

LEG. FINANCE - BILLS 1981 - 1982 1719

CSSB 769 - SB 791 1719

Original sponsor: Gilman

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 769 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to power development projects under
7 the Alaska Power Authority; and providing for an effec-
8 tive date."

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

10 * Section 1. AS 44.83.384 is amended by adding a new subsection to read:

11 (c) Notwithstanding (b)(1) of this section and AS 44.83.394 -
12 44.83.398, the fund may be used by the authority to provide money for
13 the cost of a power project that is constructed and owned by the United
14 States government if the requirements of this subsection are met. The
15 provisions of AS 44.83.177 - 44.83.187 do not apply to a power project
16 financed under this subsection. The authority may use money in the fund
17 for the cost of a power project under this subsection if

18 (1) the legislature enacts a law approving the project;

19 (2) the division of budget and management in the Office of
20 the Governor reviews a feasibility study and a plan of finance for the
21 project and determines that the feasibility study complies with the
22 requirements for a feasibility study submitted under AS 44.83.181(b) and
23 that the plan of finance complies with the requirements for a plan of
24 finance submitted under AS 44.83.181(c); and

25 (3) the project meets the other requirements of this chapter.

26 * Sec. 2. AS 44.83.398(c) is amended to read:

27 (c) The authority shall transmit all the money that it receives
28 under (a) [(b)] of this section to the commissioner of revenue for
29 deposit in the state general fund except for [THE] money it has pledged

. . . .

1 to secure bonds in accordance with contracts with bondholders [RECEIVES
2 UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii), OR THE MONEY IT WOULD
3 HAVE RECEIVED UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii) OF THIS
4 SECTION IF THOSE ITEMS HAD BEEN USED IN PART TO ESTABLISH THE WHOLESALE
5 POWER RATE IN EFFECT AT THE TIME THE MONEY IS RECEIVED BY THE AUTHORITY].

6 * Sec. 3. AS 44.83.398(e) is amended to read:

7 (e) The legislature may, by law, annul or change the wholesale
8 power rate for sales of power that the authority adopts under (b) of
9 this section, except to the extent the authority makes an agreement with
10 bondholders to maintain or increase the wholesale power rate.

11 * Sec. 4. Section 14, ch. 118, SLA 1981 is amended to read:

12 Sec. 14. LOCATION OF TRANSMISSION SYSTEM IN DENALI STATE PARK.
13 The Alaska Power Authority may design, acquire a right-of-way for, and
14 construct a 345 KV high voltage electrical transmission system connect-
15 ing Anchorage and Fairbanks. The transmission line authorized by this
16 section shall be considered a use that is compatible with the purposes
17 of the Denali State Park within the boundaries of the Denali State Park.
18 The route of the transmission system authorized by this section may
19 [SHALL] be located within the Denali State Park in consultation with the
20 division of parks, Department of Natural Resources.

21 * Sec. 5. Subject to review of the feasibility study and the plan of
22 finance by the division of budget and management in the Office of the Governor
23 under AS 44.83.384(c)(2), the Bradley Lake hydroelectric project is approved
24 as a project of the Alaska Power Authority under AS 44.83.384(c)(1).

25 * Sec. 6. Notwithstanding the provisions of AS 44.83.325, the Alaska
26 Power Authority may enter into contracts under AS 44.83.300 - 44.83.360 for
27 preliminary work without the approval required by AS 44.83.325. In this
28 section, "preliminary work" means the preparation of plans and studies and
29 the preparation and submission of license applications, as well as other

1 types of work, that must be completed before actual construction of the
2 Susitna River hydroelectric project, described in AS 44.83.300, may begin.
3 This section does not authorize the Alaska Power authority to enter into
4 contracts for the actual construction of the Susitna River hydroelectric
5 project or for the preparation of the site of the Susitna River hydroelectric
6 project without the approval required by AS 44.83.325.

7 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
8 070(c).

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LETTER OF INTENT

SB 769 - BRADLEY LAKE

BY: SENATE RULES COMMITTEE

It is the intent of the legislature that the Alaska Power Authority proceed to expend funds previously appropriated for the Bradley Lake Project. The legislature also intends that the Authority secure any interim financing available to it under the Energy Program of Alaska in order to keep construction on schedule.

Adopted by Senate as Senate Letter of Intent - 4/14/82

Original sponsor: Gilman

Offered: 4/13/82
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 769 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of the power development
7 fund for federal power projects under the energy program
8 for Alaska; approving the Bradley Lake hydroelectric
9 project under AS 44.83.384(c)(1); and providing for an
10 effective date."

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18 financed under this subsection. The authority may use money in the fund
19 for the cost of a power project under this subsection if

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21 (2) the division of budget and management in the Office of
22 the Governor reviews a feasibility study and a plan of finance for the
23 project and determines that the feasibility study complies with the
24 requirements for a feasibility study submitted under AS 44.83.181(b) and
25 that the plan of finance complies with the requirements for a plan of
26 finance submitted under AS 44.83.181(c); and

27 (3) the project meets the other requirements of this chapter.

28 * Sec. 2. Subject to review of the feasibility study and the plan of
29 finance by the division of budget and management in the Office of the Governor

1 under AS 44.83.384(c)(2), the Bradley Lake hydroelectric project is approved
2 as a project of the Alaska Power Authority under AS 44.83.384(c)(1).

3 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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APR 9 1982

SB 769

Alaska State Legislature

Senate Advisory Council

Official Business

MEMORANDUM

Pouch V
State Capitol
Juneau, Alaska 99311

TO: Senator Bennett
FROM: Kurt S. Dzinich *KSD*
SUBJECT: Bradley Lake Project
DATE: April 8, 1982

In response to questions raised at the 7 April 1982 Senate Finance Committee hearing on the costs incurred to date by the Corps of Engineers, I have obtained following:

Expenditures thru FY 1981 (Federal)	\$5,601,000
Appropriated for FY 1982 (Federal)	740,000

The Corps has indicated that all appropriations for FY 1982 would probably be spent. As to reimbursing the Federal Government for these costs whenever the State decides to acquire the project, the exact amount would be subject to negotiations. It is possible that some-or even all - of the above amount would not have to be reimbursed to the Feds.

KSD/bb

ALASKA POWER AUTHORITY

334 WEST 5th AVENUE - ANCHORAGE, ALASKA 99501

Phone: (907) 277-7641
(907) 276-0001

March 24, 1982

Honorable William R. Gianelli
Assistant Secretary of the
Army (C.W.)
Room 2E - 570
Pentagon
Washington, D.C. 20310

Dear Mr. Gianelli:

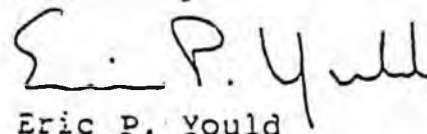
Your letter of January 4, 1982, and Governor Hammond's reply of January 19, 1982, have resulted in cooperative efforts between the Alaska Power Authority, the Alaska District of the Corps of Engineers, and the Alaska Power Administration of the Department of Energy to develop an acceptable agreement under which the Alaska District might proceed with construction on the Bradley Lake Hydropower project.

