

Alaska State Legislature

Official Business



State Capitol
Juneau, AK
99801

June 3, 2009

Secretary Steven Chu
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

Dear Secretary Chu,

The purpose of this letter is to explain Alaska's situation with regard to State Energy Program formula grants under the American Recovery and Reinvestment Act and to ask your understanding — and patience — while we resolve an internal disagreement over the funds.

Alaskans face some of the highest energy costs in the nation. It probably is no surprise to your office that the 680,000 Alaskans have a keen and personal interest in energy-efficiency programs and are always looking for opportunities to reduce heating and lighting costs for their homes and businesses. Our state is a leader in cold-climate construction research and application, and we appreciate all that the U.S. Department of Energy has done to assist Alaska in its endeavors.

The Alaska Legislature, by a combined tally of 55-4, voted in April to accept and appropriate all of the ARRA funds offered to the state, including the State Energy Program funds. Our governor, however, chose to veto the \$28.56 million legislative appropriation of State Energy Program funds. The governor's veto occurred more than a month after the legislative session adjourned for the year on April 19. The Alaska Constitution provides that the Legislature may choose to override an executive veto during the first five days of the next legislative session, scheduled to convene January 19, 2010.

The application material for the State Energy Program funds (No. DE-FOA-0000052) lists May 12, 2009, as the application deadline for the states. However, we have been told informally that the department is willing to accept applications past the deadline from those states facing internal problems meeting the deadline. Our question to you today is: Can you assure us that Alaska will remain eligible for the funds until the Legislature reconvenes in January and has an opportunity to consider a veto override? We realize this is several months past the May 12 deadline, but we hope you will be willing to accommodate our legislative calendar and grant our request.

The application material for the State Energy Program funds requires that the governor sign a certification that the state will abide by the requirements of Section 410 of ARRA (Attachment 3 to the application). If the Legislature votes to override the veto and our governor still declines to sign the certification, would you accept a legislative resolution certifying the requirements of Section 410 in lieu of the governor's signature? It would seem such an alternate certification would be in keeping with the intent of Section 1607 of ARRA, which allows state legislatures to speak for their state if a governor chooses not to participate in any of the Recovery Act programs.

We appreciate your consideration of our questions, and we look forward to discussions with your office. Alaska could do good things with this funding, and we welcome the opportunity to participate in our nation's push toward improved energy efficiency.

Sincerely,



Senator Gary Stevens
Senate President



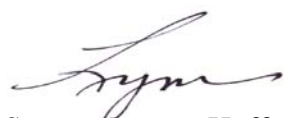
Representative Mike Chenault
Speaker of the House



Senator Bert Stedman
Co-Chair, Senate Finance Committee



Representative Mike Hawker
Co-Chair, House Finance Committee



Senator Lyman Hoffman
Co-Chair, Senate Finance Committee



Representative Bill Stoltze
Co-Chair, House Finance Committee



Representative Beth Kerttula
House Minority Leader

cc: The Honorable Senator Lisa Murkowski
The Honorable Senator Mark Begich
The Honorable Representative Don Young