

**A M E N D M E N T**

OFFERED IN THE SENATE

TO: CSSB 220(RES), Draft Version "K"

1 Page 1, line 3, following "cooperative,":

2 Insert "to the Alaska affordable heating program,"

3

4 Page 13, following line 18:

5 Insert new bill sections to read:

6 \*\* Sec. 21. AS 47.25.621 is amended to read:

7 Sec. 47.25.621. Alaska affordable heating [ASSISTANCE] program. (a)

8 The Alaska affordable heating [ASSISTANCE] program is established in the  
9 Department of Health and Social Services to provide expanded eligibility for Alaska  
10 residents for home heating assistance, to the extent funds are available in the Alaska  
11 affordable heating fund [APPROPRIATED BY THE LEGISLATURE FOR THAT  
12 PURPOSE].

13 (b) The Alaska affordable heating [ASSISTANCE] program established  
14 under this section is in addition to the federal low-income heating and energy  
15 assistance provided under 42 U.S.C. 8621 - 8629 (Low-Income Home Energy  
16 Assistance Act of 1981), as amended, and implementing regulations.

17 \* Sec. 22. AS 47.25.621 is amended by adding a new subsection to read:

18 (c) The Alaska affordable heating fund is established as a separate fund to be  
19 managed by the Department of Revenue. The fund consists of appropriations made to  
20 it. Interest earned by the fund may be appropriated to it. The Department of Health and  
21 Social Services shall use money in the fund for Alaska affordable heating payments.

22 \* Sec. 23. AS 47.25.622 is amended to read:

23 Sec. 47.25.622. Duties. The Department of Health and Social Services

1 [DEPARTMENT] shall

2 (1) administer the Alaska **affordable** heating [ASSISTANCE]  
3 program provided under AS 47.25.621;

4 (2) adopt regulations under AS 44.62 (Administrative Procedure Act)  
5 to carry out the purpose of the program;

6 (3) coordinate payments among other heating assistance programs to  
7 avoid duplication of payments.

8 \* **Sec. 24.** AS 47.25.623 is amended to read:

9 **Sec. 47.25.623. Eligibility; payment amount.** An individual is eligible for  
10 home heating assistance payments under the Alaska **affordable** heating  
11 [ASSISTANCE] program if the individual

12 (1) is a resident of the state;

13 (2) is physically present and resides in a home in the state when the  
14 home heating costs are incurred;

15 (3) **for assistance calculated under (b) and (c) of this section, has**  
16 **gross household income not to exceed, as a percentage of the federal poverty**  
17 **guideline for Alaska set by the United States Department of Health and Human**  
18 **Services and revised under 42 U.S.C. 9902(2),**

19 **(A) 225 percent for a determination to be made under (c)(1)**

20 **- (3) of this section; and**

21 **(B) 250 percent for a determination to be made under (c)(4)**  
22 **of this section; and** [HAS GROSS HOUSEHOLD INCOME ABOVE 150  
23 PERCENT BUT THAT DOES NOT EXCEED 225 PERCENT OF THE  
24 FEDERAL POVERTY GUIDELINE FOR ALASKA SET BY THE UNITED  
25 STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES AND  
26 REVISED UNDER 42 U.S.C. 9902(2);]

27 (4) meets other eligibility requirements specified in regulations  
28 adopted under AS 47.25.622.

29 \* **Sec. 25.** AS 47.25.623 is amended by adding new subsections to read:

30 (b) The Department of Health and Social Services shall (1) determine the  
31 number of points for each eligible individual based on the point formula used under 42

U.S.C. 8621 - 8629 (Low-Income Home Energy Assistance Act of 1981), as amended, and implementing regulations; and (2) add to the determination made under (1) of this subsection one point if the individual has applied during the year for home energy conservation and weatherization assistance under any program of the Alaska Housing Finance Corporation developed to implement AS 18.56.850; the department may add the point authorized by this paragraph only once and may not add the point if an individual has received a benefit under a program developed to implement AS 18.56.850 before the effective date of this section. The amount of the Alaska affordable heating payment for an individual equals the base amount calculated under (c) of this section minus the amount the individual is eligible to receive under the federal low-income home energy assistance program under 42 U.S.C. 8621 - 8629, as amended, and implementing regulations.

(c) The Department of Health and Social Services shall calculate the base amount of the Alaska affordable heating payment for the individual based on points determined under (b) of this section and on the average price a barrel of Alaska North Slope crude oil for sale on the United States West Coast during September through February of the preceding fiscal year as follows:

(1) \$130 a point when the average price is not more than \$75 a barrel;

(2) \$140 a point when the average price is more than \$75 and not more than \$100 a barrel;

(3) \$150 a point when the average price is more than \$100 and not more than \$150 a barrel;

(4) \$165 a point when the average price is more than \$150 a barrel.

(d) Under the program authorized by AS 47.25.621 - 47.25.626, if insufficient money is appropriated to fully fund the Alaska affordable heating payments during the first year taking into consideration the gross household income rates established in (a) of this section and the base amounts to be calculated under (b) and (c) of this section, the department

(1) shall, for the duration of that fiscal year, suspend calculation and payment under (a)(3)(B) of this section and calculate and pay all eligible individuals under (a)(3)(A) of this section; and

(2) may, to the extent there is or may be an appropriation balance surplus to the amount required to make all payments under (1) of this subsection, by regulation, establish at any time during the fiscal year a prospective pro rata reduction of the payment rates that the department will pay to eligible individuals under the program during that fiscal year qualifying under (a)(3)(B) of this section and, thereafter, may provide for prorated payments.

\* **Sec. 26.** AS 47.25.626(a) is amended to read:

(a) The **Department of Health and Social Services** [DEPARTMENT] may develop a regional Alaska heating [ASSISTANCE] program for the administration of AS 47.25.621 - 47.25.626 to provide home heating assistance in a uniform and cost-effective manner in a region of this state if an Alaska Native organization is authorized to implement a federally approved tribal family assistance plan that includes that region and has been awarded a tribal energy assistance grant for a program that includes that region under 42 U.S.C. 8623(d).

\* **Sec. 27.** AS 47.25.626(b) is amended to read:

(b) The department may award contracts to implement a program developed under (a) of this section. A contract authorized for delivery of home heating assistance under a regional Alaska heating [ASSISTANCE] program under this section is exempt from the competitive bid requirements of AS 36.30 (State Procurement Code). Subject to appropriation, a contract under this section must be in an amount that represents a fair and equitable share of the money appropriated for the Alaska **affordable** heating [ASSISTANCE] program under AS 47.25.621 - 47.25.626 to serve the state residents specified in (a) of this section. The authority provided under this section to contract is in addition to the authority to contract in AS 47.05.015 or other law.

\* **Sec. 28.** AS 47.25.626(f) is amended to read:

(f) If the department establishes a regional Alaska heating [ASSISTANCE] program and awards a contract to provide home heating assistance under this section, a person applying for home heating assistance under AS 47.25.621 - 47.25.626 in the region of the state covered by the regional Alaska heating [ASSISTANCE] program may obtain home heating assistance from the department only through the organization designated by the department to serve the region."

1

2     Renumber the following bill sections accordingly.