

Offered: 6/9/83
Referred: Finance

Original sponsor: House Special Committee
on State Loans

1 IN THE HOUSE BY THE LABOR AND COMMERCE COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 302 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to state housing loan and state
7 alternative technology loan programs; and providing
8 for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 18.55.996(a) is amended by adding a new paragraph to
11 read:
12 (14) Sitka Community Association (Baranof Island)
13 * Sec. 2. AS 18.56 is amended by adding a new section to read:
14 Sec. 18.56.082. ALASKA HOUSING FINANCE REVOLVING FUND. The
15 Alaska housing finance revolving fund is established in the corpora-
16 tion. The revolving fund consists of appropriations made to the
17 revolving fund by the legislature, money or other assets transferred
18 to the revolving fund by the corporation, repayments of principal and
19 interest on loans made or purchased by the corporation, and the earn-
20 ings on all other investments of the corporation that are not pledged
21 to the payment of bonds or required, under agreements with bond-
22 holders, to be otherwise held or disposed of. Amounts deposited in
23 the revolving fund shall be expended for the purposes of the corpora-
24 tion, set out in this chapter.
25 * Sec. 3. AS 18.56.089 is amended to read:
26 Sec. 18.56.089. EXECUTIVE BUDGET ACT. The operating budget of
27 the corporation is subject to the Executive Budget Act (AS 37.07). To
28 further ensure effective budgetary decision making by the legislature,
29 the corporation shall present a complete accounting of the Alaska

1 housing finance revolving fund to the legislature by January 10 of
2 each year. The accounting shall be audited by an independent outside
3 auditor and shall include a full description of all mortgage loan
4 interest and principal repayments and program receipts, including
5 mortgage loan commitment fees, received by or accrued to the
6 corporation during the preceding fiscal year, and all income earned on
7 assets of the corporation during that period, including earnings on
8 assets of the state assisted mortgage fund [FOR FISCAL YEARS BEGINNING
9 AFTER JUNE 30, 1981].

10 * Sec. 4. AS 18.56.096(1) is amended to read:

11 (1) a first mortgage loan under this chapter for a duplex,
12 triplex, or four-plex that exceeds the limitations on first mortgage
13 loans for similar housing purchased by the Federal National Mortgage
14 Association as to principal amount and loan-to-value ratio; [OR]

15 * Sec. 5. AS 18.56.096(2) is amended to read:

16 (2) a second mortgage loan for a duplex, triplex, or four-
17 plex the amount of which, when combined with the principal balance of
18 a first mortgage loan on the property, exceeds the limitation on the
19 amount set out in (1) of this section or that has a loan-to-value
20 ratio, when considered with the principal balance of the first mort-
21 gage loan, that exceeds 90 percent; [.]

22 * Sec. 6. AS 18.56.096 is amended by adding new paragraphs to read:

23 (4) a first mortgage loan for a single-family residence
24 that exceeds the limitations on first mortgage loans for similar
25 housing purchased by the Federal National Mortgage Association as to
26 principal amount by more than 10 percent, or has a loan-to-value ratio
27 that exceeds 95 percent, or a second mortgage loan for a single-family
28 residence, the amount of which, when combined with the principal
29 balance of a first mortgage loan on the property, exceeds the

1 limitations on loans for similar housing purchased by the Federal
2 National Mortgage Association as to principal amount by more than 10
3 percent, or has a loan-to-value ratio, when considered with the prin-
4 cipal balance of the first mortgage loan, that exceeds 90 percent; or

5 (5) a first or second mortgage loan for rental housing
6 unless the borrower agrees not to discriminate against tenants or
7 prospective tenants because of sex, marital status, changes in marital
8 status, pregnancy, parenthood, race, religion, color, national origin,
9 or status as a student.

10 * Sec. 7. AS 18.56.098(g)(1) is amended to read:

11 (1) The interest rate on the first \$90,000 of a mortgage
12 loan purchased with the proceeds of an [THE FIRST] issue of taxable
13 bonds of the corporation is three percent less than [10 PERCENT OR]
14 the cost of funds of that issue, except that

15 (A) if the cost of funds of that issue is less than 10
16 percent, the interest rate is equal to the cost of funds; and

17 (B) if the cost of funds of that issue is more than 10
18 percent, the interest rate may not be less than 10 percent [,
19 WHICHEVER IS LESS].

20 * Sec. 8. AS 18.56.098(g)(5) is amended to read:

21 (5) The interest rate on the first \$90,000 of a mortgage
22 loan purchased with [FROM] money that is not the proceeds of either
23 taxable or tax-exempt bonds [APPROPRIATED TO THE CORPORATION] is the
24 rate the corporation determines is appropriate by application of the
25 provisions of (1) [- (4)] of this subsection. [THE RATE MAY BE BASED
26 ON AN ESTIMATE OF THE COST OF FUNDS OF A PROPOSED ISSUE OR ISSUES OF
27 BONDS.]

