

Introduced: 5/20/81
Referred: Finance

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 583

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to housing authorities."

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

8 * Section 1. AS 18.55.020 is amended to read:

9 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. (a) There is
10 created in [WITHIN] the Department of Commerce and Economic Development
11 the Alaska State Housing Authority consisting of the commissioner of
12 commerce and economic development or his designee and four residents of
13 the state.

14 (b) The term of office of a board member, other than the commis-
15 sioner of commerce and economic development or his designee, is three
16 years. The terms of office are staggered, with two terms expiring
17 every third year beginning with 1968, and one term expiring each remain-
18 ing year.

19 * Sec. 2. AS 18.55.140 is amended to read:

20 Sec. 18.55.140. ISSUANCE OF BONDS, NOTES, AND REFUNDING BONDS.
21 The authority may issue bonds and notes from time to time in its dis-
22 cretion for any of its corporate purposes and may issue refunding bonds
23 for the purpose of paying or retiring bonds previously issued by it.

24 * Sec. 3. AS 18.55.180 is amended to read:

25 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds
26 and notes of the authority are authorized by adoption of a resolution
27 prescribing the date of issuance and maturity, interest rate, denomina-
28 tion, for conversion privilege, rank or priority, execution, terms of
29 redemption, medium and place of payment. Bonds and notes may be sold

1 in the manner, on the terms, and at the price the authority determines.

2 [BONDS MAY BE SOLD AT PUBLIC OR PRIVATE SALE AT NOT LESS THAN PAR.]

3 Each bond and note is negotiable. The signature of a member or an
4 officer upon a bond or note or coupon is not invalidated by his ceasing
5 to hold office before the delivery of the bond or note. The recitation
6 of a bond or note that it has been issued in the financing of a housing
7 or public building project under AS 18.55.010 - 18.55.290 is conclusive
8 as to the issuance of the bond or note and the character of the project
9 in a challenge of the validity of the bond or note or the security for
10 it.

11 * Sec. 4. AS 18.55.185 is repealed and reenacted to read:

12 Sec. 18.55.185. INDEPENDENT FINANCIAL ADVISOR. In negotiating
13 the private sale of bonds or bond anticipation notes to an underwriter,
14 the corporation shall retain a financial advisor who is independent
15 from the underwriter. The financial advisor may not bid on the bonds
16 or notes if offered at public sale or negotiate for their purchase if
17 sold at private sale.

18 * Sec. 5. AS 18.55.570 is amended to read:

19 Sec. 18.55.570. ISSUANCE OF BONDS AND NOTES. (a) The authority
20 may issue bonds and notes from time to time for any of its corporate
21 purposes including the payment of principal and interest upon advances
22 for surveys and plans for redevelopment projects. The authority may
23 issue refunding bonds for the purpose of the payment or retirement or
24 in exchange for bonds previously issued by it. The authority may issue
25 the types of bonds and notes it determines, including bonds and notes
26 on which the principal and interest are payable (1) exclusively from
27 the income, proceeds, and revenues of the redevelopment project financed
28 with the proceeds of the bonds or notes, or (2) exclusively from the
29 income, proceeds, and revenues of any of its redevelopment projects

1 whether or not they are financed in whole or in part with the proceeds
2 of the bonds or notes, or (3) in whole or in part from taxes allocated
3 to, and paid into a special fund by a city, borough, or other taxing
4 agency under the provisions of AS 18.55.695 - 18.55.700. The bonds
5 or notes may be further secured by a pledge of all or any part of a
6 loan, grant or contribution from the federal government or from another
7 source, or by a mortgage of a redevelopment project of the authority.

8 (b) The members of the authority or a person executing the bonds
9 or notes shall not be liable personally on the bonds or notes by reason
10 of the issuance of them. The bonds, notes, and other obligations of the
11 authority are not a debt of the municipality, the state or the United
12 States, and neither the municipality, the state nor the United States
13 is liable on them, nor are the bonds, notes, or obligations payable out
14 of funds or properties other than those of the authority acquired for
15 the purposes of AS 18.55.480 - 18.55.960 and each bond and note shall
16 state this on its face. A bond or note does not constitute an indebted-
17 ness within the meaning of any constitutional or statutory debt limita-
18 tion or restriction. Bonds and notes of the authority issued under
19 AS 18.55.480 - 18.55.960 are declared to be issued for an essential
20 public and governmental purpose and, together with interest on them and
21 income from them shall be exempt from all taxes.

22 (c) Bonds and notes of the authority issued under AS 18.55.480 -
23 18.55.960 shall be authorized by its resolution and may be issued in
24 one or more series and shall bear the date or dates, be payable upon
25 demand or mature at the time or times, bear interest at the rate or
26 rates provided for bonds and notes of the authority under AS 18.55.190,
27 be in the denomination or denominations, be in the form either coupon
28 or registered, carry the conversion or registration privileges, have
29 the rank or priority, be executed in the manner, be payable in the

1 medium of payment, at the place or places, and be subject to the terms
2 of redemption, with or without premium, which the resolution, its trust
3 indenture or mortgage provides.

4 (d) Bonds and notes may be sold in the manner, on the terms, and
5 at the price the authority determines [THE BONDS MAY BE SOLD AT PUBLIC
6 OR PRIVATE SALE AT NOT LESS THAN PAR].

7 (e) If a member or officer of the authority whose signature
8 appears on a bond, note, or coupon ceases to be a member or officer
9 before the delivery of the bonds or notes, the signature is nevertheless
10 valid and sufficient for all purposes [THE SAME] as if he had remained
11 in office until delivery. Any provision of [ANY] law to the contrary
12 notwithstanding, bonds and notes issued under [PURSUANT TO] AS 18.55.-
13 480 - 18.55.960 are negotiable.

14 (f) In an action or proceeding involving the validity or enforce-
15 ability of a bond or note or security for a bond or note issued under
16 AS 18.55.480 - 18.55.960, where the bond or note recites in substance
17 that it has been issued by the authority to aid in financing a redevelop-
18 ment project, the bond or note is conclusive proof that it has been
19 issued for that purpose and the project is conclusively considered to
20 have been planned, located and carried out in accordance with the
21 purposes and provisions of AS 18.55.480 - 18.55.960.
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