



LAWS OF ALASKA

2023

Source
CSSB 98(FIN)

Chapter No.

AN ACT

Requiring the Alaska Permanent Fund Corporation to manage the power cost equalization endowment fund; requiring the Alaska Permanent Fund Corporation to publish certain reports relating to the power cost equalization endowment fund; relating to the Alaska Permanent Fund Corporation's management and investment of the power cost equalization endowment fund; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Requiring the Alaska Permanent Fund Corporation to manage the power cost equalization
2 endowment fund; requiring the Alaska Permanent Fund Corporation to publish certain reports
3 relating to the power cost equalization endowment fund; relating to the Alaska Permanent
4 Fund Corporation's management and investment of the power cost equalization endowment
5 fund; and providing for an effective date.

6

7 * **Section 1.** AS 37.13 is amended by adding a new section to article 2 to read:

8 **Sec. 37.13.310. Corporation to manage the power cost equalization**
9 **endowment fund.** (a) The corporation shall manage the power cost equalization
10 endowment fund using the same investment objective and asset allocation as the
11 corporation uses in managing the Alaska permanent fund subject to AS 37.13.120.

12 (b) The corporation shall

13 (1) at least quarterly, prepare a financial report showing investment

1 revenue and expenditures, including the allocation of the cash assets of the power cost
2 equalization endowment fund among investments; and

3 (2) annually prepare financial statements in accordance with generally
4 accepted accounting principles consistently applied, and an audit report prepared by a
5 certified public accountant.

6 (c) After preparing a financial statement or report, the corporation shall
7 publish and deliver the financial statement or report to the Alaska Energy Authority,
8 the Department of Commerce, Community, and Economic Development, the senate
9 secretary, and the chief clerk of the house of representatives, and notify the legislature
10 that the financial statement or report is available.

11 (d) Net income from the power cost equalization endowment fund may not be
12 included in the computation of net income or market value available for distribution or
13 appropriation under AS 37.13.140.

14 * **Sec. 2.** AS 42.45.080(a) is repealed and reenacted to read:

15 (a) The power cost equalization endowment fund shall be managed by the
16 corporation under AS 37.13.310.

17 * **Sec. 3.** AS 42.45.080(c) is amended to read:

18 (c) On **June 30** [JULY 1] of each year, the **corporation** [COMMISSIONER]
19 shall determine

20 (1) the [MONTHLY] average **ending** market value of the fund for the
21 previous three closed fiscal years; and

22 (2) the earnings of the fund for the previous closed fiscal year.

23 * **Sec. 4.** AS 42.45.085(a) is amended to read:

24 (a) Five percent of the amount determined by the **corporation**
25 [COMMISSIONER OF REVENUE ON JULY 1 OF] each year under
26 AS 42.45.080(c)(1) may be appropriated for the following purposes:

27 (1) funding the power cost equalization and rural electric capitalization
28 fund (AS 42.45.100);

29 (2) reimbursement to the **corporation** [DEPARTMENT OF
30 REVENUE] for the costs of [ESTABLISHING AND] managing the fund; and

31 (3) reimbursement of other costs of administration of the fund.

1 * **Sec. 5.** AS 42.45.099 is amended to read:

2 **Sec. 42.45.099. Definitions [DEFINITION].** In AS 42.45.070 - 42.45.099,

3 **(1) "corporation" means the Alaska Permanent Fund Corporation**
4 **established in AS 37.13.040;**

5 **(2)** "fund" means the power cost equalization endowment fund
6 established in AS 42.45.070.

7 * **Sec. 6.** AS 42.45.080(b) is repealed.

8 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 **TRANSITION.** On July 1, 2023,

11 (1) the commissioner of revenue shall transfer the balance of the power cost
12 equalization endowment fund established in AS 42.45.070 to the Alaska Permanent Fund
13 Corporation established in AS 37.13.040; and

14 (2) the corporation shall begin managing the fund.

15 * **Sec. 8.** This Act takes effect July 1, 2023.