Assuming that the details can be worked out to our and Governor Hammond's mutual satisfaction, and, subject to the availability of funds from the Legislature or other sources, the Alaska Power Authority would proceed to provide the funds necessary to construct the Bradley Lake project in return for expeditious accomplishment of project construction by the Corps of Engineers.

As you know, the ultimate objective of the Alaska Power Authority is to acquire ownership of the Bradley Lake project and the exclusive rights to market its power. However, it is recognized that this may require additional Federal legislation in the future as well as close coordination with the Alaska Power Administration.

I look forward to an acceptable arrangement with the Corps that will allow an early power-on-line date for this project and will keep your representatives closely advised of State actions on this matter.

Sincerely,



Eric P. Yould
Executive Director

cc: Governor Hammond



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D.C. 20310

31 MAR 1982

RECEIVED

A.P.R. - 5 1982

ALASKA POWER AUTHORITY

Mr. Eric P. Yould
Executive Director
Alaska Power Authority
334 West 5th Avenue
Anchorage, Alaska 99501

Dear Mr. Yould:

Thank you for your letter of March 24th, expressing the intention of the Alaska Power Authority to provide the funds necessary to construct the Bradley Lake Hydropower Project in return for expeditious accomplishment of construction by the Corps of Engineers.

On the basis of the commitment in your letter, we will include the Bradley Lake project in the package of new construction starts for Fiscal Year 1983, that we will forward to OMB on April 1st. I quite understand that the commitment is subject to the negotiation of an acceptable agreement between the Authority, the Corps, and the Alaska Power Administration. Also, I understand that the States' ultimate objective is to acquire ownership of the project and the rights to market the power. This gives me no policy problem, but, as your letter notes, legislation may be required at a later date.

I very much appreciate your letter, and you can be assured we will work with the State and the Alaska Power Administration to work out an acceptable agreement on this good project.

Sincerely,

William R. Gianelli
Assistant Secretary of the Army
(Civil Works)

SECTIONAL ANALYSIS

CSSB 769 (Change of Title)

Title: "An Act relating to the use of the power development fund for federal power projects under the energy program for Alaska; approving the Bradley Lake hydroelectric project under AS 44.83.185; and providing for an effective date."

Bradley Lake is a project authorized by Congress to be constructed by the Corps of Engineers. It has gone through the entire Economic Feasibility and Environmental Impact stages. The project is expected to receive full approval for construction by July 1982.

Under ordinary circumstances, the corps would receive funds to proceed with this project during FY 83. Due to Federal Budget restrictions, there are no start water projects anywhere in the United States during FY 83.

Under Title 33 U.S.C. 701h, the Corps has authority to accept non-Federal funds for design and construction of water projects. Under AS 44.83.080 (10), the Alaska Power Authority has the power to enter into contracts with the United States for financing and construction of power projects.

Under Section 5, 1944 Flood Control Act (58 Stat. 890, 16 U.S.C. 825s) the Alaska Power Administration has power marketing responsibility for Federal power projects. Under AS 44.83.080 (11), the Alaska Power Authority has the power to enter into contracts to purchase power from the United States.

AS 44.83.396 provides that any project acquired or constructed by the Authority is owned by the state. AS 44.83.398 addresses marketing of the power.

Section 1. Provides a new Section under 44.83.384 use of fund balance to allow the fund to finance a project owned by the United States Government. The project is exempt from the provisions of 44.83.177 through 44.83.187. Requires Office of Budget and Management Review and legislative approval.

Section 2. Authorizes the Bradley Lake Project under the new Sections listed above.



Alaska State Legislature

Senate Advisory Council

MEMORANDUM

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

TO: Senator Gilman
FROM: Kurt S. Dzinich *KSD*
SUBJECT: Bradley Lake Project Update
DATE: April 5, 1982

The following information is provided to update you on the current status of the Bradley Lake project.

1. Memorandum of Understanding (MOU). The Alaska Power Administration, the Corps of Engineers and the Alaska Power Authority (APA) are continuing to work on the draft MOU. In order to insure that it could sell bonds - should that become necessary - the Alaska Power Authority has proposed some language changes in the draft MOU dealing with the ownership issue. They have forwarded the Proposed changes to the Alaska District Engineer and Alaska Power Administration for their comment.

2. Transmission Line. The Corps scope of work assumed that the transmission line upgrade required to market Bradley energy would be accomplished by others. Due to the projected load increases, the transmission system will have to be eventually upgraded even if Bradley is not built. On 22 March 1982, a meeting was held with the involved utility companies for the purpose of determining whether they plan to update the transmission lines. So far, only Homer Electric Association has made a written commitment to upgrade their portion of the system. Other utilities will await outcome of the APA review before deciding what to do. The utilities did note that they must have additional generation by 1988 at the latest due to increasing demands. It should be noted that all alternatives in the Susitna Battelle study assumed Bradley on line by 1988.

3. Project Scope and Costs. APA has initiated a review of the project scope, costs and economic viability using the engineering firm of Beck and Associates. The review will cover both the case with and without the transmission line system. APA will be making its recommendation to the Division of Budget and Management in about one week.

4. Required Legislation. In order for the APA to have authority to proceed and utilize the Corps as the design and construction agency, legislation along the lines of SB 769 is required. This legislation is required because project ownership would remain federal until sometime near or after completion of the project despite use of state funds. Further existing federal statutes mandate same.

5. Schedule. Assuming that the MOU is approved, state legislation passed and the decision made to proceed with the project, the earliest contract award by the Corps would be around October 1982 time frame. This would most likely mean that construction would start in the early spring of 1983.

6. Funding. The Corps has indicated that with \$26 million funding in FY 1983 they could still maintain the 1988 on line date. Anything less than that would cause a delay but would allow them to proceed.

7. Alternatives. If the MOU can not be agreed on, the state may decide to proceed on its own to include FERC license application. In addition, the U.S. Congress would have to pass legislation deauthorizing the project. Unless the U.S. Congress mandated a short cut, the FERC license application could be expected to take about one and a half years.

8. Summary. SB 769, or similar legislation, must be passed in order to allow APA the option of proceeding with the project using the Corps. If APA's upcoming review indicates that the project is not viable economically, or that it can not be financed, it will be shelved.

KSD/bb

Alaska State Legislature

SENATOR
DON GILMAN

Juneau Ph.
(907) 465-4934



State Senate

HOME ADDRESS
P.O. BOX 630
KENAI, ALASKA 99611
(907) 283-4182

DURING SESSION
POUCH V
JUNEAU, ALASKA 99811

MEMORANDUM

DATE: April 6, 1982

TO: Senate Finance Committee

FROM: Senator Don Gilman

RE: SB 769 - Bradley Lake

It is the intent of the legislature that the Alaska Power Authority proceed to expend funds previously appropriated for the Bradley Lake Project. The legislature also intends that the Authority secure any interim financing available to it under the Energy Program of Alaska in order to keep construction on schedule.



