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Referred: Resources and  
Finance

1 IN THE HOUSE

BY ADAMS

2 HOUSE BILL NO. 864

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for operation of the Arctic Research  
7 Laboratory by the Arctic Research Laboratory Operating  
8 Authority; and providing for an effective date."

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

10 \* Section 1. PURPOSE. The purpose of this Act is to establish an operat-  
11 ing authority to receive from the United States government the responsibility  
12 for planning, management, and control of the Naval Arctic Research Laboratory  
13 at Point Barrow. The degree of control received by the operating authority  
14 depends on federal legislation addressing the disposition of the Naval Arctic  
15 Research Laboratory facilities since deactivation by the Navy in 1980. This  
16 Act is intended to allow the operating authority the flexibility of exercis-  
17 ing complete operational control or partial participation in the planning and  
18 management of the Naval Arctic Research Laboratory facilities and programs  
19 commensurate with state financial support.

20 \* Sec. 2. AS 14 is amended by adding a new chapter to read:

21 CHAPTER 54. ARCTIC RESEARCH LABORATORY OPERATING AUTHORITY.

22 ARTICLE 1. ESTABLISHMENT AND ORGANIZATION.

23 Sec. 14.54.010. ARCTIC RESEARCH LABORATORY OPERATING AUTHORITY.

24 The Arctic Research Laboratory Operating Authority is established. The  
25 authority is a public corporation of the state. The authority is an  
26 instrumentality of the state in the Department of Administration but has  
27 a legal existence independent of and separate from the state and has  
28 continuing succession until its existence is terminated by law.

29 Sec. 14.54.020. DIRECTORS. (a) The authority consists of the

1 following three directors: one director appointed by the governor; one  
2 director appointed by the mayor of the North Slope Borough, and one  
3 director appointed by the president of the University of Alaska. The  
4 directors serve at the pleasure of the respective appointing authority.

5 (b) The directors serve for four-year terms. Each director holds  
6 office for the term of his appointment and until his successor is  
7 appointed and qualifies. A director is qualified for reappointment. A  
8 vacancy in a directorship occurring other than by expiration of term  
9 shall be filled in the same manner as the original appointment but only  
10 for the unexpired term.

11 (c) The directors must be residents of the state and qualified  
12 voters for a three-year period immediately before appointment. The  
13 directors must be scientists or engineers with extensive experience in  
14 arctic basic or applied science. Each director before entering upon his  
15 duties shall take and subscribe to an oath to perform the duties of his  
16 office faithfully, impartially, and justly to the best of his ability.  
17 A record of the oath shall be filed with the Office of the Governor.

18 (d) The directors of the authority serve without compensation, but  
19 are entitled to travel and per diem expenses as provided in AS 39.20.-  
20 180.

21 Sec. 14.54.030. OFFICERS AND QUORUM. The directors shall elect  
22 one of their number as chairman. The directors shall elect or appoint a  
23 secretary and a treasurer who need not be directors, and the same person  
24 may be elected to serve both as secretary and treasurer. The powers of  
25 the authority are vested in the directors, and two directors constitute  
26 a quorum. Action may be taken and motions and resolutions adopted by  
27 the authority at any meeting by the affirmative vote of at least two  
28 directors. A vacancy in the directorship of the authority does not  
29 impair the right of a quorum to exercise all the powers and perform all

1 the duties of the authority.

2 Sec. 14.54.040. STAFF. The authority may contract with a research  
3 foundation to manage the laboratory facilities and programs as directed  
4 by the authority or the authority may employ an executive director who  
5 serves at the pleasure of the authority as its chief administrative  
6 officer. The executive director may, with the approval of the authority,  
7 select and employ additional staff as necessary. Employees of the  
8 authority are in the exempt service. In addition to its staff of regular  
9 employees, the authority may contract for and engage the services of  
10 consultants, professionals, technicians, and financial advisors the  
11 authority considers necessary for the purpose of exercising its powers  
12 and duties.

