

Introduced: 3/7/79  
Referred: Resources and  
Judiciary

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 351

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pipeline Commission; and  
7 providing for an effective date."

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

9 \* Section 1. AS 42.06.030(a) is amended to read:

10 (a) The Alaska Pipeline Commission consists of one member [THREE  
11 MEMBERS], appointed by the governor and confirmed by a majority of the  
12 members of the legislature in joint session.

13 \* Sec. 2. AS 42.06.040(a) is repealed and re-enacted to read:

14 (a) The commissioner shall be appointed for a term of six years.

15 \* Sec. 3. AS 42.06.050 is amended to read:

16 Sec. 42.06.050. REMOVAL OF COMMISSIONER [COMMISSIONERS]. The  
17 governor may remove the [A] commissioner from office by and with the  
18 consent of a majority of the legislature.

19 \* Sec. 4. AS 42.06.060 is repealed and re-enacted to read:

20 Sec. 42.06.060. QUALIFICATION OF COMMISSIONER. The commissioner  
21 shall be an attorney admitted to practice law in the state, preferably  
22 with experience in administrative or regulatory law.

23 \* Sec. 5. AS 42.06.080 is amended to read:

24 Sec. 42.06.080. OATH OF OFFICE. The [EACH] commissioner and the  
25 executive director of the commission, before entering upon the duties of  
26 his office, shall take and subscribe to the oath prescribed for princi-  
27 pal officers of the state.

28 \* Sec. 6. AS 42.06.090 is repealed and re-enacted to read:

29 Sec. 42.06.090. COMPENSATION OF THE ALASKA PIPELINE COMMISSIONER.

1 The commissioner is in the exempt service described in AS 39.25 and  
2 receives an annual salary as established under AS 39.23.

3 \* Sec. 7. AS 42.06.120(a) is amended to read:

4 (a) The commission may employ an executive director who shall have  
5 had at least five years of experience in oil or gas transportation,  
6 management, law, accounting, or an allied field. The executive director  
7 may not be the commissioner [ONE OF THE COMMISSIONERS].

8 \* Sec. 8. AS 42.06.130 is amended to read:

9 Sec. 42.06.130. RESTRICTIONS ON COMMISSIONER [COMMISSIONERS] AND  
10 EMPLOYEES. The commissioner and employees [NO MEMBER OR EMPLOYEE] of  
11 the commission may not have an official connection with, or hold stock  
12 or securities in, or have a pecuniary interest in, a corporation, com-  
13 pany or association engaged in the production or the transportation of  
14 oil or gas. The commissioner and employees [NO MEMBER OR EMPLOYEE] may  
15 not act upon a matter in which their [HIS] relationship with any person  
16 creates a conflict of interest.

17 \* Sec. 9. AS 42.06.160(b) is amended to read:

18 (b) The commission shall adopt regulations governing practice and  
19 procedure, consistent with due process of law, including the conduct of  
20 formal and informal investigations, prehearing conferences, hearings and  
21 proceedings [, AND THE HANDLING OF PROCEDURAL MOTIONS BY A SINGLE COM-  
22 MISSIONER]. Technical rules of evidence need not apply to investi-  
23 gations, prehearing conferences, hearings and proceedings before the  
24 commission. The commission shall provide for representation by out-of-  
25 state attorneys substantially in accordance with Civil Rule 81.

26 \* Sec. 10. AS 42.06.160(c) is amended to read:

27 (c) The commission [, A COMMISSIONER] or an employee authorized by  
28 the commission may administer oaths, certify to all official acts, and  
29 issue subpoenas, subppenas duces tecum and other process to compel the

1 attendance of witnesses and the production of testimony, records,  
2 papers, accounts and documents in any inquiry, investigation, hearing or  
3 proceeding before the commission in the state. [EACH COMMISSIONER IS  
4 AUTHORIZED TO ISSUE ORDERS ON PROCEDURAL MOTIONS.] The commission may  
5 petition a court of this state to enforce its subpoenas, subpoenas duces  
6 tecum and other process.

7 \* Sec. 11. AS 42.06.630(2) is amended to read:

8 (2) "commissioner" means the Alaska pipeline commissioner [A  
9 MEMBER OF THE COMMISSION];

10 \* Sec. 12. The terms of the Alaska Pipeline commissioners eliminated by  
11 this Act expire on the effective date of this Act. The lawyer member of the  
12 Alaska Pipeline Commission in office on June 30, 1979 shall complete his  
13 term.

14 \* Sec. 13. The following laws are repealed: AS 42.06.030(b), 42.06.040-  
15 (c), 42.06.070, and 42.06.180.

16 \* Sec. 14. This Act takes effect July 1, 1979.  
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