DEPARTMENT OF THE ARMY

ALASKA DISTRICT, CORPS OF ENGINEERS

P.O. BOX 7002

ANCHORAGE, ALASKA 99510

REPLY TO
ATTENTION OF:

NPAEN

26 FEB 1982

SUBJECT: Draft Memorandum of Understanding (MOU) for Bradley Lake
Hydroelectric Project, Alaska

CDR USACE (DAEN-CWZ-A)
WASH, DC 20314

1. Forwarded for your information and approval is the draft MOU for the Bradley Lake Hydroelectric Project, as requested by your staff. This document has been tentatively agreed to by representatives of the Alaska District, Alaska Power Authority, and Alaska Power Administration.
2. It is our understanding that your staff will review this document and determine if the Corps can enter into this agreement and proceed with negotiations leading to design and construction of the project. All parties to this agreement are desirous of an early construction start. Therefore, your expeditious review and approval is requested.
3. In a related conversation with Mr. Robert Eiland of the ASA(CW) office, Mr. Eiland indicated that the MOU should be reviewed by OMB and be available to his office prior to Mr. Gianelli presenting his program to Congress in early April.

A handwritten signature in cursive script, appearing to read "Lee R. Nunn".

LEE R. NUNN
Colonel, Corps of Engineers
Commanding

1 Incl
as

CF w/Incl:
(See page 2)

NPAEN

SUBJECT: Draft Memorandum of Understanding (MOU) for Bradley Lake
Hydroelectric Project, Alaska

CF w/Incl:

Mr. Robert Cross
Alaska Power Administration
P.O. Box 50
Juneau, Alaska 99802

Mr. Eric Yould
Alaska Power Authority
333 West Fourth Avenue
Anchorage, Alaska 99501

Mr. Robert Eiland
Office of the Assistant
Secretary of the Army (CW)
Room 2E 570
Pentagon
Washington, D.C. 20310

Mr. Kurt Dzinich
Hydro Development Specialist
Senate Advisory Council
Pouch V, State Capitol
Juneau, Alaska 99811

Representative Hugh Malone
Pouch V, State Capitol
MS 3100
Juneau, Alaska 99811

Representative Patrick O'Connell
Pouch V, State Capitol
MS 3100
Juneau, Alaska 99811

✓ Senator Donald Gilman
Pouch V, State Capitol
MS 3100
Juneau, Alaska 99811

NPDDE (ATTN: Dave Geiger)

25 February 1982

(DRAFT)

BRADLEY LAKE HYDROELECTRIC PROJECT
MEMORANDUM OF UNDERSTANDING
ALASKA POWER AUTHORITY, STATE OF ALASKA,
ALASKA DISTRICT CORPS OF ENGINEERS, AND
ALASKA POWER ADMINISTRATION, U.S. DEPARTMENT OF ENERGY

This agreement, effective _____, 1982, is made between the ALASKA POWER AUTHORITY (hereinafter called the AUTHORITY) on behalf of the STATE OF ALASKA (hereinafter called the STATE), the CORPS OF ENGINEERS (hereinafter called the CORPS), and the ALASKA POWER ADMINISTRATION (hereinafter called the ADMINISTRATION),

WHEREAS, all parties to this agreement are desirous of an early construction start and early completion of the project, and

WHEREAS, the Bradley Lake Hydroelectric Project is authorized for design and construction by the Corps under the 1962 Flood Control Act, and the Corps has prepared a General Design Memorandum and an Environmental Impact Statement for the project, and under Title 33 U.S.C. 701h the Corps has authority to accept nonfederal funds for design and construction activities, and has the capability to design and construct the project, and

WHEREAS, the Authority recognizes that Federal funds have not been programmed for this project beyond fiscal year 1982, and the Authority is desirous of financing and obtaining the expeditious design and construction of the Bradley Lake Hydroelectric Project, and to eventually acquire the completed project, including operation, maintenance, and marketing responsibilities, and

WHEREAS, the Authority will independently determine project feasibility pursuant to requirements of State law, and

WHEREAS, the Administration has power marketing responsibility for the project pursuant to Section 5, 1944 Flood Control Act (58 Stat. 890, 16 U.S.C. 825s) and operation and maintenance responsibility under a separate agreement with the Corps.

NOW, THEREFORE, it is mutually agreed, subject to successful completion of Federal and State feasibility tests, availability of appropriations, and necessary approvals:

The Corps agrees to perform the design, contract supervision, and inspection work at the actual cost to the Government, in accordance with applicable Federal laws and regulations and essentially as shown and scheduled in the Bradley Lake General Design Memorandum and as supplemented by feature Design Memorandums.

The Authority will seek necessary authorization and funds to finance the design and construction of the Bradley Lake Project, and will make the funds available to the Corps in sufficient amount to allow the work to progress in an orderly manner. ✓

The Administration will consult fully with the Authority in development of power marketing policies and allocations of power from the Bradley Lake Project so that the policies and allocations are consistent with applicable State and Federal law. Federal revenue requirements would be limited to revenue necessary to recover Federal investment in the project including applicable interest plus annual expenditures of Federal funds for operation, maintenance, and replacement.

The Authority will operate and maintain the project under contract with the Administration.

All parties to this agreement will coordinate fully on operation and maintenance requirements to assure consistency with State and Federal law.

All parties will adopt working agreements addressing details of design, construction, operation, maintenance, financing, and power marketing.

All parties will pursue steps necessary to accomplish the State's objective of acquiring the project; including operation, maintenance, and marketing responsibilities.

DATE: _____

U.S. Army Corps of Engineers

Alaska Power Authority

Alaska Power Administration

Mr. Eric P. Yould
March 29, 1982
Page Two

Under paragraph (b), it would be possible for the Authority to issue bonds for a project with respect to which it does not have ownership rights or rights to acquire the project if a contract with the owner provided that rates, fees or charges be charged and that a contract for the sale, transmission or distribution of the power be entered into with the owner, requiring the owner to impose rates, fees or charges to pay the costs items therein referred to and otherwise in accordance with paragraph (b). Such contracts would have to be made between the owner of the project and the Authority and would have to be of a nature that the rights thereunder could legally be pledged to bondholders. The net effect would have to be that bondholders must have a right to insist on a level of rates, fees and charges providing for the amounts required in paragraph (b) the same as if the Authority were the owner of the project and legally able to covenant directly with bondholders.

In summary, the legal authority of the owner of the project to enter into the rate covenant would be required to be absolute and unconditional and the legal authority of the owner would have to be pledgable and pledged to bondholders.

