

AMENDMENT #9

OFFERED IN THE SENATE

BY SENATOR WIELECHOWSKI

TO: CSSB 48(RES), Draft Version "B"

1 Page 6, following line 13:

2 Insert a new section to read:

3 **"Sec. 38.95.440. Notice, solicitation, and findings.** (a) Before the department
4 enters into the first contract for a carbon offset project, the department shall publish a
5 broad solicitation of interest requesting proposals to undertake carbon offset projects
6 on state land. The department shall publish a similar announcement periodically when
7 the department determines that market conditions or other factors suggest that a new
8 solicitation would be in the best interest of the state.

9 (b) Before contracting with a third party for a carbon offset project or in
10 anticipation of a carbon offset project, the department shall make a preliminary written
11 finding that the contract is in the best interest of the state and provide not less than 30
12 days' public notice

13 (1) for public comment; and

14 (2) to allow other interested parties an opportunity to submit
15 competing proposals.

16 (c) Public notice under (b) of this section must include a description of the
17 land area proposed to be explored or developed for a carbon offset project.

18 (d) The department shall review all competing proposals received under this
19 section and provide written findings explaining which proposal, if any, will be
20 awarded the contract.

21 (e) The written findings required under (d) of this section must, for each
22 proposal, address the factors listed in AS 38.95.410, the costs to the state, the revenue
23 that the proposal is expected to generate for the state, and an analysis of proposed

1 consideration or other negotiated financial terms made for the contract.

2 (f) If the department determines that more than one proposal is in the best
3 interest of the state, the department may accept more than one proposal.

4 (g) Written findings made by the department under this section are public
5 records.

6 (h) When the department decides to accept a proposal, the department shall
7 issue a public notice of intent to award the contract and make available for public
8 inspection all submitted proposals and written findings made by the department. A
9 person whose proposal was rejected may appeal to the commissioner within 30 days
10 after receiving notice that the department rejected the proposal."