

HOUSE BILL NO. 361

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MACKIE

Introduced: 12/29/95

Referred: Community and Regional Affairs, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to municipal capital project matching grants for a municipality**
2 **organized under federal law as an Indian reserve; and providing for an effective**
3 **date."**

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

5 *** Section 1.** AS 37.06 is amended by adding a new section to read:

6 Sec. 37.06.040. MUNICIPALITIES ORGANIZED UNDER FEDERAL LAW.

7 A municipality organized under federal law as an Indian reserve that existed before
8 enactment of 43 U.S.C. 1618(a) and is continued in existence under that subsection is
9 a municipality for purposes of AS 37.06.010 - 37.06.090 and may not receive a grant
10 under AS 37.06.020. In addition to other eligibility requirements applicable to
11 municipalities, to qualify to receive a grant under AS 37.06.010, a municipality
12 organized under federal law as an Indian reserve shall form a community development
13 corporation with authority to determine how the grant money will be used. The
14 corporation's charter must require that the governing board of the corporation shall be

1 elected at an annual election open to all residents of the municipality who are
2 registered and qualified to vote in state elections. The Department of Administration
3 may distribute money for the municipality only to a corporation organized in
4 accordance with this section and only after the corporation has delivered a written
5 waiver of sovereign immunity from legal action by the state to recover all or a portion
6 of the money distributed under AS 37.06.010.

7 * **Sec. 2.** TRANSITION. Money in an individual grant account established under
8 AS 37.06.020 before the effective date of this Act for a municipality organized under federal
9 law as an Indian reserve that existed before enactment of 43 U.S.C. 1618(a) and is continued
10 in existence under that subsection shall be transferred by the Department of Community and
11 Regional Affairs to the Department of Administration and allocated to the individual grant
12 account established for that municipality under AS 37.06.010.

13 * **Sec. 3.** This Act takes effect July 1, 1996.