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IN THE SENATE BY THE LOCAL GOVERNMENT COMMITTEE
CS FOR SENATE BILL NO. 218
IN THE LEGISLATURE OF THE STATE OF ALASKA
FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska Public Service Commission; amending Ch. 199, SLA 1959; and providing for an effective date."

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

Section 1. Sec. 2, Ch. 199, SLA 1959 is amended to read as follows:

Sec. 2. PUBLIC SERVICE COMMISSION: MEMBERSHIP, QUALIFICATIONS AND COMPENSATION. There is hereby created within the Department of Commerce the Alaska Public Service Commission, which shall consist of three members to be appointed by the governor and confirmed by the legislature in joint session assembled. The term of office of each such member shall be six years, or until his successor is appointed and qualifies; provided, however, that the governor shall designate which, among his initial appointees, shall serve, respectively, for terms of two years, four years and six years, it being the intent hereof that terms of commissioners be staggered to insure continuity of experience on the commission. Members appointed to the commission shall be qualified as follows: one member shall be a graduate of a recognized school of law; one member shall be a graduate of a recognized university with a major in engineering; one member shall be a graduate of a recognized university with a major in finance, accounting, or business administration. Actual experience for a period of

1 five years in the practice of law or in the field of engineer-
2 ing or in the field of finance or accounting is deemed equi-
3 valent to a degree. [BY TRAINING OR EXPERIENCE TO DISCHARGE
4 THEIR DUTIES AS HEREIN PROVIDED AND THE GOVERNOR, IN MAKING
5 HIS APPOINTMENTS, SHALL RECOGNIZE THE PRINCIPLE OF AREA REP-
6 RESENTATION.] No member of the commission, nor any employee
7 or agent thereof [THEROF], shall have any official or profes-
8 sional relation or connection with, or hold any stock or
9 securities or have any pecuniary interest in any business or
10 agency subject to regulation hereunder; provided, that member-
11 ship in a cooperative association shall not be considered
12 [CONSIDEERD] a "pecuniary interest" within the meaning of
13 this section. The Governor shall designate one member of the
14 commission to serve as chairman. The commission shall be
15 under the general administrative supervision of the Commis-
16 sioner of Commerce and the latter shall appoint the executive
17 director of the commission, who may be a member of the com-
18 mission. The Commission shall establish such offices within
19 the state as may be necessary to the proper discharge of its
20 duties. Members of the commission shall be compensated at
21 the rate of \$30.00 a day for time spent in the discharge of
22 their duties and paid for their necessary travel expense.

23 [FOR TIME SPENT IN THE DISCHARGE OF THEIR DUTIES AND FOR THEIR
24 NECESSARY TRAVEL AND OTHER EXPENSES AS PROVIDED BY LAW.]

25 Each member of the commission shall take and subscribe to the
26 oath prescribed for principal officers of the state.

27 Sec. 2. Subsec. (1), Sec. 3, Ch. 199, SLA 1959 is amended to
28 read as follows:

29 (1) "Public utility" or "utility" means and:

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1 embraces every corporation, whether municipal, public, co-
2 operative or otherwise, company, individual, or association of
3 individuals, their lessees, trustees, or receivers appointed
4 by any court having jurisdiction in the premises, that now
5 or hereafter may own, operate, manage or control any plant or
6 system for the generation, transmission or distribution of
7 electric energy and power, for the furnishing of telephone or
8 telegraph communications, for the transmission or distribution
9 of heat, natural or manufactured gas, oil or other petroleum
10 products, or water, or for the furnishing of community sewer
11 services, and the plant and other facilities utilized for any
12 of the foregoing purposes; provided, this Act shall not apply
13 to the purveyor of water or oil or other petroleum products
14 by tank, wagon or similar conveyance, to any public utility
15 which does a gross annual business of less than \$100,000.00
16 nor to a municipally-owned and operated water or sewer utility.
17 Application of this Act to any utility [ELECTRIC, TELEGRAPHIC,
18 AND TELEPHONIC UTILITIES] shall be held in abeyance pending
19 adoption by the Legislature of specific legislation pursuant
20 to the submission of a report and recommendation on the
21 subject by the commission to the first [SECOND REGULAR]
22 session of the Second [FIRST] State Legislature in January,
23 1961 [1960]. This Act shall not apply to the owner or owners
24 or operator or manager of, nor shall it apply to, any pipe
25 line, plant, system or equipment used primarily for gather-
26 ing, collecting, transporting or shipping crude oil, natural
27 gas, condensate or other petroleum substances or products
28 produced by or belonging to such owner or owners or such
29 operator or manager.

1 Sec. 3. Sec. 7, Ch. 199, SLA 1959 is amended to read as
2 follows:

3 Sec. 7. STUDY OF LAWS AND PRACTICES OF PUBLIC UTILI-
4 TIES: REPORT AND RECOMMENDATIONS TO GOVERNOR AND LEGISLATURE.

5 In addition to all other powers and duties conferred in this
6 Act upon the commission, said commission shall have the fol-
7 lowing further additional duties: To make a careful study of
8 all laws with the administration of which it is charged, of
9 similar federal and state laws pertaining to utility regula-
10 tion, [AND] of the practices of public utilities, and of the
11 authority necessary for the commission to fully protect the
12 public interest in respect to utility regulation; and to make
13 a special written report thereon and of any recommendations it
14 may have thereon, and shall file copies thereof, both with the
15 Speaker of the House of Representatives and the President of
16 the Senate within 10 days after the [AT THE] opening day of
17 the First [SECOND REGULAR] Session of the Second Legislature
18 of Alaska, and, within the same time, shall also file a copy
19 of such report with the governor [NOT LESS THAN TEN DAYS PRIOR
20 TO THE OPENING OF SAID SESSION OF THE LEGISLATURE]. To assist
21 the commission in making such study, it is hereby authorized
22 to prepare and submit questionnaires to public utilities
23 calling for relevant information and it may hold hearings for
24 that purpose and may issue subpoenas to witnesses commanding
25 their attendance at such hearings, and said commission is here-
26 by authorized to examine or cause to be examined, the books and
27 records of any public utility in connection with such study.

28 Sec. 4. Sec. 8, Ch. 199, SLA 1959 is amended to read as
29 follows:

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Sec. 8. EMPLOYMENT AND COMPENSATION OF COMMISSION PERSONNEL. The commission is authorized to employ an executive director who shall be an experienced administrator, such engineers, examiners, hearing officers, experts, clerks, accountants and other assistants as it may deem necessary at [AND] such rates of compensation as it may determine, subject, however, to the personnel policies and regulations established or issued by the Commissioner of Administration pursuant to the State Organization Act of 1959.

Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.