

CS FOR HOUSE BILL NO. 271(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/27/22

Referred: Finance

Sponsor(s): REPRESENTATIVE JOSEPHSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Alaska Industrial Development and Export Authority; and**
2 **providing for an effective date."**

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

4 * **Section 1.** AS 44.88.030(a) is amended to read:

5 (a) The membership of the authority consists of

6 (1) the commissioner of revenue and the commissioner of commerce,
7 community, and economic development; and

8 (2) five public members appointed by the governor **and confirmed by**
9 **a majority of the members of the legislature in joint session**, each of whom has
10 expertise in private sector business or industry, or both, and possesses demonstrated
11 leadership skills.

12 * **Sec. 2.** AS 44.88.030(c) is amended to read:

13 (c) Public members of the authority described in (a)(2) of this section serve
14 **staggered five-year** [AT THE PLEASURE OF THE GOVERNOR FOR TWO-

1 YEAR] terms.

2 * **Sec. 3.** AS 44.88.085(b) is amended to read:

3 (b) The authority may adopt regulations [UNDER THIS SECTION BY
4 MOTION OR] by resolution [OR IN ANY OTHER MANNER PERMITTED BY ITS
5 BYLAWS].

6 * **Sec. 4.** AS 44.88.085(d) is amended to read:

7 (d) Except as provided in (e) of this section, at least **30** [15] days before the
8 adoption, amendment, or repeal of a regulation, the authority shall give public notice
9 of the proposed action by publishing the notice in at least three newspapers of general
10 circulation in the state, **by publishing the notice on the authority's Internet website,**
11 and by mailing a copy of the notice to every person who has filed a request for notice
12 of proposed regulations with the authority. The public notice must include a statement
13 of the time, place, and nature of the proceedings for the adoption, amendment, or
14 repeal of the regulation and must include an informative summary of the subject of the
15 proposed action. On the date and at the time and place designated in the notice, the
16 authority shall give each interested person or an authorized representative of the
17 person, or both, the opportunity to present statements, arguments, or contentions orally
18 or in writing and shall give **each member** [MEMBERS] of the public an opportunity
19 to present oral statements, arguments, or contentions for **not less than two minutes**
20 [A TOTAL PERIOD OF AT LEAST ONE HOUR]. The authority shall consider all
21 relevant matter presented to it before taking the proposed action on the regulation, **and**
22 **shall publish written responses to public comments.** At a hearing under this
23 subsection, the authority may continue or postpone the hearing to a time and place
24 determined by the authority and announced at the hearing before taking the action to
25 continue or postpone the hearing. **The authority shall publish written justification**
26 **when adopting, amending, or repealing a regulation.** A regulation adopted,
27 amended, or repealed by the authority may vary from the informative summary
28 specified in this subsection if the subject matter of the action taken on the regulation
29 remains the same and if the original notice of the proposed action was written so as to
30 assure that members of the public are reasonably notified of the subject matter of the
31 proposed action in order for them to determine whether their interests could be

1 affected by the authority's proposed action on that subject.

2 * **Sec. 5.** AS 44.88.215 is repealed and reenacted to read:

3 **Sec. 44.88.215. Records and information; public records.** (a) The records or
4 information submitted to the authority are public records under AS 40.25.110 -
5 40.25.220.

6 (b) Before accepting submission of records or information, the authority shall
7 require a written waiver acknowledging that the submission is a public record under
8 AS 40.25.110 - 40.25.220.

9 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 MEMBERS OF THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT
12 AUTHORITY: TRANSITION. (a) The terms of the members of the Alaska Industrial
13 Development and Export Authority, other than the commissioner of revenue and the
14 commissioner of commerce, community, and economic development, expire on the date the
15 legislature has confirmed at least two members appointed by the governor under (b) of this
16 section.

17 (b) Notwithstanding AS 44.88.030(c), as amended by sec. 2 of this Act, members of
18 the Alaska Industrial Development and Export Authority appointed by the governor under
19 AS 44.88.030(a), as amended by sec. 1 of this Act, are appointed by the governor to initial
20 terms as follows:

- 21 (1) one member for one year;
- 22 (2) one member for two years;
- 23 (3) one member for three years;
- 24 (4) one member for four years;
- 25 (5) one member for five years.

26 (c) Nothing in this section prevents the appointment of a person whose term expires
27 under (a) of this section as a member of the Alaska Industrial Development and Export
28 Authority if the person meets the qualifications under AS 44.88.030, as amended by secs. 1
29 and 2 of this Act.

30 * **Sec. 7.** This Act takes effect January 1, 2023.