

HOUSE BILL NO. 218

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON ENERGY

Introduced: 4/6/09

Referred: House Special Committee on Energy, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing and relating to the Department of Energy and to the board of**
2 **directors of the Alaska Energy Authority; transferring the Alaska Energy Authority**
3 **and the Alaska Natural Gas Authority to the Department of Energy; and transferring**
4 **the home energy and weatherization program to the Department of Energy."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 18.56.090(c) is amended to read:

7 (c) The corporation may not provide money or another form of housing
8 assistance authorized by (b) of this section unless the board identifies in the
9 corporation's proposed operating budget the money available to the corporation,
10 including the corporation's own assets, for the proposed housing assistance. The
11 provisions of this subsection apply to

12 (1) subsidies authorized by the home ownership assistance program
13 under AS 18.56.091;

14 (2) mortgage subsidies authorized by the graduated payment mortgage

1 loan program under AS 18.56.098(c);

2 (3) interest rate deductions authorized in the housing development
3 fund under AS 18.56.100(b)(1) and (l);

4 (4) money or another form of housing assistance payable from
5 corporate earnings or assets of the corporation, other than money appropriated to the
6 corporation for the specific purpose, for a program set out in **AS 18.56.400 - 18.56.810**
7 [AS 18.56.400 - 18.56.850].

8 * **Sec. 2.** AS 18.65.340(f)(1) is amended to read:

9 (1) "department" means a department of state government listed in
10 **AS 44.17.005(2) - (16)** [AS 44.17.005(2) - (15)];

11 * **Sec. 3.** AS 39.50.200(b) is amended by adding a new paragraph to read:

12 (64) the board of directors of the Alaska Energy Authority
13 (AS 44.83.030).

14 * **Sec. 4.** AS 41.41.010(b) is amended to read:

15 (b) The authority is a public corporation and an instrumentality of the state
16 within the Department of **Energy** [REVENUE].

17 * **Sec. 5.** AS 44.17.005 is amended to read:

18 **Sec. 44.17.005. Offices and departments.** There are in the state government
19 the following principal offices and departments:

- 20 (1) Office of the Governor
- 21 (2) Department of Administration
- 22 (3) Department of Law
- 23 (4) Department of Revenue
- 24 (5) Department of Education and Early Development
- 25 (6) Department of Health and Social Services
- 26 (7) Department of Labor and Workforce Development
- 27 (8) Department of Commerce, Community, and Economic
28 Development
- 29 (9) Department of Military and Veterans' Affairs
- 30 (10) Department of Natural Resources
- 31 (11) Department of Fish and Game

(12) Department of Public Safety

(13) Department of Transportation and Public Facilities

(14) Department of Environmental Conservation

(15) Department of Corrections

(16) Department of Energy.

* **Sec. 6.** AS 44 is amended by adding a new chapter to read:

Chapter 38. Department of Energy.

Sec. 44.38.010. Commissioner of energy. The principal executive officer of the Department of Energy is the commissioner of energy.

Sec. 44.38.020. Duties. The Department of Energy shall

(1) develop and administer a comprehensive energy plan for the state, addressing energy production, distribution, conservation, and consumption statewide;

(2) promote cost-effective energy efficiencies in construction, renovation, and maintenance of public buildings and commercial and residential structures, including the adoption and management of energy-efficiency standards;

(3) encourage the development of new technologies and alternative energy sources to reduce energy use and costs to consumers;

(4) lead the implementation of statewide energy strategies to ensure reliable, stable supplies of electricity, heating fuels, renewable and alternative energy, and other energy resources at reasonable costs to consumers;

(5) serve as the state's designated energy office for all United States Department of Energy funds.

Sec. 44.38.030. Home energy conservation and weatherization program.

(a) The Department of Energy shall plan, study, implement, and assist programs for home energy conservation and weatherization, including, without limitation, the

(1) home energy loan program;

(2) rural capital retrofit program; and

(3) energy efficiency and weatherization program.

(b) In the development of a home energy conservation or weatherization program under (a) of this section, the department may not consider the value of Alaska longevity bonus payments under AS 47.45 or permanent fund dividends under

AS 43.23 in determining whether a person meets income guidelines established in regulation by the department for a state conservation or weatherization program or, to the extent permitted by federal law, a federal energy conservation or weatherization program.

* **Sec. 7.** AS 44.83.020 is amended to read:

Sec. 44.83.020. Creation of authority. There is created the Alaska Energy Authority. The authority is a public corporation of the state in the Department of **Energy** [COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT] but with separate and independent legal existence.

* **Sec. 8.** AS 44.83.030 is amended to read:

Sec. 44.83.030. Membership of the authority. The directors of the **authority** [ALASKA ENERGY AUTHORITY] are

(1) the **commissioner of revenue;**

(2) **the commissioner of energy;**

(3) **one other person appointed by the governor who serves as the head of a principal department of the executive branch; and**

(4) **two public members appointed by the governor** [MEMBERS OF THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY].

* **Sec. 9.** AS 44.83.040(a) is amended to read:

(a) The chair and vice-chair of the **authority shall be elected by the directors of the authority** [ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY SHALL SERVE AS OFFICERS OF THE ALASKA ENERGY AUTHORITY]. The powers of the **authority** [ALASKA ENERGY AUTHORITY] are vested in the directors, and three directors of the authority constitute a quorum. Action may be taken and motions and resolutions adopted by the **authority** [ALASKA ENERGY AUTHORITY] at a meeting by the affirmative vote of a majority of the directors. The directors of the **authority** [ALASKA ENERGY AUTHORITY] serve without compensation, but they shall receive the same travel pay and per diem as provided by law for board members under AS 39.20.180.

* **Sec. 10.** AS 18.56.850 is repealed.