

HOUSE BILL NO. 566  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Introduced: 3/20/92  
Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing an endowment in the Alaska Science and Technology Foundation to  
2 fund grants for educational, public affairs, and tourism purposes related to the Exxon  
3 Valdez oil spill, for environmental monitoring, and for related marine pollution and coastal  
4 habitat education; and providing for an effective date."

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

6 \* Section 1. AS 37.17.010(b) is amended to read:

7 (b) The purpose of the foundation is to

8 (1) administer the Alaska science and technology endowment under  
9 AS 37.17.020 - 37.17.030 and 37.17.090 to promote and enhance, through basic and applied  
10 research, [:] economic development and technological innovation in Alaska, [:] public health, [:]  
11 telecommunications, [:] and sustained growth and development of Alaskan scientific and  
12 engineering capabilities; and

13 (2) administer the Exxon Valdez oil spill endowment under AS 37.17.200 -  
14 37.17.290 in order to make grants for educational, public affairs, and tourism purposes

1 related to the Exxon Valdez oil spill, for environmental monitoring, and for related marine  
2 pollution and coastal habitat education.

3 \* Sec. 2. AS 37.17 is amended by adding new sections to read:

4 ARTICLE 2. EXXON VALDEZ OIL SPILL ENDOWMENT.

5 Sec. 37.17.200. ENDOWMENT ESTABLISHED. (a) The Exxon Valdez oil spill  
6 endowment is established in the Alaska Science and Technology Foundation. It consists of

7 (1) money appropriated to it by the legislature from money received by the state  
8 as remedial and compensatory payments under the criminal plea agreement between the United  
9 States and Exxon Shipping Company and Exxon Corporation in United States of America v.  
10 Exxon Corporation and Exxon Shipping Company, United States District Court, District of  
11 Alaska, No. A90-015 CR;

12 (2) other money appropriated to it by the legislature; and

13 (3) gifts, grants, and other aid received by the foundation under AS 37.17.210(b).

14 (b) Notwithstanding other provisions of AS 37.17.200 - 37.17.290, money appropriated  
15 to the fund under (a)(1) of this section is restricted to uses consistent with restrictions placed on  
16 use of the money by the federal court that approved the plea agreement described in (a)(1) of this  
17 section. To the extent that a provision of AS 37.17.200 - 37.17.290 is inconsistent with the  
18 restrictions of the federal court, the provision is superseded by the federal court restriction.

19 (c) The endowment shall be held and invested by the Alaska Permanent Fund  
20 Corporation subject to AS 37.13.120; however, net income from the endowment shall be  
21 distributed under AS 37.17.200 - 37.17.290. Net income from the endowment may not be  
22 included in the computation of net income available for distribution under AS 37.13.140.

23 Sec. 37.17.210. ENDOWMENT INCOME AND EXPENSES. (a) The distribution of  
24 the income and realized capital gains of the endowment is subject to AS 37.07. The net annual  
25 realized capital gains of the endowment may be equally divided between the income and the  
26 principal of the endowment. Upon application of the foundation's board of directors or its  
27 authorized representative, after authorization under AS 37.07, the Alaska Permanent Fund  
28 Corporation shall pay to the foundation the income appropriated.

29 (b) In addition to endowment income, the foundation may receive gifts, grants, and other  
30 aid. The foundation may accumulate income, gifts, grants, and other aid from any one year and  
31 distribute them in a later year.

1 (c) The administrative expenses of the foundation are subject to AS 37.07 and shall be  
2 paid from the income of the endowment.

3 (d) The board shall distribute the income of the endowment through competitive grants  
4 under AS 37.17.220. The board may disburse money that is received by the foundation for  
5 special or general purposes.

6 (e) Subject to AS 37.07, the board may pay into the principal of the endowment any part  
7 of the endowment income. Money paid to the principal under this subsection may not later be  
8 withdrawn by the board.

9 Sec. 37.17.220. GRANT PROGRAM. (a) Subject to AS 37.17.200(b) and terms and  
10 conditions set by the board, the board shall make grants from the income of the endowment for  
11 educational, public affairs, and tourism purposes related to the Exxon Valdez oil spill, for  
12 environmental monitoring, and for related marine pollution and coastal habitat education.  
13 Educational projects funded by a grant may include youth education, adult education, tourism-  
14 related education, and other public education and information.

15 (b) The board shall provide adequate and appropriate notice of all solicitations for grant  
16 proposals throughout the area of the Exxon Valdez oil spill of March 1989 at least once a year.  
17 The board shall attempt to distribute grants so that projects throughout the spill area are funded.

18 (c) The board may not give one recipient more than 50 percent of the funds available for  
19 grants in a year.

20 (d) The board may establish volunteer advisory committees to review, screen, and  
21 recommend grant proposals for funding by the board. The presiding officers of the advisory  
22 committees may participate in discussions by the board when grantees are selected under this  
23 section.

24 (e) The grant program under AS 37.17.200 - 37.17.290 is not subject to AS 37.17.090.  
25 Sec. 37.17.290. DEFINITIONS. In AS 37.17.200 - 37.17.290,

26 (1) "board" means the board of directors of the Alaska Science and Technology  
27 Foundation;

28 (2) "endowment" means the Exxon Valdez oil spill endowment established under  
29 AS 37.17.200;

30 (3) "foundation" means the Alaska Science and Technology Foundation.

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