

1 IN THE SENATE BY THE LOCAL GOVERNMENT COMMITTEE
2 CS FOR SENATE BILL NO. 218
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIRST LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Public Ser-
7 vice Commission; amending Ch. 199, SLA 1959;
8 authorizing an appropriation; and providing
9 for an effective date."

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

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

13 Sec. 2. PUBLIC SERVICE COMMISSION: MEMBERSHIP, QUALIFI-
14 CATIONS AND COMPENSATION. There is hereby created within the
15 Department of Commerce the Alaska Public Service Commission,
16 which shall consist of three members to be appointed by the
17 governor and confirmed by the legislature in joint session
18 assembled. The term of office of each such member shall be
19 six years, or until his successor is appointed and qualifies;
20 provided, however, that the governor shall designate which,
21 among his initial appointees, shall serve, respectively, for
22 terms of two years, four years and six years, it being the
23 intent hereof that terms of commissioners be staggered to in-
24 sure continuity of experience on the commission. Members
25 appointed to the commission shall be qualified as follows:
26 one member shall be a graduate of an accredited school of law;
27 one member shall be a graduate of an accredited university with
28 a major in engineering; one member shall be a graduate of an
29 accredited university with a major in finance, accounting, or

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

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

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

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

CS for SB #218 as amended

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

1 operator or manager.

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

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

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

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

1 follows:

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

11 Sec. 5. Money necessary to carry out the purposes of this
12 Act may be appropriated in the general appropriation bill or in
13 such other bills as are necessary.

14 Sec. 6. This Act takes effect on the day after its passage
15 and approval or on the day it becomes law without such approval.

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