

CS FOR HOUSE BILL NO. 566 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/29/92
Referred: Rules

Sponsor(s): HOUSE RESOURCES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing an education endowment in the Alaska Science and Technology
2 Foundation to fund grants for educational purposes related to the Exxon Valdez oil spill,
3 to promote environmental monitoring through increased public awareness, and for related
4 marine pollution and coastal 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 education endowment under
14 AS 37.17.200 - 37.17.290 in order to make grants for educational purposes related to the

1 Exxon Valdez oil spill, to promote environmental monitoring through increased public
2 awareness, and for related marine 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 EDUCATION ENDOWMENT.

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

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

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

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

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19 the federal court, the provision is superseded by the federal court restriction.

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

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

30 (b) In addition to endowment income, the foundation may receive gifts, grants, and other
31 aid. However, the foundation may not accept from a single donor a gift, grant, or other aid in

1 an amount totalling \$1,000,000 or more in a fiscal year without legislative approval. The
2 foundation may accumulate income, gifts, grants, and other aid from any one year and distribute
3 them in a later year.

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

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

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

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

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

21 (c) The board may not give one recipient more than 30 percent of the funds available for
22 grants in a year.

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

27 (e) The grant program under AS 37.17.200 - 37.17.290 is not subject to AS 37.17.090.

28 Sec. 37.17.290. DEFINITIONS. In AS 37.17.200 - 37.17.290,

29 (1) "board" means the board of directors of the Alaska Science and Technology
30 Foundation;

31 (2) "endowment" means the Exxon Valdez oil spill education endowment

- 1 established under AS 37.17.200;
- 2 (3) "foundation" means the Alaska Science and Technology Foundation.
- 3 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).