Very truly yours,

WOHLFORTH & FLINT

By _____
Eric E. Wohlforth

EEW/dlk

LAW OFFICES

WOHLFORTH & FLINT

A PROFESSIONAL CORPORATION

300 WEST 5TH AVENUE, SUITE 505

ANCHORAGE, ALASKA 99501

ERIC E. WOHLFORTH
ROBERT B. FLINT
TIMOTHY G. MIDDLETON
PETER ARGETSINGER
ROBERT M. JOHNSON
GEORGE T. FREEMAN

TELEPHONE
AREA CODE 907
276-0401

March 29, 1982

Mr. Eric P. Yould
Executive Director
Alaska Power Authority
334 West Fifth Avenue
Anchorage, Alaska 99501

RECEIVED

MAR 30 1982

ALASKA POWER AUTHORITY

Dear Mr. Yould:

This will expand on our recent opinion with respect to the Authority's power to issue bonds for projects which it does not own. The general bond issuing authority of the Authority as contained in AS 44.82.100. That section states that "(a) the authority may borrow money and may issue bonds, including but not limited to bonds on which the principal and interest are payable. . . (4) from one or more revenue-producing contracts including a contract providing for the security of the bonds made by the authority with any person". AS 44.83.110 provides that the authority may secure an issue of bonds with a trust indenture or trust agreement under which it may enter into covenants and agreements with bondholders with respect to the items therein stated. AS 44.83.110(b) provides as follows:

"(b) Notwithstanding any other provisions of this chapter, the trust agreement shall contain a covenant by the authority that it will at all times maintain rates, fees or charges sufficient to pay, and that a contract entered into by the authority for the sale, transmission or distribution of power shall contain rates, fees or charges sufficient to pay the costs of operation and maintenance of the project, the principal of and interest on bonds issued under the trust agreement as the same severally become due and payable, to provide for debt service coverage as considered necessary by the authority for the marketing of its bonds and to provide for renewals, replacements and improvements of the project, and to maintain reserves required by the terms of the trust agreement".

Original sponsor: Gilman

Offered: 4/13/82
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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3 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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COMMITTEE REPORT
SENATE

3/29/82

FURTHER: None

Date: 4/6/82

Mr. President:

The Committee on FINANCE has had SB 772

special appropriation for construction of a plant quarantine station at the plant materials center operated in cooperation with the Institute of Agricultural Sciences

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 772
 Title Plant quarantine station at Institute of Agricultural Sciences
 Requested by _____ Date April 5, 1982

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
TOTAL		0				


FUNDING (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS		0				
OTHER (Specify Source)		0				

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE _____ PREPARED BY 
 AGENCY Senate Finance Committee
 Original: Legislative Finance PHONE 465-3714
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Funding Information
General Fund \$400,000
Other Funds -0-
\$400,000

Introduced: 2/16/82
Referred: Resources and Finance

1 IN THE SENATE

BY KERTTULA AND BRADLEY

2 SENATE BILL NO. 772

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources for construction of a plant
8 quarantine station at the plant materials center
9 (AS 03.22) operated in cooperation with the Institute
10 of Agricultural Sciences; and providing for an effec-
11 tive date."

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

13 * Section 1. The sum of \$400,000 is appropriated from the general fund to
14 the Department of Natural Resources for construction of a plant quarantine
15 station at the plant materials center (AS 03.22) operated in cooperation with
16 the Institute of Agricultural Sciences.

17 * Sec. 2. The appropriation made by this Act is for a capital project and
18 is subject to AS 37.25.020.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

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Funding Information
General Fund \$400,000
Other Funds -0-
\$400,000

Introduced: 2/16/82
Referred: Resources and Finance

1 IN THE SENATE

BY KERTTULA AND BRADLEY

2 SENATE BILL NO. 772

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Natural Resources for construction of a plant
8 quarantine station at the plant materials center
9 (AS 03.22) operated in cooperation with the Institute
10 of Agricultural Sciences; and providing for an effec-
11 tive date."

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Official Business

Alaska State Legislature

Senate

Office of the President

Pouch V
State Capitol
Juneau, Alaska 99811

April 5, 1982

MEMORANDUM

TO: MEMBERS OF THE SENATE FINANCE COMMITTEE
FROM: SENATOR JAY KERTTULA
SUBJECT: SB 772, PLANT QUARANTINE STATION

I understand that members of the committee have some questions regarding SB 772 and its cost. The \$400,000 appropriation covers construction of the quarantine building and screenhouse, and preparation of the grounds.

The bill has no additional fiscal impact this year, since it will take a year for the facility to be built. Whatever staff time is necessary for planning and set-up can be done by the staff at the Plant Materials Center.

In future years it is expected that the station will require minimal personnel, because of its close association with the Plant Materials Center. One additional person is all that will be required to supervise the facility and to travel to collect the necessary specimens. This was confirmed by Nick Carney at the Resources hearing and by Bill Heim before the Finance Subcommittee. Plant pathology work will be done elsewhere.

The fiscal note prepared by Sigmund Restad of the Agricultural Experiment Station is therefore considerably higher than necessary. Only one position is required and not until FY 1984.

Funding Information
General Fund \$400,000
Other Funds -0-
\$400,000

Introduced: 2/16/82
Referred: Resources and Finance

1 IN THE SENATE

BY KERTTULA AND BRADLEY

2 SENATE BILL NO. 772

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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20 070(c).

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Funding Information
General Fund \$400,000
Other Funds -0-
\$400,000

Introduced: 2/16/82
Referred: Resources and Finance

1 IN THE SENATE

BY KERTTULA AND BRADLEY

2 SENATE BILL NO. 772

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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20 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 772
 Title Plant quarantine station at Institute of Agricultural Sciences
 Requested by _____ Date April 5, 1982

II. FISCAL DETAIL
 Agency Affected Department of Natural Resources
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 COMMODITIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS, ETC.		0				
TOTAL		0				


FUNDING (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS		0				
OTHER (Specify Source)		0				

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE _____ PREPARED BY 
 Original: Legislative Finance AGENCY Senate Finance Committee
 cc: Budget and Management PHONE 465-3714
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

COMMITTEE REPORT
SENATE

2/16/82

FURTHER:

FINANCE

Date: 3-24-82

Mr. President:

The Committee on HESS has had SB 781

providing free tuition and fees for certain veterans and dependents of certain veterans of the armed forces of the United States

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 781 (HESS) same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note zero
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

CHAIRMAN

Offered: 3/26/82
Referred: Finance

Original sponsors: Bradley, Bennett,
Dankworth, et al

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 781 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for free tuition and fees for certain
7 veterans and dependents of certain veterans of the
8 armed forces of the United States."

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

10 * Section 1. AS 14.40.920 is repealed and reenacted to read:

11 Sec. 14.40.920. FREE TUITION AND FEES AT STATE-SUPPORTED EDUCA-
12 TIONAL INSTITUTIONS. (a) A person who was an Alaska resident while
13 serving in the armed forces of the United States, and who became 50
14 percent or more disabled from service-connected causes, may attend a
15 state-supported educational institution without payment of tuition and
16 fees.