13 ARTICLE 2. POWERS AND DUTIES.

14 Sec. 14.54.050. POWERS OF AUTHORITY. In addition to other powers  
15 granted in this chapter, the authority may

- 16 (1) sue and be sued;
- 17 (2) adopt and alter an official seal;
- 18 (3) make and enforce bylaws and regulations for the conduct  
19 of its business and for the use of its services and facilities;
- 20 (4) maintain offices at any place in the state;
- 21 (5) acquire, hold, use and dispose of its income, revenues,  
22 funds and money;
- 23 (6) acquire, hold, use, lease, rent, construct and dispose of  
24 real and personal property for its purposes;
- 25 (7) do all acts and things necessary, convenient or desirable  
26 to carry out the powers expressly granted or necessarily implied in this  
27 chapter and to further the purposes of the Arctic Research Laboratory  
28 set out in AS 14.54.060 and the functions of the authority set out in  
29 AS 14.54.070.

1           Sec. 14.54.060. PURPOSES OF ARCTIC RESEARCH LABORATORY. The  
2 Arctic Research Laboratory at Point Barrow serves as a center for  
3 applied and basic arctic research. The purposes of the laboratory  
4 include but are not limited to

5           (1) the development of relevant scientific information on the  
6 arctic environment;

7           (2) the use of applied research to

8           (A) examine methods of maintaining and improving the  
9 quality of life of the citizens of the arctic region, such as  
10 methods for improving physical health, fostering economic stabil-  
11 ity, improving transportation services, developing arctic  
12 fisheries, and managing arctic wildlife and wildlife habitat;

13           (B) deal with the unique problems the arctic presents in  
14 providing public services;

15           (C) minimize the effect of resource development on the  
16 environment and the culture of the Native people;

17           (D) assess the impact of oil and gas exploration, de-  
18 velopment, and transportation on the arctic environment;

19           (E) develop advanced design technologies, operational  
20 practices, and transportation systems to improve the environmental  
21 safety and efficiency of oil and gas exploration and production in  
22 the arctic, including offshore activities;

23           (F) enlarge knowledge of arctic ice conditions and  
24 develop practical and efficient means of dealing with hazards  
25 associated with resource development in Alaska's arctic.

26           Sec. 14.54.070. FUNCTIONS OF AUTHORITY. The authority shall  
27 perform the following functions in furtherance of the purposes of the  
28 Arctic Research Laboratory:

29           (1) develop a policy for guiding research that identifies

1 areas where additional basic or applied research is needed and determine  
2 the order of priority of those research needs;

3 (2) develop a plan consistent with (1) of this section that  
4 consolidates the laboratory facilities, eliminates buildings not needed  
5 for the program's present and future needs, determines the capital  
6 expenditures needed to upgrade the remaining buildings to improve the  
7 cost effectiveness of operating the laboratory facilities, and submit  
8 budget requests through the Department of Administration to accomplish  
9 the objectives of this paragraph;

10 (3) formulate, on a yearly basis, a long-range plan to imple-  
11 ment (1) of this section;

12 (4) establish its own research organization;

13 (5) serve as a clearinghouse for the consolidation of re-  
14 search and engineering projects from various institutions and indus-  
15 tries;

16 (6) coordinate with all other parties with significant arctic  
17 research interests or programs;

18 (7) organize and maintain research data in readily retriev-  
19 able form that will be useful to the field of polar science and to the  
20 industrial, engineering, and educational communities by, among other  
21 means, establishment of

22 (A) a major arctic reference library and archives of  
23 reports and papers from all projects conducted at the laboratory;  
24 and

25 (B) computer and teleconference capabilities for pro-  
26 cessing, storage, and dissemination of research information;

27 (8) contribute to the education and training of young people  
28 and adults of the local community and of students and scholars visiting  
29 the laboratory;

