



Biofuels Statutory Citations

STATE OF ALASKA

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Current through the 2013 Legislative Session of the Alaska General Assembly.

§ 42.45.045. Renewable energy grant fund and recommendation program

- (a) A renewable energy grant fund is established as a separate fund to finance certain energy projects in Alaska.
- (b) The authority shall administer the fund as a fund distinct from other funds of the authority. The fund consists of
 - (1) money appropriated to the fund by the legislature to provide grants for certain energy projects determined by the legislature;
 - (2) gifts, bequests, contributions from other sources, and federal money;
 - (3) interest earned on the fund balance; and
 - (4) investments to be managed by the Department of Revenue, which shall be the fiduciary of the fund under AS 37.10.071.
- (c) The fund is not a dedicated fund.
- (d) The authority shall, in consultation with the advisory committee established under (i) of this section and the Department of Natural Resources,
 - (1) develop a methodology for determining the order of projects that may receive assistance, including separate requirements for grant eligibility, and adopt regulations identifying criteria to evaluate the benefit and feasibility of projects for which an applicant applies for support from the legislature, with the most weight being given to projects that serve any area in which the average cost of energy to each resident of the area exceeds the average cost to each resident of other areas of the state, and significant weight being given to a statewide balance of grant funds and to the amount of matching funds an applicant is able to make available;

- (2) make recommendations to the legislature for renewable power production reimbursement grants; and
 - (3) not later than 10 days after the first day of each regular legislative session, submit to the legislature a report summarizing and reviewing each grant application submitted under this section and a recommended priority for awarding grants.
- (e) In consultation with the advisory committee established in (i) of this section, the authority shall make recommendations to the legislature regarding eligible applicants' projects that finance feasibility studies, reconnaissance studies, energy resource monitoring, and construction of renewable energy projects, natural gas projects, or transmission or distribution infrastructure located in Alaska that meet the requirements of (f), (g), or (h) of this section, as applicable, and shall, at least once each year, solicit from the advisory committee funding recommendations for all grants.
- (f) For a renewable energy project to qualify for a grant recommendation under (e) of this section, the project must
- (1) be a new project not in operation on August 20, 2008 or an addition to an existing project made after August 20, 2008; and
 - (2) be a
 - A. hydroelectric facility;
 - B. direct use of renewable energy resources;
 - C. facility that generates electricity from fuel cells that use hydrogen from renewable energy resources or natural gas; or
 - D. facility that generates energy from renewable energy resources.
- (g) To qualify for a grant recommendation under (e) of this section, a project that is a natural gas project must benefit a community that
- (1) has a population of 10,000 or less; and
 - (2) does not have economically viable renewable energy resources it can develop.
- (h) To qualify for a grant recommendation under (e) of this section, transmission or distribution infrastructure must link a renewable energy project or natural gas project to the transmission or distribution infrastructure. A grant may be recommended under this subsection even if the grant applicant is not itself financing the construction of the renewable energy project or natural gas project.
- (i) An advisory committee is established and consists of nine members, appointed as follows:

- (1) five members shall be appointed by the governor to staggered three-year terms, with one representative to be appointed from each of the following groups:
 - A. small Alaska rural electric utilities;
 - B. large Alaska urban electric utilities;
 - C. Alaska Native organizations;
 - D. businesses or organizations engaged in the renewable energy sector; and
 - E. the Denali Commission established under P.L. 105-277, 42 U.S.C. 3121 note;
 - (2) two members of the house of representatives shall be appointed by the speaker of the house of representatives; and
 - (3) two members of the senate shall be appointed by the president of the senate.
- (j) A member of the advisory committee appointed under (i) of this section serves without compensation but is entitled to travel and per diem expenses as provided in AS 39.20.180.
- (k) The legislature may appropriate money for grants from the renewable energy grant fund for renewable energy projects described in this section.
- (l) In this section,
- (1) “eligible applicant” means an electric utility holding a certificate of public convenience and necessity under AS 42.05, independent power producer, local government, or other governmental utility, including a tribal council and housing authority;
 - (2) “fund” means the renewable energy grant fund;
 - (3) “hydroelectric facility” has the meaning given to the term “project” under AS 42.45.350;
 - (4) “natural gas project” means use or access of natural gas other than landfill or digester gas;
 - (5) “renewable energy resources” means
 - A. wind, solar, geothermal, wasteheat recovery, hydrothermal, wave, tidal, river in-stream, or hydropower;
 - B. low-emission nontoxic biomass based on solid or liquid organic fuels from wood, forest and field residues, or animal or fish products;
 - C. dedicated energy crops available on a renewable basis; or

D. landfill gas and digester gas.