

**SENATE CS FOR CS FOR HOUSE BILL NO. 152 (STATE AFFAIRS)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 4/27/92**  
**Referred: CRA, Finance**

**Sponsor(s): REPRESENTATIVES BROWN, Ulmer, Koponen, Ellis, B.Davis**

**SENATOR Fahrenkamp**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to housing; expanding the board of directors of the Alaska Housing  
2 Finance Corporation; relating to the management of the Alaska Housing Finance  
3 Corporation; creating the Alaska State Housing Planning Commission and establishing its  
4 duties; and providing for an effective date."

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

6 \* Section 1. FINDINGS. The legislature finds that

7 (1) housing programs in the state are not consolidated and are spread among many state  
8 agencies, offices, and divisions, and that a coordinated state housing policy to provide clear direction  
9 for addressing housing needs does not exist;

10 (2) there is only limited statistical data on housing needs and, as a result, housing  
11 programs are designed with little quantitative information regarding the real needs of Alaskans;

12 (3) low-income and rural housing needs in the state are critical and have not been met  
13 with existing housing resources even while it is estimated that nearly 33 percent of Alaskans are  
14 considered to be low-income residents;

1 (4) in order to ensure that all Alaskans are afforded the opportunity to live in safe,  
2 sanitary, and energy efficient housing, coordination of the state's varied and disparate housing program  
3 initiatives is required;

4 (5) coordination of the state housing programs can be best effectuated by a merger of the  
5 housing programs of the Alaska State Housing Authority and the Department of Community and  
6 Regional Affairs into the Alaska Housing Finance Corporation; and

7 (6) the replacement of three agencies, each dealing with a part of the state's housing  
8 programs, with a single agency, the Alaska Housing Finance Corporation, with an expanded mission,  
9 governed by an expanded board of directors to make policy and to provide for the financing, acquisition,  
10 rehabilitation, construction, and operation of housing for low- and moderate-income Alaskans and  
11 Alaskans in rural Alaska will serve a public purpose in benefitting the people of the state.

12 \* Sec. 2. PURPOSE. (a) Merger is the process by which two or more corporations are united by  
13 a transfer of the responsibilities, assets, and liabilities of all into one of them, with that one entity  
14 continuing in existence as the successor corporation. Except for the provisions described in (b) and (c)  
15 of this section, the purpose of this Act is to direct the merger of the Alaska State Housing Authority,  
16 a public corporation of the state, into the Alaska Housing Finance Corporation, another public  
17 corporation of the state, transferring the programs of the former to the latter and leaving the latter as the  
18 public corporation responsible for the former's housing and public building project assistance, moderate  
19 income and rental housing, and slum clearance and redevelopment programs and initiatives for the people  
20 of the state.

21 (b) To provide further for the consolidation of housing programs under the Alaska Housing  
22 Finance Corporation,

23 (1) the provisions of secs. 76 - 78 of this Act; of AS 18.56.400 - 18.56.650, added by  
24 sec. 95 of this Act; and of secs. 121 and 123 of this Act transfer certain programs of the Department of  
25 Community and Regional Affairs related to housing to the expanded Alaska Housing Finance  
26 Corporation;

27 (2) the provisions of AS 18.56.700 - 18.56.810, added by sec. 95, and secs. 121 and 124  
28 of this Act transfer the responsibility for the operation of the senior citizen housing office and for the  
29 provision of senior citizens housing programs under AS 44.47.585 - 44.47.620 from the Department of  
30 Community and Regional Affairs into the expanded Alaska Housing Finance Corporation;

31 (3) the provisions of AS 18.56.850, added by sec. 95, and secs. 121 and 125 of this Act

1 transfer the responsibility for development of home energy conservation and weatherization programs  
2 from the Department of Community and Regional Affairs into the expanded Alaska Housing Finance  
3 Corporation;

4 (4) the provisions of secs. 103 and 104 of this Act assign to the Alaska Housing Finance  
5 Corporation the exclusive responsibility for provision of replacement housing planning loans and a  
6 coordinate responsibility in the provision of assistance to state agencies for replacement housing under  
7 the state program that authorizes and directs relocation assistance due to acquisition of real property for  
8 state agency activities.