1 (9) provide logistic support, housing, meals, information,  
2 advice, and other kinds of assistance to visiting scientists and engi-  
3 neers, and encourage the use of the facilities by scientists, engineers,  
4 and educators from federal, state, and local agencies as well as foreign  
5 countries, Native organizations, and private industry;

6 (10) establish the amount of fees to be charged for services  
7 provided in accordance with (9) of this section, with appropriate re-  
8 ductions for university personnel, arctic residents, and participants in  
9 meritorious projects that otherwise would be precluded, especially if  
10 the project has a high priority in the operating authority's long-range  
11 plan;

12 (11) develop and submit an annual budget to the Department of  
13 Administration.

14 Sec. 14.54.080. ADVISORY COMMISSION. (a) The Arctic Research  
15 Laboratory Advisory Commission is established.

16 (b) The commission consists of 15 members appointed by the author-  
17 ity to offer guidance to the authority in performing its functions under  
18 AS 14.54.070.

19 (c) The commission members shall represent the breadth of in-  
20 terests, fields, programs, agencies, and industries concerned with the  
21 arctic environment and peoples.

22 (d) Members of the commission serve without compensation, but are  
23 entitled to travel and per diem expenses as provided in AS 39.20.180.

24 Sec. 14.54.900. DEFINITION. In this chapter "authority" means the  
25 Arctic Research Laboratory Operating Authority.

26 \* Sec. 3. AS 37.25 is amended by adding a new section to read:

27 Sec. 37.25.032. APPROPRIATIONS FOR ARCTIC RESEARCH LABORATORY  
28 OPERATING AUTHORITY. (a) Unless otherwise specifically provided in the  
29 appropriation, an appropriation for a research project conducted or

1 sponsored by the Arctic Research Laboratory Operating Authority under  
2 AS 14.54 is valid for the duration of the project and the unexpended  
3 balance for the project shall be carried forward to subsequent fiscal  
4 years.

5 (b) Between July 1 and August 31 of each year, a statement indi-  
6 cating the amount of the unexpended balance of an appropriation required  
7 to complete the research project for which the appropriation was made  
8 and the amount of the unexpended balance that may be lapsed shall be  
9 filed by the Arctic Research Laboratory Operating Authority with the  
10 commissioner of administration.

11 \* Sec. 4. TRANSFER OF ASSETS FROM FEDERAL GOVERNMENT. (a) Operation of  
12 the Naval Arctic Research Laboratory by the Arctic Research Laboratory Operat-  
13 ing Authority under AS 14.54 enacted in sec. 2 of this Act may begin

14 (1) only after the authority has acquired title to sufficient  
15 assets of the Naval Arctic Research Laboratory from the United States Depart-  
16 ment of Defense, the United States Navy, and the Bureau of Land Management of  
17 the United States Department of the Interior to enable the authority to  
18 operate the laboratory as set out in AS 14.54; or

19 (2) after the authority has entered into a contract with the  
20 federal government to participate in the operation and control of the labora-  
21 tory facilities regardless of whether title to the assets of the laboratory  
22 facility are actually transferred to the authority.

23 (b) On the effective date of this Act the Arctic Research Laboratory  
24 Operating Authority may begin negotiations with the United States Department  
25 of Defense, the United States Navy, and the Bureau of Land Management of the  
26 United States Department of the Interior to acquire title to the assets of  
27 the Naval Arctic Research Laboratory.

28 \* Sec. 5. APPOINTMENT OF FIRST DIRECTORS OF ARCTIC RESEARCH LABORATORY  
29 OPERATING AUTHORITY. The terms of the directors of the Arctic Research

1 Laboratory Operating Authority first appointed under AS 14.54.020 are as  
2 follows:

3 (1) the director appointed by the governor shall serve for four  
4 years;

5 (2) the director appointed by the mayor of the North Slope Borough  
6 shall serve for three years; and

7 (3) the director appointed by the president of the University of  
8 Alaska shall serve for two years.

9 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
10 070(c).

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