



# LAWS OF ALASKA

1980

**Source**

HCSSB 294 (Rules)

**Chapter No.**

169

**AN ACT**

Relating to power projects of the Alaska Power Authority and the Susitna River hydroelectric project; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: July 2, 1980

Actual Effective Date: Section 1 takes effect June 13, 1980;  
sections 2 - 5 take effect July 3, 1980.

AN ACT

Relating to power projects of the Alaska Power Authority and the Susitna River hydroelectric project; and providing for an effective date.

\* Section 1. AS 44.56.187(a) is amended to read:

(a) The provisions of AS 44.56.177 - 44.56.185 and 44.56.189 apply only to a proposed new project which will generate more than 1.5 megawatts of power and

(1) requires an appropriation from the state general fund, from the power project fund, or from the renewable resources funds [INVESTMENT FUND AND THE APPROPRIATION EXCEEDS

(A) \$3,000,000, FOR PROJECTS FOR WHICH LEGISLATIVE APPROVAL IS SOUGHT DURING 1981;

(B) \$3,000,000 MULTIPLIED BY A FACTOR EQUAL TO A RATIO DETERMINED BY DIVIDING THE CONSTRUCTION COST INDEX OF THE ENGINEERING NEWS RECORD DETERMINED FOR JANUARY OF THE YEAR DURING WHICH A PROJECT IS SUBMITTED FOR LEGISLATIVE APPROVAL, BY THE CONSTRUCTION COST INDEX OF THE ENGINEERING NEWS RECORD FOR MARCH, 1980, FOR PROJECTS FOR WHICH LEGISLATIVE APPROVAL IS SOUGHT AFTER DECEMBER 31, 1981]; or

(2) is based on a plan of finance which requires the issuance of general obligation bonds or other pledge of the credit of the state.

\* Sec. 2. AS 44.56 is amended by adding new sections to read:

ARTICLE 6. SUSITNA RIVER HYDROELECTRIC PROJECT.

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1           Sec. 44.56.300. DESCRIPTION OF PROJECT. The Susitna River hydro-  
2           electric project consists of dams and related reservoirs, and power  
3           plants located in the Upper Susitna River Basin, and related transmis-  
4           sion lines, facilities, and load centers, as described in the Alaska  
5           Power Authority's report required by AS 44.56.320(b).

6           Sec. 44.56.310. PURPOSE OF PROJECT. The primary purpose of the  
7           Susitna River hydroelectric project is to generate, transmit and dis-  
8           tribute electric power in a manner which will

- 9                     (1) minimize market area electrical power costs;  
10                    (2) minimize adverse environmental and social impacts while  
11           enhancing environmental values to the extent possible; and  
12                    (3) safeguard both life and property.

13           Sec. 44.56.320. PRELIMINARY REPORT. (a) By March 30, 1981, the  
14           authority shall prepare and submit to the governor and to the legisla-  
15           ture a preliminary report recommending whether work should continue on  
16           the Susitna River hydroelectric project, and, if the recommendation is  
17           to continue on the project, the report shall explain in detail

18                    (1) economic evaluations and preliminary environmental impact  
19           assessments for the Susitna River hydroelectric project and all viable  
20           alternatives;

21                    (2) the federal and state permits required to be obtained  
22           before construction can begin and the expected construction start date;  
23           and

24                    (3) any other information the authority considers appropriate  
25           or necessary to adequately inform the governor and the legislature of  
26           the status of the Susitna River hydroelectric project.

27                    (b) By April 30, 1982, the authority shall prepare and submit to  
28           the governor and to the legislature a preliminary report recommending  
29           whether work should continue on the Susitna River hydroelectric project

1 and other viable alternatives. If the recommendation is to continue on  
2 the Susitna River hydroelectric project, the report shall explain in  
3 detail

4 (1) the proposed conceptual design and phases of construction  
5 of the Susitna River hydroelectric project;

6 (2) the expected completion date of each phase of construc-  
7 tion;

8 (3) the expected cost of each phase of construction;

9 (4) the costs to the state and consumers of the project under  
10 alternative methods of project financing, including revenue bonds,  
11 general obligation bonds, and general fund appropriations; and

12 (5) any other information the authority considers appropriate  
13 or necessary to adequately inform the governor and the legislature of  
14 the status of the Susitna River hydroelectric project.

