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Referred: State Affairs and Finance

BY SEN. FAHRENKAMP

IN THE SENATE

SENATE BILL NO. 466

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act authorizing loans for solid waste management projects from the clean water fund."

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

* Section 1. AS 46.03.032(a) is amended to read:

(a) There is established as a separate fund the Alaska clean water and solid waste management fund, which is distinct from any other money or fund in the treasury [,] and [WHICH] consists of money appropriated by the legislature to meet federal matching requirements, federal capitalization grants, loan repayments, interest received from loan repayments, and interest received from investment of money in the clean water and solid waste management fund.

* Sec. 2. AS 46.03.032(b) is amended to read:

(b) The department shall administer the Alaska clean water and solid waste management fund.

* Sec. 3. AS 46.03.032(d) is amended to read:

(d) Except as otherwise limited by federal law, the Alaska clean water and solid waste management fund may be used for [THE FOLLOWING:]

(1) buying or refinancing treatment works and solid waste management debt obligations of municipalities;

(2) planning, designing, building, constructing, and rehabilitating facilities associated with solid waste management and public sewage collection, treatment, and discharge facilities;

(3) constructing, equipping, modifying, improving, and expanding solid waste management and public water supply, treatment,

1 and distribution systems;

2 (4) guaranteeing or purchasing insurance for public agency

3 obligations related to solid waste management and treatment works

4 construction.

5 * Sec. 4. AS 46.03.032(h) is amended to read:

6 (h) Allocation of Alaska clean water and solid waste management

7 fund loans must be made in accordance with the priority list developed

8 by the department, using criteria specified in regulations adopted by

9 the department.

10 * Sec. 5. AS 46.03.032(i) is amended to read:

11 (i) Before making a loan from the Alaska clean water and solid

12 waste management fund, the department shall, by regulation, specify

13 (1) standards for the eligibility of borrowers and the type

14 of projects to be financed with loans;

15 (2) loan term and interest rate policies for loans made

16 from the fund;

17 (3) standards regarding the technical and economic viabil-

18 ity and revenue self-sufficiency of eligible projects;

19 (4) collateral or other security required for loans;

20 (5) terms of loans; and

21 (6) other relevant criteria, standards, or procedures.

22 * Sec. 6. AS 46.03.032(j) is amended to read:

23 (j) A loan made by the department must be made according to the

24 standards, criteria, and procedures established by regulations under

25 this section. In making a loan from the Alaska clean water and solid

26 waste management fund for a solid waste management facility, the

27 department shall consider

28 (1) the extent to which the proposed facility will serve

29 more than one community;

1 (2) the extent of local support for the proposed facility;
2 (3) the number of persons who would benefit from the pro-
3 posed facility;
4 (4) the extent to which the proposed facility would allevi-
5 ate severe environmental or public health concerns in the community or
6 region proposing the facility;
7 (5) the extent to which the applicant can demonstrate that
8 the full range of solid waste management options have been reasonably
9 considered and that the proposed facility is consistent with the
10 promotion of the solid and hazardous waste management practices in the
11 following order of priority:
12 (A) waste source reduction;
13 (B) recycling of waste;
14 (C) waste treatment; and
15 (D) waste disposal.
16 * Sec. 7. AS 46.03.032(k) is amended to read:
17 (k) The department shall prepare reports required by the federal
18 government in conjunction with federal capitalization grant award
19 conditions. The department shall also provide the Alaska legislature
20 with an annual report on the Alaska clean water and solid waste man-
21 agement fund on or before the first day of each legislative session.
22 * Sec. 8. AS 46.03.032(l) is amended to read:
23 (l) Except as provided in (n) of this section, loan repayments
24 and interest earned by loans from the Alaska clean water and solid
25 waste management fund must be deposited in the fund.
26 * Sec. 9. AS 46.03.032(n) is amended to read:
27 (n) State appropriations in excess of the amount required by the
28 federal Clean Water Act, as amended by P.L. 100-4, shall be accounted
29 for separately. Repayments of principal from loans from these amounts

1 shall be deposited in the Alaska clean water and solid waste manage-
2 ment fund. Payments of interest from loans made from these amounts
3 and earnings on these amounts shall be deposited in the general fund.
4 The commissioner of administration shall separately account for the
5 interest payments and earnings that the Department of Environmental
6 Conservation deposits in the general fund.
7 * Sec. 10. AS 46.03.032 is amended by adding a new subsection to read:
8 (o) In this section, "solid waste management facility" includes
9 capital improvements and equipment used for the purpose of solid and
10 hazardous waste source reduction, recycling, treatment, or disposal.