

Introduced: 2/8/78  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY DUNCAN AND MEEKINS

2 HOUSE BILL NO. 757

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the organization of certain execu-  
7 tive commissions."

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

9 \* Section 1. AS 18.80.010 is amended to read:

10 Sec. 18.80.010. CREATION. There is created [IN THE OFFICE OF THE  
11 GOVERNOR] a State Commission for Human Rights. For administrative pur-  
12 poses, the commission is attached to the Office of the Governor.

13 \* Sec. 2. AS 18.80.060(a)(1) is amended to read:

14 (1) appoint an executive director [APPROVED BY THE GOVERNOR];

15 \* Sec. 3. AS 18.80.060 is amended by adding a new subsection to read:

16 (c) The executive director and administrative staff are in the  
17 classified service under AS 39.25.

18 \* Sec. 4. AS 42.05.010 is amended to read:

19 Sec. 42.05.010. ALASKA PUBLIC UTILITIES COMMISSION CREATED. There  
20 is created [WITHIN THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT]  
21 the Alaska Public Utilities Commission. For administrative purposes,  
22 the commission is attached to the Department of Commerce and Economic  
23 Development.

24 \* Sec. 5. AS 42.05.020(b) is amended to read:

25 (b) The commission [GOVERNOR] shall elect [DESIGNATE] one member  
26 of the commission as chairman [OF THE COMMISSION]. This member shall  
27 serve as chairman for a term of four years, but may be elected [AP-  
28 POINTED] for successive terms.

29 \* Sec. 6. AS 42.05.035 is amended to read:

1           Sec. 42.05.035. REMOVAL OF COMMISSIONERS. A commissioner may be  
2 removed from office only by impeachment [THE GOVERNOR MAY REMOVE A  
3 COMMISSIONER BY AND WITH THE CONSENT OF A MAJORITY OF THE LEGISLATURE].

4 \* Sec. 7. AS 42.05.121(a) is amended to read:

5           (a) The commission may employ an executive director who shall have  
6 had at least five years of experience in an administrative capacity and  
7 who is experienced in public utility management or regulation. The  
8 executive director may not be one of the commission members. The  
9 commission may employ engineers, hearing officers, experts, clerks,  
10 accountants, and other agents and assistants it considers necessary.  
11 The executive director [, IF NOT A MEMBER OF THE COMMISSION,] and all  
12 other employees and agents of the commission, other than legal counsel,  
13 are in the classified service under AS 39.25. [THE COMBINED SALARY OF  
14 AN EXECUTIVE DIRECTOR WHO IS A MEMBER OF THE COMMISSION MAY NOT EXCEED  
15 THAT OF A SUPERIOR COURT JUDGE.]

16 \* Sec. 8. AS 42.06.020 is amended to read:

17           Sec. 42.06.020. ALASKA PIPELINE COMMISSION CREATED. There is  
18 created [WITHIN THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT] the  
19 Alaska Pipeline Commission, to regulate pipeline facilities and pipeline  
20 carriers, to regulate the access of information concerning pipeline  
21 facilities and carriers to this state, and to represent the interests of  
22 the state in any proceedings relating to them as provided for in this  
23 chapter. For administrative purposes, the commission is attached to the  
24 Department of Commerce and Economic Development.

25 \* Sec. 9. AS 42.06.030(b) is amended to read:

26           (b) The commission [GOVERNOR] shall elect [DESIGNATE] one member  
27 of the commission as chairman of the commission. This member shall  
28 serve as chairman for a term of two years, and may be elected [APPOINTED]  
29 for successive terms.

1 \* Sec. 10. AS 42.06.050 is amended to read:

2           Sec. 42.06.050. REMOVAL OF COMMISSIONERS. A commissioner may be  
3 removed from office only by impeachment [THE GOVERNOR MAY REMOVE A  
4 COMMISSIONER FROM OFFICE BY AND WITH THE CONSENT OF A MAJORITY OF THE  
5 LEGISLATURE].

6 \* Sec. 11. AS 42.06.120(c) is amended to read:

7           (c) The executive director and all [, HIS DEPUTY, AND HIS SECRE-  
8 TARY, ARE IN THE PARTIALLY EXEMPT SERVICE DESCRIBED IN AS 39.25. ALL]  
9 other employees of the commission, other than legal counsel, are in the  
10 classified service under AS 39.25.

11 \* Sec. 12. AS 42.07.011 is amended to read:

12           Sec. 42.07.011. CREATION AND COMPOSITION. (a) There is created  
13 the Alaska Transportation Commission. For administrative purposes, the  
14 commission is attached to [WITHIN] the Department of Commerce and Eco-  
15 nomic Development. The commission consists of three members appointed  
16 by the governor and confirmed by the legislature in joint session.

17           (b) The commission [GOVERNOR] shall elect [DESIGNATE] one member  
18 of the commission as chairman [OF THE COMMISSION]. This member shall  
19 serve as chairman for a term of two years, but may be elected [AP-  
20 POINTED] for successive terms.

21 \* Sec. 13. AS 42.07.021(d) is amended to read:

22           (d) A commissioner may be removed from office only by impeachment  
23 [THE GOVERNOR MAY REMOVE A COMMISSIONER FROM OFFICE FOR CAUSE INCLUDING  
24 BUT NOT LIMITED TO INCOMPETENCE, NEGLECT OF DUTY OR MISCONDUCT IN  
25 OFFICE. A COMMISSIONER, TO BE REMOVED FOR CAUSE, SHALL BE GIVEN A COPY  
26 OF THE CHARGES AGAINST HIM AND AFFORDED AN OPPORTUNITY TO BE PUBLICLY  
27 HEARD IN PERSON OR BY COUNSEL IN HIS OWN DEFENSE UPON NOT LESS THAN 10  
28 DAYS NOTICE. IF A COMMISSIONER IS REMOVED FOR CAUSE, THE GOVERNOR SHALL  
29 FILE WITH THE SECRETARY OF STATE A COMPLETE STATEMENT OF ALL CHARGES

1 MADE AGAINST THE COMMISSIONER AND HIS FINDING BASED ON THE CHARGES,  
2 TOGETHER WITH A COMPLETE RECORD OF THE PROCEEDINGS].  
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