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CS SB 140 (L&C) Explanation of Changes 28-LS1246\R

Section 1. 44.88.088(a)

- Page 1, Line 5 thru Page 2, Line 19
 - This section of existing statute establishes that the Alaska Industrial Development and Export Authority (AIDEA) shall adopt a policy for payment of a dividend to the state each fiscal year from two existing funds.
 - Line 9: adds the Arctic infrastructure development fund (AIDF) (AS 44.88.810) to the list of funds that repay a dividend each year to the state.
 - Page 2, Lines 14- 19 defines the amount of the dividend from the AIDF: the dividend may not be less than 25% nor more than 50% of the net income of the fund.
 - This section puts the AIDF in-line with AIDEA's revolving fund and sustainable energy transmission and supply development fund (SETS).

Section 2. AS 44.88.088(b)(2)

- Page 2, Lines 20-29
 - This section of existing statute defines "net income"
 - Lines 24-26: inserts the Arctic infrastructure development fund

Section 3. AS 44.88.088(b)(3)

- Page 2, line 30 thru Page 3, line 7
 - This section defines "unrestricted net income" for the purposes of this chapter.
 - Page 3, lines 3-4: inserts the Arctic infrastructure development fund

Sections 4-9: No change

Section 10. AS 44.88

- Page 6, line 5:
 - Following “fund”
 - Insert: “by a majority vote of the members of the authority under AS 44.88.050 from any other fund controlled”
 - This change clarifies that AIDEA is authorized to transfer money or assets from other funds it controls if there is a majority vote of the members, which constitutes and action of the Board of Directors.
- Page 7, Line 11:
 - Delete: “an application”
 - Insert: “a”
 - This reduces the encumbrance of an application being filled out, but the due diligence on the applicant and the project remain unchanged.
- Page 7, Line 23:
 - Delete: “30”
 - Insert: “40”
 - This number is more appropriate for infrastructure.
- Page 7, Line 27 thru Page 8, Line 1
 - 44.88.840 now includes this language pertaining to AS 44.88.900(19)(B)
 - 44.88.840(d) sets a floor or minimum amount for loans or bond guarantees for certain activities so that this program does not compete with existing state financing programs related to fisheries.

Section 11. AS 44.88.900

- Page 8, Line 7-14: A new definition of “Arctic Infrastructure Development” is established.
 - (19) “Arctic infrastructure development” means
 - (A) the construction, improvement, rehabilitation , or expansion **of a facility** [IN THE ARCTIC OF A PORT, ROAD, ENERGY PROJECT, HANGAR, OR FACILITY TO AID IN DEVELOPMENT OR MEET EMERGENCY RESPONSE NEEDS].
 - (i) In the Arctic to aid in development or meet emergency response needs; or**
 - (ii) In the state if the construction, improvement, rehabilitation, or expansion supports or furthers the development of a facility in the Arctic.**
 - The removal of the list of types of facilities was done to ensure that the list was inclusive, rather than exclusive, of unforeseen future infrastructure needs.
 - The addition of AS 44.88.900(19)(b) was done to ensure that the fund was authorized to help finance infrastructure needs in all areas of the state that may be necessary to support the development of infrastructure in the Arctic.

- Page 8, Lines 15-19:
 - Additional language added pertaining to fisheries:
 - 44.88.900(19)(B)
 - **The purchase or repair of a fishing vessel for use in an federally managed fishery, the purchase of quota shares or individual fishing quota used in a federally managed fishery in the Arctic, or the construction, improvement , rehabilitation, or expansion of a plant, facility, or equipment used in support of a fishery in the Arctic.**
 - This language allows the AIDF to support fisheries in the Arctic.