17 (b) A dependent of a person who was an Alaska resident while
18 serving in the armed forces of the United States, and who (1) became 50
19 percent or more disabled from service-connected causes; (2) was killed
20 in action; (3) was injured and subsequently died from service-connected
21 causes; (4) is a prisoner of war; or (5) was declared missing in action
22 and is still missing in action, may attend a state-supported educational
23 institution without payment of tuition and fees.

24 (c) Free tuition and fees at a state supported institution under
25 this section are not available for more than 36 months, or eight semes-
26 ters, or the equivalent of eight semesters, whichever is longer.

27 (d) In this section "dependent" means a dependent spouse or a
28 dependent child.

Introduced: 2/16/82
Referred: Health, Education &
Social Services and Finance

BY BRADLEY, BENNETT, DANKWORTH, ELIASON
FAHRENKAMP, FERGUSON, FISCHER, GILMAN,
PARR, RODEY AND STURGULEWSKI

1 IN THE SENATE

2 SENATE BILL NO. 781

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for free tuition and fees for certain
7 veterans and dependents of certain veterans of the
8 armed forces of the United States."

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11 Sec. 14.40.920. FREE TUITION AND FEES AT STATE-SUPPORTED EDUCA-
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13 serving in the armed forces of the United States during hostilities
14 involving the United States, and who became 70 percent or more disabled
15 from service-connected causes may attend a state-supported educational
16 institution without payment of tuition and fees.

17 (b) A dependent of a person who was an Alaska resident while
18 serving in the armed forces of the United States during hostilities
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20 abled from service-connected causes; (2) was killed in action; (3) was
21 injured and subsequently died from service-connected causes; (4) is a
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23 missing in action, may attend a state-supported educational institution
24 without payment of tuition and fees.

25 (c) Free tuition and fees at a state supported institution under
26 this section are not available for more than 36 months, or eight
27 semesters, or the equivalent of eight semesters, whichever is longer.

28 (d) In this section "dependent" means a dependent spouse or child.
29

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 781
 Title An act providing for free tuition & fees for certain veterans & dependents
 Requested by Bradley, Bennett, Dankworth & Eliason Date 2/16/82

II. FISCAL DETAIL
 Agency Affected University of Alaska/Alaska Vocational-Technical Center
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0				

FUNDING (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The amount of lost revenue to the institutions cannot be determined because the number of qualified students is unknown. The fiscal impact is assumed to be small. A range of impacts is shown below based on the cost of a full-time undergraduate student attending the University of Alaska Fairbanks:

10 Students x \$572 (tuition & fees)	= \$ 5,720
50 Students x \$572	= \$28,600
100 Students x \$572	= \$57,200

This information is based on conversations with the University of Alaska

IV. DATE 3/22/82 PREPARED BY E. Blecker
 AGENCY Budget & Management
 Original: Legislative Finance PHONE 465-2213
 cc: Budget and Management

ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND Session

SENATE ... BILL NO. 781 ...

By BRADLEY, BENNETT, DANKWORTH,
ELIASON, FAHRENKAMP, FISCHER,
GILMAN, PARR, RODEY, STURGULEWSKI
Ferguson

"An Act providing free tuition and fees for certain veterans and dependents of certain veterans of the armed forces of the United States."

Introduced in the Senate ... 2/16, 19..82

HISTORY IN THE SENATE

19 82

Read first time and referred to Committee on

2 16 HESS AND FINANCE

3 20 Reported back with *HESS* recommendation that *replace w/ps & S do pass to Fin.*

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Offered: 3/26/82
Referred: Finance

Original sponsors: Bradley, Bennett,
Dankworth, et al

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 781 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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7 veterans and dependents of certain veterans of the
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13 serving in the armed forces of the United States, and who became 50
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15 state-supported educational institution without payment of tuition and
16 fees.

17 (b) A dependent of a person who was an Alaska resident while
18 serving in the armed forces of the United States, and who (1) became 50
19 percent or more disabled from service-connected causes; (2) was killed
20 in action; (3) was injured and subsequently died from service-connected
21 causes; (4) is a prisoner of war; or (5) was declared missing in action
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23 institution without payment of tuition and fees.

24 (c) Free tuition and fees at a state supported institution under
25 this section are not available for more than 36 months, or eight semes-
26 ters, or the equivalent of eight semesters, whichever is longer.

27 (d) In this section "dependent" means a dependent spouse or a
28 dependent child.

29

Introduced: 2/16/82
Referred: Health, Education &
Social Services and Finance

BY BRADLEY, BENNETT, DANKWORTH, ELIASON
FAHRENKAMP, FERGUSON, FISCHER, GILMAN,
PARR, RODEY AND STURGULEWSKI

1 IN THE SENATE

2 SENATE BILL NO. 781

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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28 (d) In this section "dependent" means a dependent spouse or child.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Introduced: 2/16/82
Referred: Health, Education &
Social Services and Finance

BY BRADLEY, BENNETT, DANKWORTH, ELIASON
FAHRENKAMP, FERGUSON, FISCHER, GILMAN,
PARR, RODEY AND STURGULEWSKI

1 IN THE SENATE

2 SENATE BILL NO. 781

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

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Introduced: 2/16/82
Referred: Labor & Commerce
and Finance

1 IN THE SENATE

BY STURGULEWSKI

2 SENATE BILL NO. 783

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act adding multi-family dwellings as a qualified
7 project for purposes of the Alaska Industrial Develop-
8 ment Authority; and providing for an effective date."

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

10 * Section 1. AS 44.38.220(5) is amended by adding a new subparagraph to
11 read:

12 (D) a multi-family dwelling enterprise;

13 * Sec. 2. AS 44.38.220 is amended by adding a a new paragraph to read:

14 (17) "multi-family dwelling enterprise" is a rental or coop-
15 erative dwelling of eight or more units.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

ALASKA STATE LEGISLATURE

TWELFTH.. Legislature SECOND... Session

SENATE BILL..... NO. 783....

By ..STURGULEWSKI.....

"An Act adding multi-family dwellings as a qualified project for the purposes of the Alaska Industrial Deveopment Authority and providing for an effective date."

Introduced in the Senate ...2/16..., 19...82

HISTORY IN THE SENATE

19	82	Read first time and referred to Committee on										
2	16	Labor & Commerce & Finance										
3	11	Reported back with <i>L & C</i> recommendation that <i>5 do pass to Finance</i>										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Excused	Excused											
		Reported correctly engrossed Signed by President Sent to House										
SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
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Excused	Excused											
		Reported correctly engrossed Signed by Speaker Returned to Senate										
CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19		Received from House
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

Introduced: 2/16/82
Referred: Labor & Commerce
and Finance

1 IN THE SENATE

BY STURGULEWSKI

2 SENATE BILL NO. 783

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act adding multi-family dwellings as a qualified
7 project for purposes of the Alaska Industrial Develop-
8 ment Authority; and providing for an effective date."

