

Introduced: 2/15/85
Referred: Community & Regional
Affairs, Judiciary and Finance

1 IN THE HOUSE

BY GOLL

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HOUSE BILL NO. 198 am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled; "An Act relating to municipal assistance for certain

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municipalities organized under federal law; and

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providing for an effective date."

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

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* Section 1. AS 43.20.016(a) is amended to read:

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(a) There is established within the department the municipal

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assistance fund. The legislature may appropriate to the fund during

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each fiscal year an amount equal to or greater than 30 percent of the

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income tax revenue received by the state under AS 43.20.011(e) for the

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previous fiscal year. The department shall distribute money from the

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fund to each municipality [ORGANIZED BOROUGH AND EACH CITY OF ANY

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CLASS] on an annual basis as provided in (b) and (c) of this section.

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A municipality [BOROUGH OR CITY] may not receive payment under (b) or

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(c) of this section until it submits to the department a resolution

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approved by the governing body [OF THE MUNICIPALITY] that requests the

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funds. Distribution of money from the fund to a municipality [CITY OR

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ORGANIZED BOROUGH] with a fiscal year beginning on January 1 shall be

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made on February 1 of the state fiscal year for which the appropri-

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ation to the fund is made. Distribution of money from the fund to all

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other municipalities [CITIES AND ORGANIZED BOROUGH] shall be made on

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June 1 of the state fiscal year for which the appropriation to the

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fund is made. A municipality [BOROUGH OR CITY] that incorporates

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after December 31 of a state fiscal year is not eligible for a distri-

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bution under this section until the following state fiscal year.

1 * Sec. 2. AS 43.20.016(b) is amended to read:

2 (b) The base amount to be distributed from the fund to each
3 borough and city for the fiscal year shall be the amount received by
4 the borough or city during fiscal year 1978 under AS 43.70.080; how-
5 ever, if the amount appropriated to the fund by the legislature under
6 (a) of this section is insufficient for distribution of the full base
7 amount, the department shall prorate the amount available for distri-
8 bution on the basis of amounts received during fiscal year 1978 under
9 AS 43.70.080. A city incorporated within an organized borough after
10 June 30, 1977 shall receive as a base amount a share of the amount
11 distributed to the borough in which it is located based on the ratio
12 of population in the city to the total population in the borough. A
13 city incorporated outside an organized borough after June 30, 1977
14 shall receive as a base amount the amount received by the city in the
15 state most closely approximating it in population at the time of its
16 incorporation. A borough incorporated after June 30, 1977 shall
17 receive as a base amount the amount received by the borough in the
18 state most closely approximating it in population at the time of its
19 incorporation. The base amount to be distributed to each municipality
20 organized under federal law shall be the amount received as a base
21 amount by the city most closely approximating that municipality in
22 population on June 30, 1977.

23 * Sec. 3. AS 43.20.016(c) is amended to read:

24 (c) If the amount in the fund at the time of distribution ex-
25 ceeds the base amount to be distributed under (b) of this section, the
26 excess amount shall be distributed to each municipality [BOROUGH AND
27 CITY] on the basis of population. For the purpose of this subsection,
28 the population of a city within an organized borough shall be deducted
29 from the population of the borough. Population, for the purpose of

1 this section, shall be as certified by the commissioner of community
2 and regional affairs.

3 * Sec. 4. AS 43.20.016 is amended by adding new subsections to read:

4 (e) To qualify to receive money under this section a municipal-
5 ity organized under federal law as an Indian reserve that existed
6 before enactment of 43 U.S.C. 1618(a) and is continued in existence
7 under that subsection shall form a municipal assistance committee with
8 authority to determine how money received under this section will be
9 used. Members of the committee shall be elected at an election open
10 to all residents of the municipality that are registered and qualified
11 to vote in state elections. The Department of Revenue may distribute
12 money for the municipality only to a corporation organized under 25
13 U.S.C. 477 and only after the corporation has delivered a written
14 waiver of sovereign immunity from legal action by the state to recover
15 all or a portion of the money distributed under this section.

16 (f) In this section "municipality" means a city, borough or
17 unified municipality organized under the laws of the state, or a
18 municipality organized under federal law as an Indian reserve that
19 existed before enactment of 43 U.S.C. 1618(a) and is continued in
20 existence under that subsection.

21 * Sec. 5. This Act takes effect July 1, 1985.