

SENATE BILL NO. 185

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE SPECIAL COMMITTEE ON ENERGY

Introduced: 4/8/09

Referred: Senate Special Committee on Energy, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing and relating to the Department of Energy and to the board of
2 directors of the Alaska Energy Authority; transferring the Alaska Energy Authority
3 and the Alaska Natural Gas Authority to the Department of Energy; and transferring
4 the home energy and weatherization program to the Department of Energy."

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

6 * **Section 1.** AS 18.56.090(c) is amended to read:

7 (c) The corporation may not provide money or another form of housing
8 assistance authorized by (b) of this section unless the board identifies in the
9 corporation's proposed operating budget the money available to the corporation,
10 including the corporation's own assets, for the proposed housing assistance. The
11 provisions of this subsection apply to

12 (1) subsidies authorized by the home ownership assistance program
13 under AS 18.56.091;

14 (2) mortgage subsidies authorized by the graduated payment mortgage

1 loan program under AS 18.56.098(c);

2 (3) interest rate deductions authorized in the housing development
3 fund under AS 18.56.100(b)(1) and (l);

4 (4) money or another form of housing assistance payable from
5 corporate earnings or assets of the corporation, other than money appropriated to the
6 corporation for the specific purpose, for a program set out in **AS 18.56.400 - 18.56.810**
7 [AS 18.56.400 - 18.56.850].

8 * **Sec. 2.** AS 18.65.340(f)(1) is amended to read:

9 (1) "department" means a department of state government listed in
10 **AS 44.17.005(2) - (16)** [AS 44.17.005(2) - (15)];

11 * **Sec. 3.** AS 39.50.200(b) is amended by adding a new paragraph to read:

12 (64) the board of directors of the Alaska Energy Authority
13 (AS 44.83.030).

14 * **Sec. 4.** AS 41.41.010(b) is amended to read:

15 (b) The authority is a public corporation and an instrumentality of the state
16 within the Department of **Energy** [REVENUE].

17 * **Sec. 5.** AS 44.17.005 is amended to read:

18 **Sec. 44.17.005. Offices and departments.** There are in the state government
19 the following principal offices and departments:

20 (1) Office of the Governor

21 (2) Department of Administration

22 (3) Department of Law

23 (4) Department of Revenue

24 (5) Department of Education and Early Development

25 (6) Department of Health and Social Services

26 (7) Department of Labor and Workforce Development

27 (8) Department of Commerce, Community, and Economic

28 Development

29 (9) Department of Military and Veterans' Affairs

30 (10) Department of Natural Resources

31 (11) Department of Fish and Game

1 (12) Department of Public Safety

2 (13) Department of Transportation and Public Facilities

3 (14) Department of Environmental Conservation

4 (15) Department of Corrections

5 **(16) Department of Energy.**

6 * **Sec. 6.** AS 44 is amended by adding a new chapter to read:

7 **Chapter 38. Department of Energy.**

8 **Sec. 44.38.010. Commissioner of energy.** The principal executive officer of
9 the Department of Energy is the commissioner of energy.

10 **Sec. 44.38.020. Duties.** The Department of Energy shall

11 (1) develop and administer a comprehensive energy plan for the state,
12 addressing energy production, distribution, conservation, and consumption statewide;

13 (2) promote cost-effective energy efficiencies in construction,
14 renovation, and maintenance of public buildings and commercial and residential
15 structures, including the adoption and management of energy-efficiency standards;

16 (3) encourage the development of new technologies and alternative
17 energy sources to reduce energy use and costs to consumers;

18 (4) lead the implementation of statewide energy strategies to ensure
19 reliable, stable supplies of electricity, heating fuels, renewable and alternative energy,
20 and other energy resources at reasonable costs to consumers;

21 (5) serve as the state's designated energy office for all United States
22 Department of Energy funds.

23 **Sec. 44.38.030. Home energy conservation and weatherization program.**

24 (a) The Department of Energy shall plan, study, implement, and assist programs for
25 home energy conservation and weatherization, including, without limitation, the

26 (1) home energy loan program;

27 (2) rural capital retrofit program; and

28 (3) energy efficiency and weatherization program.

29 (b) In the development of a home energy conservation or weatherization
30 program under (a) of this section, the department may not consider the value of Alaska
31 longevity bonus payments under AS 47.45 or permanent fund dividends under

1 AS 43.23 in determining whether a person meets income guidelines established in
 2 regulation by the department for a state conservation or weatherization program or, to
 3 the extent permitted by federal law, a federal energy conservation or weatherization
 4 program.

5 * **Sec. 7.** AS 44.83.020 is amended to read:

6 **Sec. 44.83.020. Creation of authority.** There is created the Alaska Energy
 7 Authority. The authority is a public corporation of the state in the Department of
 8 **Energy** [COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT] but
 9 with separate and independent legal existence.

10 * **Sec. 8.** AS 44.83.030 is amended to read:

11 **Sec. 44.83.030. Membership of the authority.** The directors of the **authority**
 12 [ALASKA ENERGY AUTHORITY] are

13 **(1) the commissioner of revenue;**

14 **(2) the commissioner of energy;**

15 **(3) one other person appointed by the governor who serves as the**
 16 **head of a principal department of the executive branch; and**

17 **(4) two public members appointed by the governor** [MEMBERS
 18 OF THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT
 19 AUTHORITY].

20 * **Sec. 9.** AS 44.83.040(a) is amended to read:

21 (a) The chair and vice-chair of the **authority shall be elected by the**
 22 **directors of the authority** [ALASKA INDUSTRIAL DEVELOPMENT AND
 23 EXPORT AUTHORITY SHALL SERVE AS OFFICERS OF THE ALASKA
 24 ENERGY AUTHORITY]. The powers of the **authority** [ALASKA ENERGY
 25 AUTHORITY] are vested in the directors, and three directors of the authority
 26 constitute a quorum. Action may be taken and motions and resolutions adopted by the
 27 **authority** [ALASKA ENERGY AUTHORITY] at a meeting by the affirmative vote
 28 of a majority of the directors. The directors of the **authority** [ALASKA ENERGY
 29 AUTHORITY] serve without compensation, but they shall receive the same travel pay
 30 and per diem as provided by law for board members under AS 39.20.180.

31 * **Sec. 10.** AS 18.56.850 is repealed.