

Original sponsors: Adams, Hoffman,
Springer, et al.

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 439 (Finance) (efd del)
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."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 29.60.140(a) is amended to read:
10 (a) The department shall pay to each unincorporated community an
11 entitlement of \$50,000 [\$25,000] each fiscal year to be used for a
12 public purpose. The department with advice from the Department of Law
13 shall determine whether there is in each unincorporated community an
14 incorporated nonprofit entity or a Native village council that will
15 agree to receive and spend the entitlement. If there is more than one
16 qualified entity in an unincorporated community, the department shall
17 pay the money under the entitlement to the entity that the department
18 finds most qualified to receive and spend the money. The department
19 may not pay money under an entitlement to a Native village council
20 unless the council waives immunity from suit for claims arising out of
21 activities of the council related to the entitlement. A waiver of
22 immunity from suit under this subsection must be on a form provided by
23 the Department of Law. If there is no qualified incorporated nonprofit
24 entity or Native village council in an unincorporated community that
25 is willing to receive money under an entitlement, the entitlement for
26 that unincorporated community may not be paid. Neither this subsection
27 nor any action taken under it enlarges or diminishes the governmental
28 authority or jurisdiction of a Native village council.
29 * Sec. 2. AS 29.60.290(a) is amended to read:

1 (a) A municipality qualifying for an entitlement under AS 29.-
2 60.010 - 29.60.080 or 29.60.100 - 29.60.180 shall receive a minimum
3 payment of \$50,000 [\$25,000] plus an area cost-of-living differential
4 for each fiscal year if

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

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

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

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

24 * Sec. 3. This Act applies only in fiscal years for which an appropria-
25 tion to the Department of Community and Regional Affairs for state revenue
26 sharing for fiscal year 1989 equals at least \$44,283,400.