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Referred: State Affairs, Community &
Regional Affairs and Finance

1 IN THE HOUSE

BY LACHER

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HOUSE BILL NO. 164

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act providing for the distribution of Alaska permanent fund income to municipalities and unincorporated communities; repealing the permanent fund dividend program (AS 43.23); and providing for an effective date."

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

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* Section 1. AS 37.13.145 is amended to read:

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* Sec. 2. AS 37.13 is amended by adding new sections to read:

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Sec. 37.13.147. DISTRIBUTION TO MUNICIPALITIES. (a) A portion of the money that is transferred to the undistributed income account in the Alaska permanent fund under AS 37.13.145 shall annually be

1 distributed to or invested for municipalities of the state by the
2 commissioner of revenue for the purposes and under the conditions set
3 out in this section.

4 (b) The amount to which a municipality is entitled under this
5 section shall be determined by multiplying the total amount available
6 for distribution by a fraction, the numerator of which is the popula-
7 tion of the municipality and the denominator of which is the total
8 population of all municipalities and unincorporated communities eligi-
9 ble for a distribution under this section and AS 37.13.148. The
10 population of a municipality shall be determined annually by the
11 latest figures of the United States Bureau of the Census or other
12 population data that, in the judgment of the commissioner of revenue,
13 is reliable. For the purposes of this section the population of a
14 municipality includes the population of any military reservation that
15 is a part of the municipality. To determine the population of a home
16 rule or general law borough, the population of each city located
17 within the boundaries of the borough shall be subtracted from the
18 population of the borough.

19 (c) Money received by a municipality under this section shall be
20 invested by the municipality. Investments under this subsection shall
21 be limited to those authorized for the Alaska permanent fund under
22 AS 37.13.120. At least 25 percent of the income from investments made
23 under this subsection shall be reinvested under the same limitation
24 that applies to the original investment. The balance of the income
25 received by a municipality from investments made under this subsection
26 shall be used for municipal purposes as determined by the municipal-
27 ity.

28 (d) Notwithstanding (c) of this section a municipality may leave
29 money to which it is entitled under this section in the undistributed

1 income account of the Alaska permanent fund, to be invested in the
2 name of the municipality by the corporation in accordance with AS 37.-
3 13.120. The corporation shall pay 75 percent of the income earned on
4 money left by a municipality in the undistributed income account to
5 that municipality to be used for municipal purposes and shall reinvest
6 the remaining 25 percent for the municipality. The municipality may
7 withdraw its money, together with accumulated income, from the undis-
8 tributed income account upon giving 90 days notice to the corporation.
9 If a municipality withdraws its money from the undistributed income
10 account it shall invest the money in accordance with (c) of this
11 section.

12 (e) In this section

13 (1) "municipality" means a general law or home rule city, a
14 general law or home rule borough, or a unified municipality, organized
15 under the laws of the state;

16 (2) "unincorporated community" has the same meaning set out
17 in AS 37.13.148(d).

18 Sec. 37.13.148. DISTRIBUTION TO UNINCORPORATED COMMUNITIES. (a)
19 A portion of the money that is transferred to the undistributed income
20 account in the Alaska permanent fund under AS 37.13.145 shall annually
21 be distributed to or invested for unincorporated communities of the
22 state by the commissioner of revenue for the purposes and under the
23 conditions set out in this section.

24 (b) The amount to which an unincorporated community is entitled
25 under this section shall be determined by multiplying the total amount
26 to be distributed by a fraction, the numerator of which is the popula-
27 tion of the unincorporated community and the denominator of which is
28 the total population of all municipalities and unincorporated commu-
29 nities eligible for a distribution under this section and

1 AS 37.13.147. The population of an unincorporated community shall be
2 determined from the latest figures of the United States Bureau of the
3 Census.

4 (c) If the attorney general determines that an unincorporated
5 community has the legal capacity to invest money received under this
6 section, the money to which that community is entitled shall be dis-
7 tributed to the community and invested in the same manner set out for
8 a municipality in AS 37.13.147(c). If the attorney general determines
9 that an unincorporated community does not have the legal capacity to
10 invest the money to which it is entitled under this section the money
11 shall be retained in the undistributed income account in the name of
12 the unincorporated community and invested and distributed in the same
13 manner provided for a municipality under AS 37.13.147(d). An unincor-
14 porated community that is entitled to receive its money directly under
15 this subsection may choose to leave the money in the undistributed
16 income account in the Alaska permanent fund to be invested and dis-
17 tributed in the same manner provided for a municipality under AS 37.-
18 13.147(d).

19 (d) In this section

20 (1) "municipality" has the same meaning set out in AS 37.-
21 13.147(e); and

22 (2) "unincorporated community" means a place in the unor-
23 ganized borough, not incorporated as a municipality, in which 25 or
24 more persons reside as a social unit.

25 * Sec. 3. AS 43.23 is repealed.

26 * Sec. 4. Money and other assets held in the dividend fund repealed by
27 sec. 3 of this Act (AS 43.23.045), except for money needed to pay 1982
28 permanent fund dividends due but not paid on the effective date of this
29 Act, are transferred to the undistributed income account of the Alaska

1 permanent fund (AS 37.13.145) on the effective date of this Act.

2 * Sec. 5. Section 3 of this Act is retroactive to January 1, 1983 and
3 applies to permanent fund dividend distributions for years after 1982.

4 * Sec. 6. AS 09.20.050(b) is amended to read:

5 (b) The jury list shall be based on a list of all persons who
6 purchased a resident trapping, hunting or fishing license during the
7 preceding calendar year which showed an Alaskan address (to be pre-
8 pared by the Department of Fish and Game), [ALIST OF ALL PERSONS WHO
9 FILED FOR A DISTRIBUTION OF ALASKA PERMANENT FUND INCOME UNDER AS 43.-
10 23.010 - 43.23.100 DURING THE PRECEDING CALENDAR YEAR WHICH SHOWED AN
11 ALASKAN ADDRESS (TO BE PREPARED BY THE DEPARTMENT OF REVENUE),] a list
12 of all persons who have registered to vote in this state (to be pre-
13 pared by the director of elections), and, if considered necessary by
14 the administrative director of courts, a list of all persons who hold
15 a valid Alaska drivers' license (to be prepared by the Department of
16 Public Safety). The departments and the director of elections shall
17 submit their respective lists to the Department of Administration not
18 later than January 15 of each year. To the extent that it is avail-
19 able, the lists submitted by the departments and the director of
20 elections shall contain the following information for each person on
21 the list for the preceding calendar year: first name, middle initial,
22 and last name; residence address as well as mailing address, including
23 the zip code for each; birth date; and the number of years and months
24 the person has been a resident of the state. The lists submitted by
25 the departments and the director of elections shall be recorded on
26 magnetic tape compatible with Department of Administration data pro-
27 cessing equipment.

28 * Sec. 7. This Act takes effect immediately in accordance with AS 01.-
29 10.070(c).