

HOUSE BILL NO. 345
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 5/19/91

Referred: Labor & Commerce, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to certain program receipts of the Alaska Energy Authority; establishing
2 an operations and maintenance fund in the Alaska Energy Authority; and providing for
3 an effective date."

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

5 * Section 1. AS 37.05.146 is amended to read:

6 Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS. In AS 37.05.142 - 37.05.146
7 and AS 37.07.080 "program receipts" means fees, charges, income earned on assets, and other
8 state money received by a state agency in connection with the performance of its functions; all
9 program receipts except the following are general fund program receipts:

- 10 (1) federal receipts;
- 11 (2) University of Alaska receipts (AS 14.40.491);
- 12 (3) individual, foundation, or corporation gifts, grants, or bequests that by their
13 terms are restricted to a specific purpose;
- 14 (4) receipts of the following funds:

- 1 (A) highway working capital fund (AS 44.68.210);
2 (B) correctional industries fund (AS 33.32.020);
3 (C) loan funds;
4 (D) international airport revenue fund (AS 37.15.430);
5 (E) funds managed by the Alaska State Housing Authority (AS 18.55.020),
6 the Alaska Housing Finance Corporation (AS 18.56.020), the Medical Indemnity
7 Corporation of Alaska (AS 21.88.020), the Alaska Railroad Corporation (AS 42.40.010),
8 the Municipal Bond Bank Authority (AS 44.85.020), or the Alaska Industrial
9 Development and Export Authority (AS 44.88.020);
10 (F) fish and game fund (AS 16.05.100);
11 (G) school fund (AS 43.50.140);
12 (H) training and building fund (AS 23.20.130);
13 (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222, AS 39.35, and
14 former AS 39.37);
15 (J) permanent fund (art. IX, sec. 15, Alaska Constitution);
16 (K) public school fund (AS 37.14.110);
17 (L) second injury fund (AS 23.30.040);
18 (M) fishermen's fund (AS 23.35.060);
19 (N) FICA administration fund (AS 39.30.050);
20 (O) Alaska Energy Authority operations and maintenance fund
21 (AS 44.83.700).

22 * Sec. 2. AS 44.83 is amended by adding a new section to read:

23 ARTICLE 11A. OPERATIONS AND MAINTENANCE FUND.

24 Sec. 44.83.700. OPERATIONS AND MAINTENANCE FUND. (a) There is established
25 in the Alaska Energy Authority as a separate fund the operations and maintenance fund, which
26 is distinct from any other money or fund of the authority. The fund consists of money
27 appropriated to the fund and income from investment of money in the fund.

28 (b) The operations and maintenance fund may be used by the authority only to pay the
29 recurring non-annual costs of

1 (1) repair, equipment renewal and replacement, and any Federal Energy
2 Regulatory Commission requirements placed on power generation and transmission facilities
3 owned by the authority; and

4 (2) repair and equipment renewal and replacement for waste heat facilities owned
5 by the authority.

6 (c) The authority may maintain separate accounts within the operations and maintenance
7 fund for individual projects or groups of projects.

8 (d) The authority shall determine and report annually to the legislature the amount
9 required to adequately finance the operations and maintenance fund. The amount required is
10 based on the terms of power sales or transmission agreements, waste heat sales agreements, bond
11 resolutions and covenants, other agreements to which the authority is a party, and the
12 requirements of federal regulatory agencies.

13 (e) The legislature may appropriate money to the fund, including

14 (1) revenue from the sale or transmission of electric power, sale of waste heat,
15 and user fees;

16 (2) gifts from utilities or utility project management committees; and

17 (3) insurance proceeds for losses suffered at an operating facility.

18 (f) Appropriations to the operations and maintenance fund are not one-year appropriations
19 and do not lapse under AS 37.25.010.

20 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).