation** [PUBLIC UTILITIES] Commission
8 **(AS 42.04.010)** [(AS 42.05.010)] -- June 30, **2004** [1999];

9 * **Sec. 20.** AS 44.83.425(3) is amended to read:

10 (3) "qualified utility" means an electric utility or an electric operating
11 entity established as an instrumentality of two or more electric utilities certified **under**
12 **AS 42.05** [BY THE ALASKA PUBLIC UTILITIES COMMISSION] to serve all or
13 part of a market area that is served or will be served by the power project, that the
14 authority determines is capable of operating and maintaining the power project.

15 * **Sec. 21.** AS 46.04.020(i) is amended to read:

16 (i) The superior court and, with respect to intrastate voyages, **either** the Alaska
17 **Energy Conservation** [PUBLIC UTILITIES] Commission [,] under AS 42.05.361 -
18 42.05.431 **or the Alaska Oil and Gas Conservation Commission under AS 42.06,**
19 **as appropriate,** have concurrent jurisdiction to review and enjoin a charge, contract
20 term, or financial responsibility requirement described under (h) of this section at the
21 request of a vessel owner, operator, or charterer. Except as provided in this
22 subsection, nothing in this section affects the jurisdiction of the Alaska **Energy**
23 **Conservation** [PUBLIC UTILITIES] Commission **or the Alaska Oil and Gas**
24 **Conservation Commission.**

25 * **Sec. 22.** REPEAL OF STATUTES. (a) AS 39.25.120(c)(6); AS 42.05.010, 42.05.020,
26 42.05.030, 42.05.035, 42.05.040, 42.05.050, 42.05.071, 42.05.081, 42.05.091, 42.05.101,
27 42.05.111, 42.05.121, 42.05.123, and 42.05.131 are repealed.

28 (b) AS 29.35.050(b); AS 42.05.431(f), 42.05.431(g), 42.05.711(i), and 42.05.711(m)
29 are repealed July 1, 2002.

30 * **Sec. 23.** REPORT CONCERNING RESTRUCTURING OF THE ALASKA OIL AND
31 GAS CONSERVATION COMMISSION AND THE ALASKA ENERGY CONSERVATION

1 COMMISSION. The Legislative Budget and Audit Committee shall prepare a report
 2 containing recommendations for restructuring the Alaska Energy Conservation Commission
 3 and the Alaska Oil and Gas Conservation Commission into a single commission. The
 4 governor shall appoint one member from the Alaska Energy Conservation Commission and
 5 one member from the Alaska Oil and Gas Conservation Commission to work with the
 6 Legislative Budget and Audit Committee on the report. The report shall be delivered to the
 7 governor and the legislature by the first day of the second session of the Twenty-First Alaska
 8 State Legislature.

9 * **Sec. 24.** LOCATION OF THE ALASKA OIL AND GAS CONSERVATION
 10 COMMISSION. (a) The principal office of the Alaska Oil and Gas Conservation
 11 Commission shall move to the same location as the principal office of the Alaska Energy
 12 Conservation Commission as soon as feasible, but in any case, no later than July 1, 2000.

13 (b) As soon as the Alaska Oil and Gas Conservation Commission moves to the same
 14 location as the Alaska Energy Conservation Commission, the two commissions shall share
 15 record keeping facilities and clerical staff.

16 * **Sec. 25.** ALASKA ENERGY CONSERVATION COMMISSION EMPLOYMENT OF
 17 HEARING OFFICER. (a) To the extent that sufficient funds are appropriated for the
 18 purpose, during the state fiscal year ending June 30, 2000, the Alaska Energy Conservation
 19 Commission shall employ, in addition to the hearing officers that the former Alaska Public
 20 Utilities Commission was authorized to employ on June 30, 1999, an additional hearing
 21 officer.

22 (b) The Alaska Oil and Gas Conservation Commission may use the services of the
 23 additional hearing officer employed under (a) of this section to assist with pipeline regulation
 24 matters under AS 42.06.

25 * **Sec. 26.** INITIAL TERMS OF MEMBERS OF THE ALASKA ENERGY
 26 CONSERVATION COMMISSION. Notwithstanding AS 39.05.055, the terms of the initially
 27 appointed members of the commission shall be set by the governor as follows:

- 28 (1) two public members shall serve six-year terms;
 29 (2) two public members shall serve four-year terms;
 30 (3) one public member shall serve a two-year term.

31 * **Sec. 27.** TRANSITIONAL PROVISIONS. (a) Litigation, hearings, investigations, and

1 other proceedings pending under a law repealed or amended by this Act, or in connection with
2 functions transferred from the Alaska Public Utilities Commission to the Alaska Energy
3 Conservation Commission by this Act, continue in effect and may be completed
4 notwithstanding a transfer or repeal provided for in this Act.