28 * Sec. 9. AS 18.56.101 is amended to read:

29 Sec. 18.56.101. ELIGIBILITY FOR VETERANS' INTEREST RATES. The

1 following persons are eligible veterans for the purposes of AS 18.56.-
2 098(g) and (h):

3 (1) a person who served in the armed forces of the United
4 States for 90 days or more, or whose service was for less than 90 days
5 because of injury or disability incurred in the line of duty, after
6 April 6, 1917,

7 [(A) WHO AT THE TIME OF INDUCTION INTO THE SERVICE WAS
8 A RESIDENT OF THE TERRITORY OR STATE, WHO HAD BEEN A RESIDENT FOR
9 NOT LESS THAN ONE YEAR IMMEDIATELY BEFORE HIS INDUCTION, AND WHO
10 RETURNED TO THE TERRITORY OR STATE WITHIN ONE YEAR AFTER DIS-
11 CHARGE AS A RESIDENT WITH THE INTENTION OF REMAINING IN THE
12 TERRITORY OR STATE; OR

13 (B) WHO, NOT BEING A BONA FIDE RESIDENT OF THE TERRI-
14 TORY OR STATE AT THE TIME OF ENTRY INTO THE SERVICE, HAS BEEN A
15 RESIDENT OF THE TERRITORY OR STATE FOR AT LEAST ONE YEAR AT THE
16 TIME OF THE LOAN APPLICATION AND HAS BEEN A RESIDENT TO THE
17 TERRITORY OR STATE FOR AT LEAST FIVE YEARS; AND

18 (C)] whose discharge was under honorable conditions;

19 (2) the widow or widower of a member of the armed forces or
20 an eligible veteran if

21 [(A) THE MEMBER OR VETERAN WAS A RESIDENT OF THE TERRI-
22 TORY OR STATE FOR ONE YEAR BEFORE INDUCTION INTO THE SERVICE;

23 (B)] the member or veteran served in the armed forces
24 for at least 90 days after April 6, 1917 [;] and

25 [(C)] the veteran's [HIS] discharge was under honorable
26 conditions;

27 (3) a person who has served for not less than five years in
28 the Alaska Army National Guard, or the Alaska Air National Guard, [OR
29 THE ALASKA NAVAL MILITIA] or [WHO HAS SERVED IN] a reserve unit of the

1 United States armed forces [IN ALASKA] if the reserve unit required,
2 as a minimum, one weekend each month of duty and 15 consecutive days
3 of active duty training each year [FOR NOT LESS THAN FIVE YEARS] and
4 whose discharge was under honorable conditions.

5 * Sec. 10. AS 18.56.115 is amended to read:

6 Sec. 18.56.115. INDEPENDENT FINANCIAL ADVISOR. In negotiating
7 the private sale of bonds or bond anticipation notes to an under-
8 writer, the corporation may [SHALL] retain a financial advisor. A
9 financial advisor retained under this section must be [WHO IS] inde-
10 pendent from the underwriter.

11 * Sec. 11. AS 18.56 is amended by adding a new section to read:

12 Sec. 18.56.205. RESIDENTIAL MORTGAGE ASSISTANCE FOR MEMBERS OF
13 THE ALASKA DELEGATION TO CONGRESS. The corporation may extend the
14 special mortgage loan purchase program (AS 18.56.098) to purchase a
15 mortgage loan made for the purchase or rehabilitation of a residence
16 located in the District of Columbia or within 50 miles of the District
17 of Columbia to a member of the United States Congress from Alaska if
18 the member is otherwise qualified for assistance under the special
19 mortgage loan purchase program.

20 * Sec. 12. AS 44.47.380 is amended to read:

21 Sec. 44.47.380. HOUSING ASSISTANCE LOAN FUND. There is created
22 in the Department of Community and Regional Affairs, as a revolving
23 loan fund, the housing assistance loan fund consisting of money appro-
24 priated to it by the legislature and repayments of principal and
25 interest on loans made or purchased from the assets of the fund.
26 [INTEREST ON LOANS MADE OR PURCHASED FROM THE ASSETS OF THE FUND MUST
27 BE TRANSFERRED TO THE DEPARTMENT OF REVENUE FOR DEPOSIT IN THE GENERAL
28 FUND.] The director shall administer the housing assistance loan fund
29 in accordance with AS 44.47.360 - 44.47.560 and shall use the money in

1 the housing assistance loan fund to originate, purchase, or partici-
2 pate in the purchase of

3 (1) nonconforming and rural housing mortgage loans;

4 (2) loans made for building materials for nonconforming and
5 rural housing;

6 (3) loans made for renovations or improvements to noncon-
7 forming and rural housing;

8 (4) loans made for the construction of owner-occupied
9 nonconforming and rural housing other than loans to builders or con-
10 tractors or loans that compensate an owner for the owner's labor or
11 services in constructing the owner's own housing.

12 * Sec. 13. AS 44.47 is amended by adding a new section to read:

13 Sec. 44.47.382. HOME OWNERSHIP ASSISTANCE FUND. (a) There is
14 created in the Department of Community and Regional Affairs, the home
15 ownership assistance fund consisting of money appropriated to it by
16 the legislature. Money in the fund shall be used solely to assist
17 persons of lower and moderate income to purchase or construct single-
18 family homes financed under AS 44.47.360 - 44.47.560 by providing a
19 subsidy to those persons.

