

32ND ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sectional Analysis for House Bill 271

Section 1: Amends AS 44.88.030(a)(2) to require confirmation by the legislature of public members of the AIDEA board.

Section 2: Amends AS 44.88.030(c) to stipulate that AIDEA board members serve staggered five-year terms rather than two-year terms. Removes language: “at the pleasure of the governor.”

Section 3: Adds a new subsection (e) to AS 44.88.030 outlining membership requirements for AIDEA board members.

Section 4: Amends AS 44.88.050(c) to require that the AIDEA executive director be confirmed by the legislature. Adds a requirement for AIDEA to develop personnel policies and minimum requirements for the executive director position in either regulation or bylaws.

Section 5: Amends AS 44.88.085(b) to require AIDEA to pass resolutions in order to adopt regulations.

Section 6: Amends AS 44.88.085(d) to require 30 days of notice before adoption, amendment or repeal of an AIDEA regulations (rather than 15 days). Requires the authority to provide a written justification for each regulation adopted. Stipulates that when public testimony occurs each member of the public is guaranteed 2 minutes of speaking time (rather than one hour cumulative for all testifiers).

Section 7: Amends AS 44.88.088(a) to require that at least 50 percent of the net income from each of AIDEA’s various funds be put toward paying a dividend to the state annually.

Section 8: Expands the provisions existing in AS 44.88.174(a), relating to appointment of Regional Resource Advisory Councils (RRACs) in areas lacking local government, to resolutions adopted under the new AS 44.88.179(b) (established in section 9).

Section 9: Adds a new Section 44.88.179 outlining project oversight requirements for any project requiring more than 10 million dollars in financing.

Under (a)- Projects must be approved by a resolution of a local governing body. Projects must show that they are economically advantageous, financially feasible, encouraging of increased employment, and in compliance with applicable law. Additionally, project applicants must show financial responsibility and any increase in needs for public facilities must be noted.

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Section 9 (continued)

Under (b)- AIDEA must take the following steps prior to approval of a project: adopt a resolution describing the project, obtain approval from each local government, and prepare a financing plan.

Under (c)- If AIDEA will be issuing more than \$10 million in bonds for a project, AIDEA must do the following: show that issuance of new bonds will not adversely impact ability of state or local governments to market other bonds, obtain approval from the legislature, and submit a finance plan to the state bond committee, governor, and legislature prior to taking on debt.

Under (d)- In areas where there is no local government a five-member RRAC will be appointed by the governor to assist the authority with review of projects.

Section 10: Creates a new section 44.88.185 requiring that AIDEA prioritize projects that further the state energy policy (AS 44.99.115) and the state Arctic Policy (AS 44.99.105).

Section 11: Amends AS 44.88.210(a) to require that AIDEA develop performance metrics relating to job creation, industry growth, financial assistance to businesses and impact on private investments.

Section 12: Repeals and reenacts AS 44.88.21, the current statute allowing expansive confidentiality for AIDEA records, to clarify that records and information submitted to the authority are subject to the Alaska Public Records Act. Creates a waiver process of receipt of information to the authority.

Section 13: Repeals 44.88.030(b), allowing Commissioner board members to designate authority to someone else.

Section 14: Provides uncoded transitional language for how new board structure will be adopted.

Section 15: Provides an effective date of January 1, 2023.