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

10 * Section 1. AS 44.88.220(5) is amended by adding a new subparagraph to
11 read:

12 (D) a multi-family dwelling enterprise;

13 * Sec. 2. AS 44.88.220 is amended by adding a a new paragraph to read:

14 (17) "multi-family dwelling enterprise" is a rental or coop-
15 erative dwelling of eight or more units.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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Original sponsor: Sturgulewski

IN THE SENATE

BY THE FINANCE COMMITTEE

CS FOR SENATE BILL NO. 784 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska Power Authority; and providing for an effective date."

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

* Section 1. AS 44.83.110 is amended by adding a new subsection to read:

(h) If the authority decides to issue bonds secured by a capital reserve fund, the bonds may not be issued until 10 days after the authority has mailed notification to the State Bond Committee and the Legislative Budget and Audit Committee by certified mail of its intention to establish a capital reserve fund to secure the bond issue. The notification shall include the amount of the capital reserve fund to be established, the amount of bonds proposed to be issued, and the total cost of the project for which the bonds are to be issued. The notification shall be accompanied by an estimate by the authority of the need to withdraw money from the capital reserve fund during the term of the bond issue, the amount that it may be necessary to withdraw, and the time at which withdrawals are estimated to be needed. The authority shall annually prepare a revised estimate, considering the same factors, and a statement of all withdrawals that have occurred from the date of issuance of the bonds to the end of the calendar year. The revised estimate and statement shall be submitted to the State Bond Committee and the Legislative Budget and Audit Committee by January 30 of the succeeding year.

* Sec. 2. AS 44.83.181(b)(1) is amended to read:

(1) information about the proposed project, including but not limited to estimates of total project construction costs, total project

1 operating costs, the costs of transmission systems and reserve power
2 requirements, the timing and amount of anticipated returns from the
3 completed project, a benefit-to-cost ratio, the potential effect of the
4 project on the environment of the area which will be served by the
5 project when completed, and the availability of alternative government
6 financing;

7 * Sec. 3. AS 44.83.183 is amended by adding a new subsection to read:

8 (e) The report required by (c) of this section shall include a fi-
9 nancial analysis of the proposed project of the authority that evaluates
0 proposed bond resolutions or other financial arrangements or financial
1 plans, security plans and arrangements, cost and demand uncertainties,
2 and debt volume, as they relate to the total direct and indirect indebt-
3 edness of the state. In preparing the financial analysis required by
4 this section the division of budget and management may use the services
5 of outside agencies or institutions that are not otherwise involved in
6 the project.

7 * Sec. 4. AS 44.83.185(c) is amended to read:

8 (c) The legislature shall consider and must approve all proposed
9 new projects except proposed new projects that are exempt under AS 44.-
0 83.187. The legislature may approve a proposed new project only by
1 enacting law that authorizes the project and approves a maximum con-
2 struction cost for [AUTHORIZING] that project.

3 * Sec. 5. AS 44.83 is amended by adding a new section to read:

4 Sec. 44.83.186. FINAL COST ESTIMATE AND REAUTHORIZATION BY THE
5 LEGISLATURE. If a project is approved under AS 44.83.185(c), the
6 authority shall obtain a final cost estimate for the project from an
7 independent source qualified to make such an estimate. If the final
8 cost estimate does not exceed the cost estimate presented by the
9 authority to the legislature under AS 44.83.185 by more than five

1 percent, the authority may proceed with the construction of the project.
2 If the final cost estimate exceeds the cost estimate presented by the
3 authority to the legislature under AS 44.83.185 by more than five per-
4 cent, ^{adjusted for inflation,} the authority shall revise its feasibility study and, if it deter-
5 mines ^A that the project remains feasible, the authority shall submit the
6 revised feasibility study and the independent cost estimate to the
7 legislature. A proposed project that is returned for reconsideration by
8 the legislature under this section may not be constructed unless the
9 legislature reauthorizes it by enacting law for that purpose.

0 * Sec. 6. AS 44.83.189 is amended by adding a new subsection to read:

1 (b) A contractor who has participated in the preparation of the
2 feasibility study for or in the engineering design of the project may
3 not participate in the construction management or the construction of
4 the project by the authority.

5 * Sec. 7. AS 44.83.398(c) is amended to read:

6 (c) The authority shall transmit all the money that it receives
7 under (a) [(b)] of this section to the commissioner of revenue for
8 deposit in the state general fund except for [THE] money it has pledged
9 to secure bonds in accordance with contracts with bondholders [RECEIVES
0 UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii), OR THE MONEY IT WOULD
1 HAVE RECEIVED UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii) OF THIS
2 SECTION IF THOSE ITEMS HAD BEEN USED IN PART TO ESTABLISH THE WHOLESALE
3 POWER RATE IN EFFECT AT THE TIME THE MONEY IS RECEIVED BY THE AUTHORITY].

4 * Sec. 8. AS 44.83.398(e) is amended to read:

5 (e) The legislature may, by law, annul or change the wholesale
6 power rate for sales of power that the authority adopts under (b) of
7 this section, except to the extent the authority makes an agreement with
8 bondholders to maintain or increase the wholesale power rate.

9 * Sec. 9. Section 14, ch. 118, SLA 1981 is amended to read:

Introduced: 2/16/82
Referred: Labor & Commerce and
Finance

1 IN THE SENATE

BY STURGULEWSKI

2 SENATE BILL NO. 784

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to issuance of bonds by the Alaska
7 Power Authority."

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

9 * Section 1. AS 44.83.110 is amended by adding a new subsection to read:

10 (h) If the authority decides to issue bonds secured by a capital
11 reserve fund, the bonds may not be issued until 10 days after the
12 authority has mailed notification to the State Bond Committee and the
13 Legislative Budget and Audit Committee by certified mail of its inten-
14 tion to establish a capital reserve fund to secure the bond issue. The
15 notification shall include the amount of the capital reserve fund to be
16 established, the amount of bonds proposed to be issued, and the total
17 cost of the project for which the bonds are to be issued. The notifica-
18 tion shall be accompanied by an estimate by the authority of the need to
19 withdraw money from the capital reserve fund during the term of the bond
20 issue, the amount that it may be necessary to withdraw, and the time at
21 which withdrawals are estimated to be needed. The authority shall
22 annually prepare a revised estimate, considering the same factors, and a
23 statement of all withdrawals that have occurred from the date of issuance
24 of the bonds to the end of the calendar year. The revised estimate and
25 statement shall be submitted to the State Bond Committee and the Legis-
26 lative Budget and Audit Committee by January 30 of the succeeding year.

COMMITTEE COPY

ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND Session

SENATE ... BILL NO. ... 784.

By . STURGULEWSKI

"An Act relating to issuance of bonds by the Alaska Power Authority."

Introduced in the Senate .2/16..., 19..83

HISTORY IN THE SENATE

19 82

Read first time and referred to Committee on

2 16

Labor & Commerce & Finance

3 12

Reported back with *L.C. Waind* recommendation that *to die*

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Original sponsor: Sturgulewski

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 784 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Power Authority."

