

1 IN THE HOUSE

BY ADAMS, HOFFMAN AND  
SPRINGER

2

HOUSE BILL NO. 439

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to entitlements for municipalities  
7 and unincorporated communities; and providing for an  
8 effective date."

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

10 \* Section 1. AS 29.60.140(a) is amended to read:

11 (a) The department shall pay to each unincorporated community an  
12 entitlement of \$50,000 [\$25,000] each fiscal year to be used for a  
13 public purpose. The department with advice from the Department of Law  
14 shall determine whether there is in each unincorporated community an  
15 incorporated nonprofit entity or a Native village council that will  
16 agree to receive and spend the entitlement. If there is more than one  
17 qualified entity in an unincorporated community, the department shall  
18 pay the money under the entitlement to the entity that the department  
19 finds most qualified to receive and spend the money. The department  
20 may not pay money under an entitlement to a Native village council  
21 unless the council waives immunity from suit for claims arising out of  
22 activities of the council related to the entitlement. A waiver of  
23 immunity from suit under this subsection must be on a form provided by  
24 the Department of Law. If there is no qualified incorporated nonprofit  
25 entity or Native village council in an unincorporated community that  
26 is willing to receive money under an entitlement, the entitlement for  
27 that unincorporated community may not be paid. Neither this subsection  
28 nor any action taken under it enlarges or diminishes the governmental  
29 authority or jurisdiction of a Native village council.

1 \* Sec. 2. AS 29.60.290(a) is amended to read:

2 (a) A municipality qualifying for an entitlement under  
3 AS 29.60.010 - 29.60.080 or 29.60.100 - 29.60.180 shall receive a  
4 minimum payment of \$50,000 [\$25,000] plus an area cost-of-living  
5 differential for each fiscal year if

6 (1) the municipality has conducted a regular election  
7 during the state fiscal year preceding the year in which the depart-  
8 ment's determination of the municipality's millage rate equivalent is  
9 made under AS 29.60.030 and has reported the results of the election  
10 to the commissioner;

11 (2) regular meetings of the governing body are held in the  
12 municipality during the state fiscal year preceding the year in which  
13 the department's determination of the municipality's millage rate  
14 equivalent is made under AS 29.60.030 and a record of the proceedings  
15 is maintained;

16 (3) a municipal budget has been adopted for the fiscal year  
17 during which payment of an entitlement is authorized by AS 29.60.010 -  
18 29.60.080 or 29.60.100 - 29.60.180 and an audit or financial state-  
19 ment for the fiscal year preceding the year in which the department's  
20 determination of the municipality's millage rate equivalent is made  
21 under AS 29.60.030 has been prepared and furnished to the department  
22 in accordance with AS 29.20.640(a); and

23 (4) local ordinances adopted by the municipality have been  
24 codified in accordance with AS 29.25.050.

25 \* Sec. 3. This Act takes effect July 1, 1988.