9 (c) With anticipated state revenue expected to decrease substantially during state fiscal year  
10 1993, the legislature looks to reduce general fund expenditures and to increase the state general fund  
11 balance available during that fiscal year to meet the costs of state government operations, its loan  
12 programs, and its capital improvements program. The purpose of sec. 129 of this Act is to authorize  
13 the purchase by the Alaska Housing Finance Corporation, at a discount, of the mortgage notes now held  
14 by the Department of Community and Regional Affairs for the loans it has made under the department's  
15 various housing assistance programs set out in AS 44.47.370 - 44.47.560 and 44.47.585 - 44.47.635, and  
16 to require the deposit of amounts paid to the department for its notes into the state general fund. The  
17 purchase of the notes and transfer of money to the state general fund, as authorized by sec. 129 of this  
18 Act, when coupled with a transfer of revenue to the state expected to be approved by the board of  
19 directors of the Alaska Housing Finance Corporation during 1992, will increase the balance of the state  
20 general fund by approximately \$200,000,000, thereby materially reducing the expected state deficit for  
21 state fiscal year 1993.

22 (d) It is the intent of the legislature that

23 (1) existing housing programs being merged into the Alaska Housing Finance Corporation  
24 continue without interruption, and that the program of weatherization assistance for low-income persons  
25 continue the use of subgrantees and contractors under 10 CFR 440.15; and

26 (2) appropriate training be provided to the staff and board of the corporation as necessary  
27 to effectuate the purpose of the merger.

28 (e) The Alaska Housing Finance Corporation is empowered to act in behalf of the state and its  
29 people in exercising the state housing programs and functions as a public purpose for the benefit of the  
30 people of the State of Alaska.

31 \* Sec. 3. AS 18.55.010 is amended to read:



1           Sec. 18.55.010. PURPOSE OF AS 18.55.100 - 18.55.290 [AS 18.55.010 - 18.55.290].  
 2           The purpose of AS 18.55.100 - 18.55.290 [AS 18.55.010 - 18.55.290] is to remedy the acute  
 3           housing shortage that exists in certain localities of the state by undertaking slum clearance,  
 4           low-cost housing projects, housing for persons and their families engaged in national defense  
 5           activities in the state, and housing projects and housing for veterans [OF WORLD WAR II] and  
 6           other citizens of the state and to remedy the short supply of necessary public buildings by  
 7           providing for the financing, construction, and acquisition of public buildings for lease to the state.

8   \* Sec. 4. AS 18.55.080 is amended to read:

9           Sec. 18.55.080. MEMBERS OR EMPLOYEES PROHIBITED FROM ACQUIRING  
 10          INTEREST IN PROJECTS. A member of the board of directors or employee of the  
 11          corporation [AUTHORITY] may not acquire an interest, direct or indirect, in a housing or public  
 12          building project authorized by AS 18.55.100 - 18.55.290, or in property or a contract for  
 13          materials or services included or planned to be included in a project authorized by  
 14          AS 18.55.100 - 18.55.290. If a member of the board of directors or employee owns or controls  
 15          an interest, the member or employee shall immediately disclose the interest in writing to the  
 16          corporation [AUTHORITY]. Failure to make disclosure constitutes misconduct in office.

