

HOUSE BILL NO. 236

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE STAPP

Introduced: 1/16/24

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Board of Regents of the University of Alaska;**
2 **establishing the University of Alaska major maintenance and modernization fund;**
3 **repealing the University of Alaska building fund; and providing for an effective date."**

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

5 *** Section 1.** AS 14.40.170(a) is amended to read:

6 (a) The Board of Regents shall

7 (1) appoint the president of the university by a majority vote of the
8 whole board, and the president may attend meetings of the board;

9 (2) fix the compensation of the president of the university, all heads of
10 departments, professors, teachers, instructors, and other officers;

11 (3) confer appropriate degrees as it may determine and prescribe;

12 (4) have the care, control, and management of

13 (A) all the real and personal property of the university; and

14 (B) land

1 (i) conveyed to the Board of Regents by the
 2 commissioner of natural resources in the settlement of the claim of the
 3 University of Alaska to land granted to the state in accordance with the
 4 Act of March 4, 1915 (38 Stat. 1214), as amended, and in accordance
 5 with the Act of January 21, 1929(45 Stat. 1091), as amended; and

6 (ii) conveyed to the Board of Regents in trust for the
 7 University of Alaska by the commissioner of natural resources under
 8 AS 14.40.365;

9 (5) keep a correct and easily understood record of the minutes of every
 10 meeting and all acts done by it in pursuance of its duties;

11 (6) under procedures to be established by the commissioner of
 12 administration, and in accordance with existing procedures for other state agencies,
 13 have the care, control, and management of all money of the university and keep a
 14 complete record of all money received and disbursed;

15 (7) adopt reasonable rules for the prudent trust management and the
 16 long-term financial benefit to the university of the land of the university;

17 (8) provide public notice of sales, leases, exchanges, and transfers of
 18 the land of the university or of interests in land of the university;

19 (9) administer, manage, market, and promote an education savings
 20 program, including the Education Trust of Alaska under AS 14.40.802 and the Alaska
 21 advance college tuition savings fund under AS 14.40.803 - 14.40.817;

22 (10) **develop a comprehensive plan for major maintenance and**
 23 **modernization projects for existing University of Alaska facilities to be funded**
 24 **from the University of Alaska major maintenance and modernization**
 25 [DESIGNATE BUILDINGS OWNED BY THE UNIVERSITY AS COVERED
 26 BUILDINGS FOR PURPOSES OF PAYING THE COSTS OF USE,
 27 MANAGEMENT, OPERATION, MAINTENANCE, AND DEPRECIATION FROM
 28 THE] fund established under **AS 37.05.557; in this paragraph, "major maintenance**
 29 **and modernization project" has the meaning given in AS 37.05.557(f)**
 30 [AS 37.05.555].

31 * **Sec. 2.** AS 14.40.190(a) is repealed and reenacted to read:

1 (a) Not later than the 30th legislative day of each regular session of the
 2 legislature, the Board of Regents shall prepare a written report that describes the
 3 condition of university property, lists all receipts and expenditures, and details the
 4 comprehensive plan developed by the Board of Regents under AS 14.40.170(a)(10).
 5 The Board of Regents shall submit the report to the senate secretary and the chief clerk
 6 of the house of representatives and notify the legislature that the report is available.
 7 The report must include the following information:

8 (1) the administration and disposition of appropriated and restricted
 9 funds, including information required under AS 37.25.010(d);

10 (2) educational and other work performed during the preceding fiscal
 11 year;

12 (3) the major maintenance and modernization projects for existing
 13 University of Alaska facilities to be funded from the University of Alaska major
 14 maintenance and modernization fund established under AS 37.05.557 over the next six
 15 fiscal years, including the location of each project, a detailed scope of work and
 16 budget for each project, and documentation of conditions justifying the project;

17 (4) a description of funds from the University of Alaska major
 18 maintenance and modernization fund and other sources expended on major
 19 maintenance and modernization projects in the preceding six fiscal years; and

20 (5) the progress made on University of Alaska major maintenance and
 21 modernization projects in the preceding six fiscal years.

22 * **Sec. 3.** AS 14.40.190 is amended by adding a new subsection to read:

23 (c) In this section, "major maintenance and modernization project" has the
 24 meaning given in AS 37.05.557(f).

25 * **Sec. 4.** AS 37.05 is amended by adding a new section to read:

26 **Sec. 37.05.557. University of Alaska major maintenance and**
 27 **modernization fund.** (a) The University of Alaska major maintenance and
 28 modernization fund is established as a separate fund in the state treasury for the
 29 purpose of financing major maintenance and modernization projects for existing
 30 University of Alaska facilities. The fund consists of money appropriated to the fund,
 31 including income earned on investment of fund assets, interest earned on money in the

1 fund, money authorized by the Board of Regents for transfer to the fund, donations to
2 the fund, and money from other sources. Money in the fund does not lapse.

3 (b) The Board of Regents may use money in the fund without further
4 appropriation only for major maintenance and modernization projects that are included
5 in the comprehensive plan developed by the Board of Regents under
6 AS 14.40.170(a)(10) and submitted to the legislature in accordance with
7 AS 14.40.190(a) and for payments on financing arrangements for those projects,
8 including debt, lease to own, and public-private partnerships. If a bill disapproving a
9 project submitted to the legislature under AS 14.40.190(a) is enacted into law before
10 the end of the regular session in which the project was submitted, the Board of
11 Regents may not

12 (1) include the project in a subsequent comprehensive plan developed
13 by the Board of Regents under AS 14.40.170(a)(10); or

14 (2) use money in the fund for the project unless the money is
15 appropriated by the legislature for that purpose.

