

**CS FOR SENATE BILL NO. 158(RES) am**  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY THE SENATE RESOURCES COMMITTEE**

**Amended: 4/9/01**

**Offered: 3/29/01**

**Sponsor(s): SENATE RESOURCES COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act directing the commissioner of revenue to prepare a report to the legislature**  
2 **relating to the state's participation in owning or financing a gas pipeline project; and**  
3 **providing for an effective date."**

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

5 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 REPORT OF THE COMMISSIONER OF REVENUE. (a) In furtherance of the  
8 public policy that the State of Alaska "encourage . . . the development of its resources by  
9 making them available for maximum use consistent with the public interest," and the  
10 obligation of the legislature to "provide for the utilization, development, and conservation of  
11 all natural resources belonging to the State . . . for the maximum benefit of its people," the  
12 commissioner of revenue shall, not later than January 31, 2002, provide to the governor and  
13 legislature a comprehensive report, with recommendations, addressing options for the state to  
14 participate in the commercial development of the state's natural gas resources through

1 ownership of or provision of financing for a gas pipeline project. The report must consider  
2 whether

3 (1) the state should participate by taking an equity position in a gas pipeline  
4 project by

5 (A) owning all or a portion of the project; or

6 (B) establishing a state-owned public corporation or authority to  
7 construct and operate the project;

8 (2) the state should participate in financing the project and, if so,

9 (A) whether it should

10 (i) issue debt, in the form of its general obligation bonds or  
11 revenue bonds of a state-owned public corporation or authority or in another  
12 appropriate form; or

13 (ii) guarantee debt; and

14 (B) what terms it, or its public corporation or authority, should require  
15 as conditions for provision of financial support for the project;

16 (3) the state is able to participate under (1) or (2) of this subsection; the  
17 consideration given under this subsection must examine the effect of that participation on the  
18 state's cash flow, its continuing ability to pay for essential public services, and the effect of its  
19 participation on the state's financial integrity and creditworthiness;

20 (4) state participation under (1) or (2) of this subsection would

21 (A) create additional risks for the completion and operation of the  
22 project;

23 (B) more likely than not cause the project to be completed and to  
24 operate successfully; and

25 (C) accrue benefits or detriments for other parties participating with  
26 the state or its public corporation or authority in the completion and operation of the  
27 project;

28 (5) the state should participate in a gas pipeline project by establishing a  
29 private corporation, which would be composed of Alaska residents who wish to become  
30 shareholders, that would own a portion of the project or assist in the construction and  
31 operation of the project; and

1           (6) consistent with the constitutional authority that requires provision for "the  
2 utilization, development, and conservation of all natural resources belonging to the state . . .  
3 for the maximum benefit of its people," state participation under (1), (2), or (5) of this  
4 subsection would ensure or materially contribute to natural gas development and distribution  
5 within the state by installation of additional pipeline facilities connecting to population  
6 centers in the state, thereby supplying the energy base required for the state's long-term  
7 economic development.

8           (b) The commissioner of revenue shall

9           (1) contract with a qualified and suitable firm or person qualified by education  
10 or experience or of demonstrated competence for the performance of the requirements  
11 described in (a) of this section; the contract awarded under this paragraph is made for a  
12 purpose in which timely performance is essential that makes a procurement under AS 36.30  
13 through competitive sealed bidding or competitive sealed proposals impracticable;

14           (2) require, as a term of the contract, that the person or one or more  
15 representatives of the firm with which the commissioner contracts under (1) of this subsection  
16 meet with the legislators who, during the Twenty-Second Alaska State Legislature, chair the  
17 standing committees that have legislative jurisdiction over natural resources as provided in the  
18 Uniform Rules of the Alaska State Legislature or their designees, for the purposes of allowing  
19 review of the data and providing information to those legislators or designees regarding the  
20 preparation and content of the report to be prepared under (a) of this section;

21           (3) provide progress reports regarding the preparation of the report to the  
22 chairs of the standing committees described in (2) of this subsection at intervals of no more  
23 than 60 days; and

24           (4) prepare and deliver a comprehensive report with final recommendations.

25       \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).