

HOUSE BILL NO. 411

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/26/10

Referred: House Special Committee on Energy, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the power project fund; authorizing the Alaska Energy Authority to**
2 **charge and collect fees relating to the power project fund; authorizing the Alaska**
3 **Energy Authority to sell and authorizing the Alaska Industrial Development and Export**
4 **Authority to purchase loans of the power project fund; providing legislative approval**
5 **for the sale and purchase of loans of the power project fund under the memorandum of**
6 **understanding dated February 17, 2010; and providing for an effective date."**

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

8 *** Section 1.** AS 42.45.010(a) is amended to read:

9 (a) The power project fund is established as a separate fund. The fund shall be
10 distinct from any other money or funds of the authority and includes only money
11 appropriated by the legislature, proceeds from the sale of loans, and money
12 deposited under (g) of this section.

13 *** Sec. 2.** AS 42.45.010(d) is repealed and reenacted to read:

1 (d) The authority may adopt regulations to establish the standards, criteria, and
 2 procedures for making loans under this section, including regulations to establish
 3 reasonable fees for applications and loan origination, and charges for reimbursement
 4 of the costs of analyzing the feasibility of a project.

5 * **Sec. 3.** AS 42.45.010 is amended by adding new subsections to read:

6 (k) The authority may collect the fees and charges established under (d) of this
 7 section and shall deposit the money in the general fund.

8 (l) The authority may sell loans of the power project fund with legislative
 9 approval. The authority may use money in the power project fund to repurchase loans
 10 sold under this subsection which default. Money received by the authority from the
 11 sale of loans under this subsection shall be deposited into the power project fund under
 12 (a) of this section.

13 * **Sec. 4.** AS 44.88.080 is amended by adding a new subsection to read:

14 (30) with legislative approval and notwithstanding AS 44.88.060, to
 15 purchase from the Alaska Energy Authority as an investment of the revolving fund,
 16 loans of the power project fund established under AS 42.45.010.

17 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
 18 read:

19 LEGISLATIVE APPROVAL FOR THE SALE AND PURCHASE OF CERTAIN
 20 POWER PROJECT FUND LOANS. (a) The Alaska Energy Authority may sell, and the
 21 Alaska Industrial Development and Export Authority may purchase as an investment of the
 22 revolving fund, loans of the power project fund, under the memorandum of understanding
 23 dated February 17, 2010.

24 (b) Subsection (a) of this section is the legislative approval required by
 25 AS 42.45.010(l), enacted by sec. 3 of this Act, for the Alaska Energy Authority to sell, and
 26 required by AS 44.88.080(30), enacted by sec. 4 of this Act, for the Alaska Industrial
 27 Development and Export Authority to purchase as an investment of the revolving fund, loans
 28 of the power project fund.

29 (c) In this section, unless the context otherwise requires,

30 (1) "Alaska Energy Authority" means the authority created in AS 44.83.020;

31 (2) "Alaska Industrial Development and Export Authority" means the

1 authority created in AS 44.88.020;

2 (3) "loans of the power project fund" means loans made by the Alaska Energy
3 Authority under AS 42.45.010, as amended by sec. 1 of this Act;

4 (4) "memorandum of understanding dated February 17, 2010" means the
5 agreement between the Alaska Energy Authority and the Alaska Industrial Development and
6 Export Authority dated February 17, 2010, under which the Alaska Energy Authority agrees
7 to sell, and the Alaska Industrial Development and Export Authority agrees to purchase,
8 certain loans of the power project fund:

9 (5) "power project fund" means the fund established under AS 42.45.010;

10 (6) "revolving fund" means the fund of the Alaska Industrial Development and
11 Export Authority established under AS 44.88.060.

12 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).