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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; authorizing an appropriation; 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 an accredited school of law
one member shall be a graduate of an accredited university with a major in engineering; one member shall be a graduate of an 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, business administration or
4 accounting is deemed equivalent to a degree. [BY TRAINING OR
5 EXPERIENCE TO DISCHARGE THEIR DUTIES AS HEREIN PROVIDED AND
6 THE GOVERNOR, IN MAKING HIS APPOINTMENTS, SHALL RECOGNIZE THE
7 PRINCIPLE OF AREA REPRESENTATION.] No member of the commis-
8 sion, nor any employee or agent thereof [THEROF], shall have
9 any official or professional relation or connection with, or
10 hold any stock or securities or have any pecuniary interest
11 in any business or agency subject to regulation hereunder;
12 provided, that membership in a cooperative association shall
13 not be considered [CONSIDERED] a "pecuniary interest" within
14 the meaning of this section. The Governor shall designate
15 one member of the commission to serve as chairman. The
16 commission shall be under the general administrative super-
17 vision of the Commissioner of Commerce and the latter shall
18 appoint the executive director of the commission, who may be
19 a member of the commission. The Commission shall establish
20 such offices within the state as may be necessary to the
21 proper discharge of its duties. Members of the commission
22 shall be entitled to the per diem established by law for
23 other boards and commissions and shall be paid for their
24 necessary travel expense. [COMPENSATED FOR TIME SPENT IN THE
25 DISCHARGE OF THEIR DUTIES AND FOR THEIR NECESSARY TRAVEL AND
26 OTHER EXPENSES AS PROVIDED BY LAW.] Each member of the
27 commission shall take and subscribe to the oath prescribed
28 for principal officers of the state.

29 Sec. 2. Subsec. (1), Sec. 3, Ch. 199, SLA 1959 is amended to

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by the House

1 read as follows:

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

1 produced by or belonging to such owner or owners or such
2 operator or manager.

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

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

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by the House

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

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

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

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

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