

**SENATE BILL NO. 61**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY SENATOR FAHRENKAMP**

**Introduced: 1/21/91**

**Referred: C&RA and Finance**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to utility deposits for homeless individuals."**

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

**3 \* Section 1. AS 36.30.850(b) is amended by adding a new paragraph to read:**

**4 (23) contracts between the state and a municipality, nonprofit organization, or**  
**5 other organization, for the utility deposit guarantee program under AS 44.47.810(e).**

**6 \* Sec. 2. AS 42.05.365 is amended by adding a new subsection to read:**

**7 (c) A public utility, including a utility otherwise exempt from this chapter under**  
**8 AS 42.05.711, shall accept a utility deposit guarantee from the Department of Community and**  
**9 Regional Affairs under AS 44.47.810 in lieu of a required utility deposit.**

**10 \* Sec. 3. AS 42.05.711 is amended by adding a new subsection to read:**

**11 (n) Notwithstanding other provisions of this section, a public utility is not exempt from**  
**12 the requirements of AS 42.05.365(c).**

**13 \* Sec. 4. AS 44.47 is amended by adding a new section to read:**

**14 ARTICLE 11A. MISCELLANEOUS.**

1           Sec. 44.47.810. UTILITY DEPOSIT GUARANTEE PROGRAM. (a) There is  
2 established in the department the utility deposit guarantee program to assist homeless individuals  
3 to secure housing by guaranteeing the payment of required utility deposits for essential utility  
4 services. A homeless individual who has housing available and who is required to make deposits  
5 before securing essential utility services for that housing may request the department to guarantee  
6 the payment of one or more utility deposits.

7           (b) Subject to legislative appropriation for the purpose, the department shall grant a  
8 request for guarantee of one or more utility deposits for essential utility services if it finds that,  
9 for the term of the proposed lease or for at least six months, whichever is longer, the homeless  
10 individual can probably meet ongoing expenses of living in the proposed housing unit from  
11 resources available to the individual but cannot afford the additional expense of paying the  
12 required utility deposits.

13           (c) The department may adopt regulations concerning circumstances in which the  
14 department will guarantee utility deposits for telephone service.

15           (d) The department shall notify an individual participating in the program of a request  
16 from a utility to pay the amount of a guaranteed deposit to the utility. The participant may  
17 object to the payment by the department. The department shall pay the utility the amount of the  
18 deposit on behalf of a participant unless the department finds that all or part of the amount of  
19 the deposit is not owed. A participant for whom the department has paid a utility deposit is  
20 indebted to the department in the amount paid.

21           (e) The department may contract with municipalities, nonprofit organizations, or other  
22 organizations to provide services under this program. Contracts entered into under this subsection  
23 are not subject to AS 36.30 (State Procurement Code).

24           (f) The department shall consult with homeless individuals and with individuals, groups,  
25 and organizations representing or assisting homeless individuals in operating this program.

26           (g) The Administrative Procedure Act (AS 44.62) applies to actions of the department  
27 under this section.

28           (h) In this section,

29                   (1) "homeless individual" has the meaning given by program regulations adopted  
30 by the Secretary of Housing and Urban Development to implement the Stewart B. McKinney  
31 Homeless Assistance Act, P.L. 100-77, as amended;

1 (2) "program" means the utility deposit guarantee program;

2 (3) "utility" has the meaning given in AS 42.05.990.

3 \* Sec. 5. AS 44.62.330(a) is amended by adding a new paragraph to read:

4 (57) Department of Community and Regional Affairs concerning the utility  
5 deposit guarantee program under AS 44.47.810.