15 (c) The preliminary reports required under (a) and (b) of this  
16 section are in addition to any reports required under AS 44.56.180 -  
17 44.56.224.

18 (d) The authority may not enter into contracts under AS 44.56.300 -  
19 44.56.360 other than those contracts necessary to complete (1) feasibil-  
20 ity studies, (2) the reports required by this section, or (3) construc-  
21 tion of the Anchorage-Fairbanks intertie, until the legislature approves  
22 by law the preliminary report required under (b) of this section.

23 Sec. 44.56.330. CONSTRUCTION, MAINTENANCE AND OPERATION OF PROJECT.  
24 Within one year after approval of its preliminary report submitted under  
25 AS 44.56.320(b), the authority may enter into a contract for the con-  
26 struction of the Susitna River hydroelectric project in a manner con-  
27 sistent with the purpose of the project as described in AS 44.56.310.

28 Sec. 44.56.340. ANNUAL REPORT. (a) If the Susitna River hydro-  
29 electric project is approved by the legislature under AS 44.56.320(d),

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1 beginning in 1983 the authority shall prepare an annual report which  
2 explains in detail

3 (1) the status of construction on the Susitna River hydro-  
4 electric project;

5 (2) the completion date of any phase of the Susitna River  
6 hydroelectric project which has been completed and the reasons for any  
7 deviation between the completion date and the expected completion date  
8 stated in the preliminary report required under AS 44.56.320(b);

9 (3) the actual cost of any phase of the Susitna River hydro-  
10 electric project which has been completed and the reasons for any devia-  
11 tion between the actual cost and the expected cost stated in the pre-  
12 liminary report required under AS 44.56.320(b);

13 (4) the federal and state permits necessary to begin or  
14 continue construction of the Susitna River hydroelectric project, the  
15 actual dates on which the federal and state permits necessary to begin  
16 or continue construction were obtained, and the reasons for any devia-  
17 tion between the actual dates and the expected dates stated in the pre-  
18 liminary report required under AS 44.56.320(a) or in the earlier annual  
19 reports required under this section;

20 (5) any other information the authority considers appropriate  
21 or necessary to adequately inform the governor and the legislature of  
22 the status of the Susitna River hydroelectric project.

23 (b) The annual report required under (a) of this section is in  
24 addition to any reports required under AS 44.56.180 - 44.56.224 and  
25 shall be submitted, by March 30 of each year, to the governor and to  
26 each member of the legislature.

27 Sec. 44.56.350. LEGISLATIVE AND EXECUTIVE OVERSIGHT. The legis-  
28 lature or the governor may provide for ongoing oversight, review and  
29 selected in-depth analysis of the Susitna River hydroelectric project

1 plan of study. The authority shall provide all data, analyses, reports,  
2 and other information to whomever conducts the oversight, review, or  
3 analysis activities. Selected in-depth analyses shall include assess-  
4 ments of the power alternatives, financing, and power marketing sections  
5 of the Susitna River hydroelectric project plan of study.

6 Sec. 44.56.360. PROJECT FINANCING. The Susitna River hydroelectric  
7 project shall be financed by general fund appropriations, general obliga-  
8 tion bonds, revenue bonds, or other plans of finance as approved by the  
9 legislature.

10 \* Sec. 3. The projects authorized in sec. 48 of House CS for CS for  
11 Senate Bill No. 438 (Finance) am H, Eleventh Legislature, Second Session, are  
12 exempt from the amendments made in sec. 1 of this Act.

13 \* Sec. 4. Section 1 of this Act takes effect on the day after House CS  
14 for CS for Senate Bill No. 438 (Finance) am H, Eleventh Legislature, Second  
15 Session, becomes law.

16 \* Sec. 5. Sections 2 - 5 of this Act take effect immediately in accord-  
17 ance with AS 01.10.070(c).