16 (c) It is the intent of the legislature that, each fiscal year, the legislature
17 appropriate to the fund a sum of not less than \$35,000,000.

18 (d) Nothing in this section affects the duty of the University of Alaska to
19 provide notice to the legislature under AS 14.40.253.

20 (e) Nothing in this section creates a dedicated fund.

21 (f) In this section,

22 (1) "Board of Regents" means the Board of Regents of the University
23 of Alaska;

24 (2) "fund" means the University of Alaska major maintenance and
25 modernization fund established by this section;

26 (3) "major maintenance and modernization project" means the
27 renovation, replacement, demolition, modernization, repair, or enhancing of the
28 energy efficiency of a facility.

29 * **Sec. 5.** AS 37.05.555 is repealed.

30 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 TRANSITION. Notwithstanding AS 14.40.170(a), as amended by sec. 1 of this Act,
2 AS 14.40.190(a), as repealed and reenacted by sec. 2 of this Act, AS 14.40.190(c), added by
3 sec. 3 of this Act, and AS 37.05.557, added by sec. 4 of this Act, the Board of Regents of the
4 University of Alaska may use money in the University of Alaska major maintenance and
5 modernization fund without further appropriation for the following major maintenance and
6 modernization projects:

7 (1) University of Alaska Anchorage:

8 (A) campuswide code compliance, emergency services, and security
9 improvements, roof and exterior envelope replacements, and mechanical and electrical
10 system upgrades;

11 (B) improvements to facilities that are used for the welding program,
12 auto diesel technology program, aviation program, and culinary arts program;

13 (C) Kenai Peninsula College improvements to mechanical and
14 electrical systems in Homer and Soldotna;

15 (D) Kodiak College campus improvements to mechanical and
16 electrical systems, energy egress, exterior doors, and roofs;

17 (E) Mat-Su College campus improvements to mechanical, electrical,
18 and interior systems;

19 (F) Prince William Sound College campus improvements to
20 mechanical and electrical systems, fire alarm systems, roofs, campus interiors, and
21 campus accessibility;

22 (G) Professional Sciences Building, Sally Monserud Hall, and Wendy
23 Williamson Auditorium improvements;

24 (H) Student Union, Avis Alaska Sports Complex, Enrollment Services
25 Center, and Creek Bridge improvements;

26 (I) University of Alaska Anchorage and Alaska Pacific University
27 Consortium Library and Social Sciences Building improvements;

28 (2) University of Alaska Fairbanks:

29 (A) Bristol Bay Campus energy efficiency upgrades;

30 (B) Bunnell Building, Duckering Building engineering spaces, and
31 Fine Arts Complex theater wing improvements;

1 (C) campus pedestrian pathways and exterior infrastructure
2 improvements;

3 (D) campuswide code compliance, Fine Arts Complex and Signers'
4 Hall emergency egress door improvements, and Matanuska Experiment Farm and
5 Extension Center public water system replacement;

6 (E) Community and Technical College center improvements and code
7 compliance;

8 (F) Cutler Apartment Complex roof improvements and Patty Pool code
9 compliance;

10 (G) Eielson Building improvements;

11 (H) Elvey Building improvements or replacement;

12 (I) employee, family, and graduate student housing replacements;

13 (J) fire alarm system, laboratory ventilation, and Student Health and
14 Counseling Center improvements, code compliance, Americans with Disabilities Act
15 compliance, and seismic retrofit;

16 (K) Interior Alaska Campus, Tok Center improvements and Americans
17 with Disabilities Act compliance;

18 (L) interior building system, campus restroom, and D.W. Hood
19 laboratory improvements;

20 (M) Kuskokwim Campus improvements, code compliance, fire alarm
21 replacements, and energy upgrades;

22 (N) Northwest Campus foundation replacement and Americans with
23 Disabilities Act compliance;

24 (O) Patty Center improvements;

25 (P) Tilly Commons improvements;

26 (Q) Troth Yeddha' Campus improvements to utility distribution piping,
27 steam line and pipe couplings on the domestic water system, and steam heating
28 system, and failed valve and malfunctioning fire hydrant replacements;

29 (R) undergraduate residence hall demolition and replacement;

30 (S) Whittaker Building replacement;

31 (3) University of Alaska Southeast:

1 (A) Juneau Campus exterior infrastructure improvements, water main
2 improvements, and fuel tank, pavement, and sidewalk lighting replacements;

3 (B) Juneau Campus interior system improvements, heating system
4 replacements, and updates to generator controls;

5 (C) Juneau Campus roofs, windows, siding, and insulation
6 replacements;

7 (D) Juneau Campus installation of covered walkways, security
8 cameras, and door locking systems;

9 (E) Ketchikan Campus roof improvements, installation of a backup
10 heating system, and building automation system upgrades;

11 (F) Northwest Coast Arts program and student services facility
12 improvements;

13 (G) Novatney Building lower floor improvements;

14 (H) Sitka Campus installation of a backup power generator, window
15 replacements, and elevator replacements;

16 (I) Soboleff Building improvements;

17 (4) University of Alaska System Office:

18 (A) Butrovich Building ceiling and lighting replacements;

19 (B) Butrovich Building seismic improvements.

20 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).