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Referred: Labor & Commerce, Resources
and Finance

5-0425A

1 IN THE SENATE

BY ZHAROFF

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SENATE BILL NO. 81

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act relating to the Alaska Power Authority; and

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providing for an effective date."

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

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* Section 1. AS 39.25.110(11) is amended to read:

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(11) the officers and employees of the following boards,

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commissions, and authorities:

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(A) Alaska Gas Pipeline Financing Authority;

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(B) Alaska Permanent Fund Corporation;

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(C) Alaska Energy Center;

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(D) Alaska Industrial Development Authority;

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(E) Alaska Commercial Fisheries Entry Commission;

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(F) Alaska Commission on Postsecondary Education;

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(G) Alaska Power Authority;

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* Sec. 2. AS 44.83.030 is repealed and reenacted to read:

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Sec. 44.83.030. MEMBERSHIP OF THE AUTHORITY. The board of

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directors of the authority consists of seven members. The commis-

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sioner of commerce and economic development serves as a director and

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the governor shall appoint one director from the banking industry, one

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consumer representative, two directors from business and industry, and

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two directors who are managers in the utility industry. Directors

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appointed by the governor serve for staggered terms of six years and

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are subject to confirmation by a majority of the members of the legis-

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lature in joint session.

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* Sec. 3. AS 44.83.040(a) is amended to read:

1 (a) The directors shall elect one of their number as chairman
2 and may elect other officers they determine desirable. The board
3 shall advise the executive director on the management of the auth-
4 ority. Four [THE POWERS OF THE AUTHORITY ARE VESTED IN THE DIRECTORS,
5 AND FOUR] directors of the authority constitute a quorum. Action may
6 be taken and motions and resolutions adopted by the authority at a
7 meeting by the affirmative vote of a majority of the directors. The
8 directors of the authority serve without compensation, but they shall
9 receive the same travel pay and per diem as provided by law for board
10 members.

11 * Sec. 4. AS 44.83.045(a) is amended to read:

12 (a) The [PUBLIC] directors appointed by the governor must
13 [SHALL] be residents and qualified voters of Alaska and shall comply
14 with the requirements of AS 39.50 (conflict of interests). [THE
15 PUBLIC DIRECTORS SHALL SERVE OVERLAPPING FOUR-YEAR TERMS.]

16 * Sec. 5. AS 44.83.045(c) is amended to read:

17 (c) The authority shall employ an executive director who may [,
18 WITH THE APPROVAL OF THE AUTHORITY,] employ additional staff as neces-
19 sary. The powers of the authority are vested in the executive direc-
20 tor. In addition to its staff of regular employees, the authority may
21 contract for and engage the services of legal and bond counsel, con-
22 sultants, experts, and financial and technical advisors the authority
23 considers necessary for the purpose of conducting studies, investiga-
24 tions, hearings, or other proceedings. The board of directors shall
25 establish the compensation of the executive director. The executive
26 director and staff of the authority are in the exempt service under
27 AS 39.25.110 [IS SUBJECT TO THE PROVISIONS OF AS 39.25.010 - 39.25.-
28 220].

29 * Sec. 6. AS 44.83.110(f) is amended to read:

1 (f) The executive director [CHAIRMAN] of the authority shall
2 annually, no later than January 2, make and deliver to the governor
3 and the legislature a certificate stating the sum, if any, required to
4 restore any capital reserve fund to the capital reserve fund require-
5 ment. The legislature may appropriate the [SUCH A] sum, and the au-
6 thority shall deposit the [ALL] sums appropriated during the then
7 current fiscal year by the legislature for the [SUCH] restoration
8 [SHALL BE DEPOSITED BY THE AUTHORITY] in the proper capital reserve
9 fund. Nothing in this section creates a debt or liability of the
10 state.

11 * Sec. 7. Notwithstanding the amendments to AS 44.83.030 made by sec. 2
12 of this Act, the public directors of the authority on the day before the
13 effective date of this Act shall continue to serve until their terms ex-
14 pire. On the effective date of this Act, the governor shall replace the
15 director of the office of management and budget and the three commissioners
16 in accordance with AS 44.83.030 as amended by this Act.

17 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).