

**HOUSE BILL NO. 240**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Introduced: 3/8/95

Referred: Health, Education and Social Services, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to endowments of and donations to the University of Alaska and  
2 to the University of Alaska endowment trust fund; and providing for an effective  
3 date."

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

5 \* **Section 1.** FINDINGS. The legislature finds that it is in the best interest of efficient  
6 administration to move the administration of the University of Alaska endowment trust fund  
7 from the Department of Revenue to the University of Alaska, resulting in an integrated  
8 management of the resources of the University of Alaska.

9 \* **Sec. 2.** AS 14.40.280 is amended to read:

10 Sec. 14.40.280. ENDOWMENTS AND DONATIONS. All monetary gifts,  
11 bequests, or endowments that are made to the University of Alaska for the purpose of  
12 the separate trust fund created under AS 14.40.400 shall be **held by the university.**  
13 **The university** [TRANSFERRED TO THE DEPARTMENT OF REVENUE. THE  
14 DEPARTMENT OF REVENUE] shall manage that money in accordance with

1 AS 14.40.400. Title to and control or possession of land, personal property, and all  
2 money [OTHER THAN] that [TRANSFERRED TO THE DEPARTMENT OF  
3 REVENUE, WHICH] is devised, bequeathed, or given to the university shall be taken  
4 by the university in its corporate capacity acting by and through the regents or an  
5 authorized agent, and shall be entered in the perpetual inventory of the university.

6 \* **Sec. 3.** AS 14.40.400(a) is amended to read:

7 (a) The **University of Alaska** [DEPARTMENT OF REVENUE] shall establish  
8 a separate endowment trust fund in which all net income derived from the sale or lease  
9 of the land granted under the Act of Congress approved January 21, 1929, and in  
10 which all monetary gifts, bequests, or endowments made to the University of Alaska  
11 for the purpose of the fund, shall be held in trust.

12 \* **Sec. 4.** AS 14.40.400(b) is amended to read:

13 (b) The **president of the University of Alaska** [COMMISSIONER OF  
14 REVENUE] is the fiduciary of the trust fund and shall account for and invest the fund  
15 as set out **for the commissioner of revenue** in AS 37.14.110(c), 37.14.160, and  
16 37.14.170, except that the **president of the university** [COMMISSIONER] shall report  
17 the condition and investment performance of the fund to the Board of Regents **and to**  
18 **the legislature.**

19 \* **Sec. 5.** AS 36.30.850(b)(15) is amended to read:

20 (15) a contract that is a delegation, in whole or in part, of investment  
21 powers held by the commissioner of revenue under [AS 14.40.400,] AS 14.42.200,  
22 14.42.210, AS 18.56.095, AS 37.10.070, 37.10.071, or AS 37.14;

23 \* **Sec. 6.** AS 14.40.400(e) is repealed.

24 \* **Sec. 7.** TRANSITION. A contract, right, liability, or obligation in effect on the effective  
25 date of this Act remains in effect notwithstanding the amendments to AS 14.40.280 or  
26 14.40.400 made in secs. 2 - 4 and 6 of this Act. Assets and liabilities of the University of  
27 Alaska endowment trust fund held by the Department of Revenue on the effective date of this  
28 Act shall be transferred by the Department of Revenue to the University of Alaska to  
29 implement this Act.

30 \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).