20 (b) The subsidy provided by this section may not exceed the
21 amount that is necessary to reduce the annual interest rate paid on
22 the mortgage loan to six percent.

23 (c) A mortgage loan that is subsidized from the home ownership
24 assistance fund may not exceed \$120,000.

25 (d) The division shall adopt regulations that establish maximum
26 income-to-loan payment ratios for persons who apply for a subsidy
27 under this section.

28 (e) In this section, "persons of lower and moderate income"
29 means individuals considered by the division to require assistance

1 under this section because of inadequate income or other limited
2 personal financial resources, taking into consideration

3 (1) the amount of total income available for housing needs;

4 (2) the size of the family;

5 (3) the cost and condition of available housing;

6 (4) standards established in various federal programs for
7 determining eligibility based on income;

8 (5) the ability to enter the private housing market and to
9 pay market amounts for decent, safe, and sanitary housing; and

10 (6) other factors considered relevant by the division.

11 * Sec. 14. AS 44.47.390(4) is amended to read:

12 (4) originate a direct loan for nonconforming or rural
13 housing or purchase or participate in the purchase of a nonconforming
14 or rural housing mortgage loan, other than a loan for the repair,
15 remodeling, rehabilitation, or expansion of an existing owner-occupied
16 residence, if the borrower has an outstanding housing loan made under
17 a state loan program, other than a loan for nonowner-occupied housing
18 under AS 44.47.520, that bears interest at a rate that was less than
19 the prevailing market interest rate for similar housing loans at the
20 time the loan was made.

21 * Sec. 15. AS 44.47.390 is amended by adding a new paragraph to read:

22 (5) originate a direct mortgage loan or purchase or partic-
23 ipate in the purchase of a mortgage loan for rental housing unless the
24 borrower agrees not to discriminate against tenants or prospective
25 tenants because of sex, marital status, changes in marital status,
26 pregnancy, parenthood, race, religion, color, national origin, or
27 status as a student.

28 * Sec. 16. AS 44.47.410 is amended to read:

29 Sec. 44.47.410. INTEREST ON LOANS. (a) The interest rate on a

1 mortgage loan originated or purchased in whole or in part under
2 AS 44.47.380 for nonconforming housing that is not rural housing is
3 one-quarter percent more than [EQUAL TO] the interest rate, as deter-
4 mined under AS 18.56.098(g)(1) - (4), on a mortgage loan purchased
5 under AS 18.56.098(a) from the proceeds of the most recent applicable
6 issue of taxable bonds before the origination or purchase of the
7 mortgage loan originated or purchased under AS 44.47.380.

8 (b) The interest rate on a mortgage loan originated or purchased
9 in whole or in part under AS 44.47.380 for rural housing is one per-
10 cent less than the interest rate, as determined under AS 18.56.098-
11 (g)(1) - (4), on a mortgage loan purchased under AS 18.56.098(a) from
12 the proceeds of the most recent applicable issue of taxable bonds
13 before the origination or purchase of the mortgage loan originated or
14 purchased under AS 44.47.380 [10-1/2 PERCENT].

15 * Sec. 17. AS 44.47 is amended by adding a new section to read:

16 Sec. 44.47.530. ANNUAL REPORT. The division shall prepare and
17 transmit an annual report that accounts to the governor and the legis-
18 lature for the discharge of all responsibility assigned by law or
19 directive to the division. The report shall be published by
20 January 10 of each year for distribution to the governor, the
21 legislature, and the public. The report shall be written in easily
22 understandable language, shall consider the assigned duties of the
23 division, and shall include

24 (1) a financial statement audited by an independent outside
25 auditor;

26 (2) a statement of the division's loans under this chapter
27 including an appraisal of the loans at market value;

28 (3) a description of the division's loan activities during
29 the period covered by the report;

1 (4) a comparison of the division's goals with its actual
2 performance during the period covered by the report;

3 (5) a description of the division's loan portfolio by
4 region within the four judicial districts of the state; and

5 (6) other information the director believes would be of
6 interest to the governor, the legislature, and the public.

7 * Sec. 18. AS 44.47.560(5) is repealed and reenacted to read:

8 (5) "rural" means of or relating to a community in the
9 state with a population of 4,500 or less, as determined by the depart-
10 ment under AS 29.88.015, that

11 (A) is not connected by road or rail to Anchorage; or

12 (B) is connected by road or rail to Anchorage, but is
13 more than 50 air miles from Anchorage;

14 * Sec. 19. AS 45.88.500(2) is amended by adding a new subparagraph to
15 read:

16 (E) a steam, hot water, or ducted hot air central
17 heating system that uses wood or coal for fuel;

18 * Sec. 20. AS 18.56.098(g)(2) and AS 44.47.385 are repealed.

19 * Sec. 21. Section 13 of this Act takes effect January 1, 1984.

20 * Sec. 22. Sections 1 - 12, and 14 - 20 of this Act take effect immedi-
21 ately in accordance with AS 01.10.070(c).