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

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11 authority has mailed notification to the State Bond Committee and the
12 Legislative Budget and Audit Committee by certified mail of its inten-
13 tion to establish a capital reserve fund to secure the bond issue. The
14 notification shall include the amount of the capital reserve fund to be
15 established, the amount of bonds proposed to be issued, and the total
16 cost of the project for which the bonds are to be issued. The notifica-
17 tion shall be accompanied by an estimate by the authority of the need to
18 withdraw money from the capital reserve fund during the term of the bond
19 issue, the amount that it may be necessary to withdraw, and the time at
20 which withdrawals are estimated to be needed. The authority shall
21 annually prepare a revised estimate, considering the same factors, and a
22 statement of all withdrawals that have occurred from the date of issuance
23 of the bonds to the end of the calendar year. The revised estimate and
24 statement shall be submitted to the State Bond Committee and the Legis-
25 lative Budget and Audit Committee by January 30 of the succeeding year.

26 * Sec. 2. AS 44.83.181(b)(1) is amended to read:

27 (1) information about the proposed project, including but not
28 limited to estimates of total project construction costs, total project
29 operating costs, the costs of transmission systems and reserve power

1 requirements, the timing and amount of anticipated returns from the
2 completed project, a benefit-to-cost ratio, the potential effect of the
3 project on the environment of the area which will be served by the
4 project when completed, and the availability of alternative government
5 financing;

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8 nancial analysis of the proposed project of the authority that evaluates
9 proposed bond resolutions or other financial arrangements or financial
10 plans, security plans and arrangements, cost and demand uncertainties,
11 and debt volume, as they relate to the total direct and indirect indebt-
12 edness of the state. In preparing the financial analysis required by
13 this section the division of budget and management may use the services
14 of outside agencies or institutions that are not otherwise involved in
15 the project.

16 * Sec. 4. AS 44.83.185(c) is amended to read:

17 (c) The legislature shall consider and must approve all proposed
18 new projects except proposed new projects that are exempt under AS 44.-
19 83.187. The legislature may approve a proposed new project only by
20 enacting law that authorizes the project and approves a maximum con-
21 struction cost for [AUTHORIZING] that project.

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23 Sec. 44.83.186. FINAL COST ESTIMATE AND REAUTHORIZATION BY THE
24 LEGISLATURE. If a project is approved under AS 44.83.185(c), the author-
25 ity shall obtain a final cost estimate for the project from an indepen-
26 dent source qualified to make such an estimate. If the final cost
27 estimate does not exceed the cost estimate presented by the authority to
28 the legislature under AS 44.83.185 by more than ^{adjusted for inflation} five percent, the author-
29 ity may proceed with the construction of the project. If the final cost

1 estimate exceeds the cost estimate presented by the authority to the
2 legislature under AS 44.83.185 by more than five percent, the authority
3 shall revise its feasibility study and, if it determines that the project
4 remains feasible, the authority shall submit the revised feasibility
5 study and the independent cost estimate to the legislature. A proposed
6 project that is returned for reconsideration by the legislature under
7 this section may not be constructed unless the legislature reauthorizes
8 it by enacting law for that purpose.

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11 feasibility study for or in the engineering design of the project may
12 not participate in the construction management or the construction of
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20 deposit in the state general fund except for [THE] money it has pledged
21 to secure bonds in accordance with contracts with bondholders [RECEIVES
22 UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii), OR THE MONEY IT WOULD
23 HAVE RECEIVED UNDER (b)(1)(A) AND (B) AND (b)(2)(B)(i) AND (ii) OF THIS
24 SECTION IF THOSE ITEMS HAD BEEN USED IN PART TO ESTABLISH THE WHOLESALE
25 POWER RATE IN EFFECT AT THE TIME THE MONEY IS RECEIVED BY THE AUTHORITY].

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27 ~~8~~ (e) The legislature may, by law, annul or change the wholesale
28 power rate for sales of power that the authority adopts under (b) of
29 this section, except to the extent the authority makes an agreement with

1 bondholders to maintain or increase the wholesale power rate.

2 * Sec. ~~7~~. Section 14, ch. 118, SLA 1981 is amended to read:

3 Sec. 14. LOCATION OF TRANSMISSION SYSTEM IN DENALI STATE PARK.

4 The Alaska Power Authority may design, acquire a right-of-way for, and
5 construct a 345 KV high voltage electrical transmission system connect-
6 ing Anchorage and Fairbanks. The transmission line authorized by this
7 section shall be considered a use that is compatible with the purposes
8 of the Denali State Park within the boundaries of the Denali State Park.
9 The route of the transmission system authorized by this section may
10 [SHALL] be located within the Denali State Park in consultation with the
11 division of parks, Department of Natural Resources.

12 ~~Sec. 5 AS 44.83.388(b) is repealed.~~

13 * Sec. ~~6~~. This Act takes effect immediately in accordance with AS 01.10.-
14 070(c).

LEGISLATION SUMMARY

Finance Committee Amendments

In general, this bill deals with various aspects of the Alaska Power Authority's costing of projects and financing of those projects. The focus of the amendments is on greater information and accountability.

Section 1. This section states that when the APA decides to establish or pledges to establish a capital reserve fund (moral obligation of the state pledge), the State Bond Committee and the Legislative Budget and Audit Committee will be notified of such establishment and anticipated drawdowns. This information will be annually updated.

Section 2. The cost of transmission systems and reserve power requirements are added to the items calculated into the cost figure in a feasibility study.

Section 3. The Office of Budget and Management is required to analyze and report on the effect of financial arrangements for power projects, notably, on the total direct and indirect indebtedness of the state. This analysis will be added to existing financial analysis requirements performed by the Office of Budget and Management.

Section 4. The legislature is required to authorize a power project at a specific cost.

Section 5. After legislative authorization, if a cost estimate performed by an independent source exceeds the authorized cost level by more than 5%, adjusted for inflation, the Alaska Power Authority shall revise the feasibility study to determine continued feasibility and, if still feasible, return to the legislature for reauthorization of the project.

Section 6. Contractors responsible for feasibility studies or engineering design of a project may not participate in construction management.

Section 7. Amends existing law regarding the transmittal of revenue from the sale of power from power projects financed under the power development fund, deleting the existing provisions exempting certain revenues from the requirement that they be transmitted to the general fund, and adding the provision that the Alaska Power Authority shall transmit all revenues from the sale of power to the general fund, with the exception of those funds the Authority has pledged to secure bonds in accordance with contracts with bondholders.

Section 8. Amends existing law regarding the authority of the legislature to change or annul the wholesale power rate adopted by the

authority, limiting the authority to the extent that the Authority makes an agreement bondholders to maintain or increase the wholesale power rate.

Section 9. Amends existing law authorizing the Alaska Power Authority to construct a Fairbanks-Anchorage intertie, and stating that the intertie is a compatible use within the Denali State Park, removing the requirement that the intertie be located within the Denali State Park, while allowing it to be so located.

