

Introduced: 2/18/80
Referred: Commerce and Finance

1 IN THE SENATE

BY HOHMAN

2 SENATE BILL NO. 491

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act repealing the Alaska State Housing Authority;
7 distributing its assets and liabilities; and providing
8 for an effective date."

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

10 * Section 1. TRANSFER OF MODERATE COST AND RENTAL HOUSING FROM THE ALASKA
11 STATE HOUSING AUTHORITY. (a) The Alaska State Housing Authority shall
12 immediately transfer the assets and liabilities it owns as a result of its
13 activities under AS 18.55.300 - 18.55.470 within a borough to the borough
14 unless the borough refuses to accept the transfer. If the borough refuses to
15 accept the transfer, and the assets and liabilities were owned as a result of
16 the authority's activities under AS 18.55.300 - 18.55.470 within a first
17 class city in the borough, the authority shall transfer the assets and liabil-
18 ities to the first class city unless the first class city refuses to accept
19 the transfer. If the transfer is refused by the borough and, when applicable,
20 by the first class city, or if the assets and liabilities are not owned as a
21 result of the authority's activities under AS 18.55.300 - 18.55.470 within a
22 borough, the authority shall transfer the assets and liabilities to the
23 appropriate regional native housing authority created in AS 18.55.996(b)
24 unless the regional native housing authority refuses to accept the transfer.
25 If the regional native housing authority refuses to accept the transfer, the
26 authority shall transfer the assets and liabilities to the Department of
27 Community and Regional Affairs.

28 (b) Notwithstanding the provisions of AS 29.58.200, a municipality
29 which refuses to accept a transfer under (a) of this section may not issue

1 revenue bonds to finance housing construction.

2 (c) The provisions of (b) of this section apply to home rule munici-
3 palities and constitute a prohibition on a home rule municipality from acting
4 otherwise than as provided.

5 * Sec. 2. TRANSFER OF SLUM CLEARANCE AND REDEVELOPMENT FROM THE ALASKA
6 STATE HOUSING AUTHORITY. (a) The Alaska State Housing Authority shall
7 immediately transfer the assets and liabilities it owns as a result of its
8 activities under AS 18.55.480 - 18.55.960 in accordance with (b) of this
9 section.

10 (b) If the activities described in (a) of this section took place
11 within a borough, the transfer shall be made to the borough. If the activi-
12 ties described in (a) of this section took place within a city which is not
13 located within a borough, the transfer shall be made to the city.

14 (c) The city or borough shall accept the transfer required under (a) of
15 this section and is responsible for the management of the assets and liabili-
16 ties and the operation of the project of which the assets and liabilities are
17 a part in accordance with any applicable contractual or legal obligations.

18 (d) The provisions of (c) of this section apply to home rule municipali-
19 ties and constitute a prohibition on a home rule municipality from acting
20 otherwise than as provided.

21 * Sec. 3. TRANSFER OF LEASE BOND RESPONSIBILITIES FROM THE ALASKA STATE
22 HOUSING AUTHORITY. Notwithstanding secs. 1 and 2 of this Act, the Alaska
23 State Housing Authority shall transfer to the Department of Administration
24 all assets, liabilities and responsibilities relating to lease bonds issued
25 under AS 18.55.105, repealed by sec. 3, ch. 118, SLA 1967. The Department of
26 Administration shall accept the transfer.

27 * Sec. 4. HOUSING INDEMNIFICATION FUND. (a) There is established as a
28 special account within the general fund the housing indemnification fund.
29 The fund consists of money appropriated to it by the legislature. The com-

1 commissioner of revenue shall administer the fund.

2 (b) Money in the housing indemnification fund may be used for the
3 completion of projects begun by the Alaska State Housing Authority under the
4 authority of AS 18.55.300 - 18.55.470. A municipality or a regional native
5 housing authority is eligible for a grant from the housing indemnification
6 fund if

7 (1) it has accepted a transfer of assets and liabilities under
8 sec. 1 of this Act; and

9 (2) the assets, reduced by the liabilities, together with the
10 revenue generated by the project to which the assets and liabilities relate,
11 are insufficient to complete the project to which the assets and liabilities
12 relate.

13 (c) The commissioner of revenue shall make grants from the housing
14 indemnification fund to eligible recipients in the amount necessary to com-
15 plete the projects begun under the authority of AS 18.55.300 - 18.55.470.

16 (d) The commissioner of revenue may adopt regulations in accordance
17 with the Administrative Procedure Act (AS 44.62) for the administration of
18 this section and of sec. 5 of this Act.

19 * Sec. 5. There is established as a special account within the general
20 fund the Alaska State Housing Authority bonds trust account. The Alaska
21 State Housing Authority shall transfer money of the Alaska State Housing
22 Authority not transferred under secs. 1 - 3 of this Act to the Alaska State
23 Housing Authority bonds trust account. The commissioner of revenue shall
24 administer the Alaska State Housing Authority bonds trust account and shall
25 use the money available in the trust account to repay outstanding obligations
26 of the Alaska State Housing Authority in accordance with the bond covenants
27 and terms of contracts relating to the obligations, unless the responsibility
28 for repayment of the outstanding obligations has been assumed by a borough,
29 first class city, regional native housing authority, or state agency.

1 * Sec. 6. BONDHOLDERS INFORMATION. When the Alaska State Housing Author-
2 ity transfers assets under sec. 1 or 2 of this Act, and the revenue produced
3 by that asset has been pledged to retire a bond issued by the authority, the
4 authority shall notify the bondholders of the transfer. The notification
5 shall identify the asset, fix its location, and provide the official name and
6 business address of the new owner.

7 * Sec. 7. AS 18.55.010 - 18.55.960 are repealed.

8 * Sec. 8. Sections 1 - 6 and 8 of this Act take effect immediately in
9 accordance with AS 01.10.070(c). Section 7 of this Act takes effect July 1,
10 1980.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29