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Governor Mike Dunleavy
STATE OF ALASKA

January 16, 2024

The Honorable Gary Stevens
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

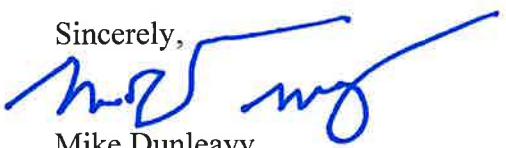
Dear President Stevens:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to the power of the Alaska Housing Finance Corporation (Corporation) to make or purchase mortgage loans for single family residences. This bill will provide Alaskans with greater access to quality housing by removing current restrictions on the Corporation's power to make, purchase, and participate in the purchase of first and second mortgage loans for single family residences.

The Corporation's primary business is to provide home loans to Alaskans. In making or purchasing these loans, the Corporation competes with government sponsored entities, including the Federal National Mortgage Association (Fannie Mae) which can offer home loans with down payments as low as three percent. However, many families in Alaska cannot qualify for a loan from a government sponsored entity and existing statutory restrictions prohibit the Corporation from purchasing or making a first mortgage loan that has a loan-to-value ratio that exceeds 95 percent. Removal of this limitation will allow the Corporation to modify its residential lending programs to provide additional loan opportunities for these families.

The bill would also simplify the Corporation's ability to make or purchase second mortgages by removing duplicative language regarding loan-to-value calculations and limits tied to loans purchased by Fannie Mae for similar housing. If the bill passes, simplified statutory language would prohibit the Corporation from making, purchasing, or participating in the purchase of a second mortgage on a single-family residence that, when combined with the principal balance of a first mortgage loan on the property, has a loan-to-value-ratio that exceeds 90 percent.

I urge your prompt and favorable action on this measure.

Sincerely,

Mike Dunleavy
Governor

Enclosure

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the power of the Alaska Housing Finance Corporation to make or**
2 **purchase mortgage loans."**

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

4 * **Section 1.** AS 18.56.096(a) is amended to read:

5 (a) The corporation may not make, participate in the making of, purchase, or
6 participate in the purchase of

7 (1) a first mortgage loan under this chapter for a duplex, triplex, or
8 four-plex that exceeds the limitations on first mortgage loans for similar housing
9 purchased by the Federal National Mortgage Association as to principal amount and
10 loan-to-value ratio;

11 (2) a second mortgage loan for a duplex, triplex, or four-plex the
12 amount of which, when combined with the principal balance of a first mortgage loan
13 on the property, exceeds the limitation on the amount set out in (1) of this subsection
14 or that has a loan-to-value ratio, when considered with the principal balance of the first

1 mortgage loan, that exceeds 90 percent;

2 (3) a mortgage loan to finance the purchase of new housing or for the
3 improvement or rehabilitation of existing housing, unless the construction,
4 improvement, or rehabilitation work has been performed by a contractor who is
5 registered to work as a contractor under AS 08.18; this paragraph does not apply if the
6 construction, improvement, or rehabilitation work

7 (A) has been totally or substantially performed by the
8 borrower;

9 (B) has been performed by a borrower who acts as the
10 contractor for the construction, improvement, or rehabilitation work; or

11 (C) has been performed in an area designated by the
12 corporation as exempt from the requirements of this paragraph because of the
13 unavailability of registered contractors in that area;

14 (4) a first mortgage loan for a single-family residence that exceeds the
15 limitations on first mortgage loans for similar housing purchased by the Federal
16 National Mortgage Association as to principal amount by more than 10 percent [, OR
17 HAS A LOAN-TO-VALUE RATIO THAT EXCEEDS 95 PERCENT,] or a second
18 mortgage loan for a single-family residence, the amount of which, when combined
19 with the principal balance of a first mortgage loan on the property, [EXCEEDS THE
20 LIMITATIONS ON LOANS FOR SIMILAR HOUSING PURCHASED BY THE
21 FEDERAL NATIONAL MORTGAGE ASSOCIATION AS TO PRINCIPAL
22 AMOUNT BY MORE THAN 10 PERCENT, OR] has a loan-to-value ratio [, WHEN
23 CONSIDERED WITH THE PRINCIPAL BALANCE OF THE FIRST MORTGAGE
24 LOAN,] that exceeds 90 percent;

25 (5) a first or second mortgage loan for rental housing unless the
26 borrower agrees not to discriminate against tenants or prospective tenants because of
27 sex, marital status, changes in marital status, pregnancy, parenthood, race, religion,
28 color, national origin, or status as a student;

29 (6) a first mortgage loan if the borrower has an outstanding first
30 mortgage housing loan under this chapter or an outstanding first mortgage loan for
31 owner-occupied housing under former provisions of AS 44.47; or

(7) a loan to a person who has a past due child support obligation established by court order or by the child support services agency under AS 25.27.160 - 25.27.220 at the time of application.

Fiscal Note

State of Alaska
2024 Legislative Session

Bill Version: GB 54
Fiscal Note Number:
(-) Publish Date:

Identifier: 0318-DOR-AHFC-12-11-2023
Title: AHFC LOAN TO VALUE
Sponsor: RULES BY REQUEST OF THE GOVERNOR
Requester: Governor

Department: Department of Revenue
Appropriation: Alaska Housing Finance Corporation
Allocation: AHFC Operations
OMB Component Number: 110

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2025 Appropriation Requested	Included in Governor's FY2025 Request	Out-Year Cost Estimates				
			FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2025	FY 2025					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0						

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0						

Estimated SUPPLEMENTAL (FY2024) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2025) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No

(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/01/24

Why this fiscal note differs from previous version/comments:

Initial version, not applicable.

Prepared By:
Division:
Approved By:
Agency:

James Wiedle, Budget Director
Alaska Housing Finance Corporation
Eric DeMoulin, Administrative Services Director
Department of Revenue, Administrative Services

Phone: (907)330-8359
Date: 01/16/2024 10:30 AM
Date: 01/16/24

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2024 LEGISLATIVE SESSION

BILL NO. LL0318

Analysis

The proposed legislation modifies AS 18.56.096(a) by adding additional language concerning loan-to-value ratios on home mortgages. The modification is not anticipated to incur any additional costs.

The legislation would require promulgation of regulations, which is anticipated to take up to five months.