Introduced: 2/16/82
Referred: Labor & Commerce and
Finance

1 IN THE SENATE

BY STURGULEWSKI

2 SENATE BILL NO. 784

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to issuance of bonds by the Alaska
7 Power Authority."

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

9 * Section 1. AS 44.83.110 is amended by adding a new subsection to read:

10 (h) If the authority decides to issue bonds secured by a capital
11 reserve fund, the bonds may not be issued until 10 days after the
12 authority has mailed notification to the State Bond Committee and the
13 Legislative Budget and Audit Committee by certified mail of its inten-
14 tion to establish a capital reserve fund to secure the bond issue. The
15 notification shall include the amount of the capital reserve fund to be
16 established, the amount of bonds proposed to be issued, and the total
17 cost of the project for which the bonds are to be issued. The notifica-
18 tion shall be accompanied by an estimate by the authority of the need to
19 withdraw money from the capital reserve fund during the term of the bond
20 issue, the amount that it may be necessary to withdraw, and the time at
21 which withdrawals are estimated to be needed. The authority shall
22 annually prepare a revised estimate, considering the same factors, and a
23 statement of all withdrawals that have occurred from the date of issuance
24 of the bonds to the end of the calendar year. The revised estimate and
25 statement shall be submitted to the State Bond Committee and the Legis-
26 lative Budget and Audit Committee by January 30 of the succeeding year.

COMMITTEE REPORT
SENATE

2/16/82

FURTHER: FINANCE

Date: 4/22/82

Mr. President:

The Committee on STATE AFFAIRS has had SB 791
special appropriation for legislative information offices and teleconference
centers

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 791 same title
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Tom Stinson
Bob Bradley
V. Fischer

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Richard No. No.

V. Fischer
 CHAIRMAN

Original sponsor: Ferguson

Offered: 4/27/82
Referred: Finance

Funding Information

General Fund	\$1,181,241
Other Funds	-0-
	<u>\$1,181,241</u>

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 791 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Legisla-
7 tive Affairs Agency for legislative information offices
8 and teleconference centers; and providing for an effec-
9 tive date."

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

11 * Section 1. The sum of \$1,181,241 is appropriated from the general fund
12 to the Legislative Affairs Agency for the creation and operation of legisla-
13 tive information offices and teleconference centers as follows:

14 Changes to Existing Division of Public Services Facilities

15 Upgrade Valdez to half-time information office	\$ 74,350
16 Add data lines to Homer teleconference center	45,420
17 Add data lines to Petersburg and Wrangell	
18 teleconference centers	34,036
19 Bill service to remaining teleconference centers	
20 Haines, Sand Point, and Seward	3,000

21 Pilot Project

22 Offnet teleconference centers with data lines	
23 to provide access to bills, statutes, tele-	
24 conference schedules, and electronic mail	
25 Unalakleet, Fort Yukon	32,435

26 New Offnet Teleconference Centers

27 First 12 sites at \$32,000 each	384,000
------------------------------------	---------

28 This appropriation allocation is for tele-
29 conference centers in: Adak, Cordova, Unalaska,

1 Mountain Village/St. Mary's, Galena, Parks Highway
2 (Healy), Hooper Bay, Tok, Naknek, Fort Yukon,
3 Craig, and Noorvik

4 17 sites at \$35,000 each 595,000

5 This appropriation allocation is for tele-
6 conference centers in: Emmonak, Aniak, Unalakleet,
7 Togiak, Kake, Saint Paul, Glennallen, Yakutat,
8 McGrath, Wainwright, Shishmaref, Iliamna,
9 Talkcetna, Nuiqsut, Anaktuvuk Pass, Kaktovik,
10 and Shungnak

11 Smaller Communities with Interest

12 Inexpensive speaker telephone and teleconference
13 schedules and allotment for some toll charges and
14 telephone costs at \$1,000 per site, total 13 sites 13,000

15 This appropriation allocation is for the follow-
16 ing communities: King Cove, Tyonek, Angoon, Pilot
17 Point, Tanana, Hydaburg, Seldovia, Whittier, New
18 Stuyahok, Hoonah, Port Lions, Kwethluk, Manley Hot
19 Springs

20 * Sec. 2. The unexpended and unobligated portion of the appropriation
21 made by this Act lapses into the general fund June 30, 1983.

22 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
23 070(c).

Introduced: 2/16/82
Referred: State Affairs and
Finance

Funding Information
General Fund \$1,308,330
Other Funds -0-
\$1,308,330

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 791

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Legisla-
7 tive Affairs Agency for legislative information offices
8 and teleconference centers; and providing for an effec-
9 tive date."

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

11 * Section 1. The sum of \$1,308,330 is appropriated from the general fund
12 to the Legislative Affairs Agency for the creation and operation of legisla-
13 tive information offices and teleconference centers at Kaktovik, Anaktuvuk
14 Pass, Nuiqsut, Wainwright, Point Hope, Noorvik, Shungnak, Shishmaref, Unala-
15 kleet, Savoonga, Galena, Fort Yukon, Kake, Craig, Petersburg, Yakutat, Cordo-
16 va, Unalaska, Hooper Bay, Emmonak, Saint Paul, and Kwethluk.

17 * Sec. 2. The unexpended and unobligated portion of the appropriation
18 made by this Act lapses into the general fund June 30, 1983.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND Session

SENATE BILL..... NO. 791...

By:.....FERGUSON.....

"An Act making a special appropriation to the Legislative Affairs Agency for legislative information offices and teleconference centers; and providing for an effective date."

Introduced in the Senate ..2/16..., 19.82

HISTORY IN THE SENATE

19 82 Read first time and referred to Committee on

2 16 State Affairs & Finance

427 Reported back with *SA report* recommendation that *w/CS 7*
3 do pass - 1 write to Fin

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
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Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
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Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 2/16/82
Referred: State Affairs and
Finance

Funding Information
General Fund \$1,308,330
Other Funds -0-
\$1,308,330

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 791

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

21

22

23

24

25

26

27

28

29

X

Original sponsor: Ferguson

Offered: 4/27/82
Referred: Finance

Funding Information

General Fund \$1,181,241
Other Funds -0-
\$1,181,241

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

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16 Add data lines to Homer teleconference center 45,420

17 Add data lines to Petersburg and Wrangell
18 teleconference centers 34,036

19 Bill service to remaining teleconference centers

20 Haines, Sand Point, and Seward 3,000

21 Pilot Project

22 Offnet teleconference centers with data lines
23 to provide access to bills, statutes, tele-
24 conference schedules, and electronic mail
25 Unalakleet, Fort Yukon 32,435

26 New Offnet Teleconference Centers

27 First 12 sites at \$32,000 each 384,000

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17 Point, Tanana, Hydaburg, Seldovia, Whittier, New
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19 Springs

20 * Sec. 2. The unexpended and unobligated portion of the appropriation
21 made by this Act lapses into the general fund June 30, 1983.

22 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
23 070(c).