

Original sponsors: Rader, Christiansen,
Groh, et al

Introduced: 4/3/72
Referred: Rules

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 348
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SEVENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the Alaska Public Utilities
7 Commission."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 42.05.010 is amended to read:
10 Sec. 42.05.010. ALASKA PUBLIC UTILITIES COMMISSION CREATED.
11 There is created [WITHIN THE DEPARTMENT OF COMMERCE] the Alaska Public
12 Utilities Commission as a quasi-judicial agency under art. III, sec. 26
13 of the Alaska Constitution.
14 * Sec. 2. AS 42.05.035 is repealed and re-enacted to read:
15 Sec. 42.05.035. REMOVAL AND SUSPENSION OF COMMISSIONERS. The
16 governor may remove a commissioner from office for cause including
17 but not limited to incompetence, neglect of duty or misconduct in
18 office.
19 * Sec. 3. AS 42.05 is amended by adding a new section to read:
20 Sec. 42.05.045. MEMBERS IN EXEMPT SERVICE. The commissioners
21 are employees of the state in the exempt service under AS 39.25.
22 * Sec. 4. AS 42.05.091 is amended to read:
23 Sec. 42.05.091. COMPENSATION OF MEMBERS OF COMMISSION. Members
24 of the commission [ARE IN THE EXEMPT SERVICE AND] shall receive an
25 annual salary of \$26,500 to be paid in equal monthly installments.
26 * Sec. 5. AS 42.05.111 is repealed and re-enacted to read:
27 Sec. 42.05.111. LEGAL COUNSEL. (a) The attorney general is
28 legal counsel for the commission in proceedings before a state or
29 federal court and shall represent the commission in suits to which it

1 is a party. The attorney general shall also represent the commission
2 in proceedings before federal regulatory agencies if so requested by
3 the commission.

4 (b) The commission may employ counsel to advise it in legal
5 matters arising in the discharge of its duties and to represent the
6 commission in all matters and proceedings other than proceedings before
7 a state or federal court. Counsel employed by the commission as pro-
8 vided by this section may be assigned by the commission to the staff
9 of the attorney general as a special assistant attorney general to
10 represent the commission in specified proceedings before a state or
11 federal court if requested by the attorney general.

12 * Sec. 6. AS 42.05.121(a) is amended to read:

13 (a) The commission may employ an executive director who shall
14 have had at least five years of experience in an administrative capacity
15 and who is experienced in public utility management or regulation.
16 The executive director may be one of the commission members. The com-
17 mission may employ engineers, hearing officers, experts, clerks,
18 accountants, and other agents and assistants it considers necessary.
19 The executive director, if not a member of the commission, and all
20 other employees and agents of the commission, other than legal counsel,
21 are in the classified service under AS 39.25. Legal counsel employed
22 by the commission is in the partially exempt service under AS 39.25
23 and serves at the pleasure of the commission. The combined salary
24 of an executive director who is a member of the commission may not
25 exceed that of a superior court judge.

26 * Sec. 7. AS 42.05 is amended by adding a new section to read:

27 Sec. 42.05.133. BUDGETS. The commission shall submit a budget
28 of its anticipated needs for each fiscal year to the finance committees
29 of the legislature. The commission shall also annually submit an

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estimated budget to the governor for his consideration in the preparation of the executive budget.