5 (b) Litigation, hearings, investigations, and other proceedings pending under a law
6 repealed or amended by this Act, or in connection with functions transferred from the Alaska
7 Public Utilities Commission to the Alaska Oil and Gas Conservation Commission by this Act,
8 continue in effect and may be completed notwithstanding a transfer or repeal provided for in
9 this Act.

10 (c) Regulations in effect on June 30, 1999, that were adopted to implement a function
11 that is transferred by this Act remain in effect and shall be enforced by the Alaska Oil and
12 Gas Conservation Commission or the Alaska Energy Conservation Commission, as
13 appropriate, until amended by the appropriate commission.

14 (d) Wherever in Alaska Statutes affected by this Act there is a reference to regulations
15 adopted under a section of law and there are no regulations adopted under that section because
16 previous regulations adopted under another section are being enforced under (c) of this
17 section, the reference shall be construed to refer to the previously adopted regulations until
18 they are amended by the new agency.

19 (e) Contracts, rights, liabilities, and obligations created by or under a law repealed or
20 amended by this Act, and in effect on June 30, 1999, remain in effect notwithstanding this
21 Act's taking effect.

22 (f) Records, equipment, appropriations, and other property of the Alaska Public
23 Utilities Commission relating to regulation of public utilities under AS 42.05 shall be
24 transferred to the Alaska Energy Conservation Commission to implement the provisions of this
25 Act.

26 (g) Records, equipment, appropriations, and other property of the Alaska Public
27 Utilities Commission relating to regulation of pipelines under AS 42.06 shall be transferred
28 to the Alaska Oil and Gas Conservation Commission to implement the provisions of this Act.
29 The Alaska Public Utilities Commission shall also transfer at least two employees of the
30 Alaska Public Utilities Commission who are employed in the tariff section to the Alaska Oil
31 and Gas Conservation Commission.

1 * **Sec. 28.** FIVE-YEAR SUNSET. The amendment to AS 44.66.010(a)(4), made by
2 sec. 19 of this Act, is made notwithstanding AS 44.66.010(c).

3 * **Sec. 29.** REVISOR INSTRUCTIONS. (a) In the following statutes, the revisor of
4 statutes is instructed to change "Alaska Public Utilities Commission" to "Alaska Energy
5 Conservation Commission":

- 6 (1) AS 29.35.131(c);
- 7 (2) AS 29.35.137(5);
- 8 (3) AS 42.05.141(a);
- 9 (4) AS 42.05.325(c);
- 10 (5) AS 42.05.381(f) in both places;
- 11 (6) AS 42.05.712(c);
- 12 (7) AS 42.05.712(d);
- 13 (8) AS 42.45.010(e);
- 14 (9) AS 42.45.110(a);
- 15 (10) AS 42.45.170(a);
- 16 (11) AS 42.45.170(e);
- 17 (12) AS 44.83.090(b) in both places;
- 18 (13) AS 45.50.473(a);
- 19 (14) AS 45.50.473(b);
- 20 (15) AS 45.50.475(b);
- 21 (16) AS 45.50.475(c); and
- 22 (17) AS 45.63.080(12).

23 (b) In the following statutes, the revisor of statutes is instructed to change "Alaska
24 Public Utilities Commission" to "former Alaska Public Utilities Commission or the Alaska
25 Energy Conservation Commission":

- 26 (1) AS 09.65.085(a);
- 27 (2) AS 10.25.020(6); and
- 28 (3) AS 18.57.020(c).

29 (c) In the following statutes, the revisor of statutes is instructed to change "by the
30 Alaska Public Utilities Commission" to "by the former Alaska Public Utilities Commission
31 or by the Alaska Energy Conservation Commission":

- 1 (1) AS 29.35.050(b) in both places;
2 (2) AS 29.35.060(a);
3 (3) AS 29.35.060(b); and
4 (4) AS 42.45.200(e).

5 (d) In the following statutes, the revisor of statutes is instructed to change "Alaska
6 Public Utilities Commission" to the "Alaska Oil and Gas Conservation Commission":

- 7 (1) AS 38.35.120(a) in three places;
8 (2) AS 38.35.230(2);
9 (3) AS 43.55.150(b); and
10 (4) AS 43.56.210(7).

11 * **Sec. 30.** (a) Sections 3, 6, 11, and 22(b) of this Act take effect July 1, 2002.

12 (b) Except as provided in (a) of this section, this Act takes effect July 1, 1999.