17   \* Sec. 5. AS 18.55.100(a) is amended to read:

18           (a) To the extent not already provided by AS 18.56, the corporation [THE  
 19          AUTHORITY] has all powers necessary to carry out the purposes of AS 18.55.010 - 18.55.290,  
 20          including the power to [BUT NOT LIMITED TO THE FOLLOWING:]

- 21                   (1) sue and be sued;
- 22                   (2) adopt a seal;
- 23                   (3) have perpetual succession;
- 24                   (4) adopt, amend, and repeal bylaws and regulations;
- 25                   (5) make and execute contracts and other instruments;
- 26                   (6) in its own name, own, exchange, transfer, lease, rent, convey, or acquire by
- 27          eminent domain under AS 09.55.240 - 09.55.460, or otherwise, real and personal property;
- 28          provided that no project site or part of a project site may be acquired by eminent domain until
- 29          the corporation [AUTHORITY] has secured, through negotiation, options for the purchase of
- 30          at least 50 per cent of the properties included in the site, except in disaster areas; in an eminent
- 31          domain proceeding the court may, upon motion and after a hearing, fix the time when and the

1 terms upon which the parties in possession are required to surrender possession to the plaintiff;  
2 if the court finds that urgent public necessity requires, it may grant the plaintiff possession at any  
3 time after the proceeding has been commenced;

4 (7) [TO] provide, subject to the applicable planning, zoning, sanitary, and building  
5 laws, ordinances, and regulations for the construction, improvement, alteration, or repair of a  
6 housing or public building project or any part of a housing or public building project, and also,  
7 subject to the same restrictions, to provide for the construction, improvement, alteration, repair,  
8 planning, financing, and interim operation of a sewer or water system, or part of a sewer or water  
9 system, to foster, encourage, and permit the development of housing projects by private and  
10 public developers and builders;

11 (8) operate those housing projects and to act as agent or lessee in developing or  
12 administering housing projects undertaken by the federal government;

13 (9) arrange or contract for services, privileges, works, or facilities for or in  
14 connection with a housing project or the occupants of a housing project and notwithstanding  
15 anything to the contrary contained in AS 18.55.010 - 18.55.470 or in any other provision of law,  
16 include in the contract stipulations that the contractor and subcontractors comply with  
17 requirements as to minimum wages and maximum hours of labor, with any conditions that the  
18 federal government may have attached to its financial aid of the project, and with any pertinent  
19 state law;

20 (10) establish and revise rent schedules;

21 (11) insure any real or personal property or operations of the corporation  
22 [AUTHORITY] against any risks or hazards;

23 (12) invest in property or securities in which banks or trust companies may legally  
24 invest any money [FUNDS] held in reserves or sinking funds or any money [FUNDS] not  
25 required for immediate disbursement;

26 (13) purchase its bonds at a price not more than the principal amount of the bonds  
27 and accrued interest, all bonds so purchased to be canceled;

28 (14) investigate and study living and housing conditions and the clearing and  
29 reconstructing of slum areas;

30 (15) arrange or contract for the financing, design, construction, and acquisition  
31 of public buildings for lease to the state in accordance with AS 18.55.010 - 18.55.290;

1 (16) charge to and collect fees from owners or developers of low-income housing  
2 for the application for and allocation of federal low-income housing tax credits;

3 (17) collect and pay reasonable fees and charges in connection with making,  
4 purchasing, and servicing its mortgages, loans, notes, bonds, certificates, commitments, and other  
5 evidences of indebtedness.

6 \* Sec. 6. AS 18.55.100(b) is amended to read:

7 (b) Notwithstanding any other provisions in AS 18.55.010 - 18.55.470,

8 (1) when the local governing body certifies that an area is in need of a housing  
9 project under any of the provisions or powers within AS 18.55.010 - 18.55.470 as a result of the  
10 earthquakes of 1964 and all results and aftereffects respecting which the governor of the state has  
11 certified the need for disaster assistance, the corporation [AUTHORITY] may plan, undertake,  
12 and carry out the project in the disaster area;

13 (2) with the approval of the local governing body, and immediately after the  
14 approval, the corporation [AUTHORITY] may acquire real property for the purposes of  
15 AS 18.55.010 - 18.55.470, and demolish and remove any structure on the property, and it may  
16 pay all costs related to the acquisition, demolition, or removal, including any administrative or  
17 relocation expenses, unless payment of the costs are contrary to applicable federal law or  
18 regulation;

19 (3) [REPEALED,

20 (4)] for the purposes of this subsection, AS 18.55.130 and 18.55.330 do not apply.

21 \* Sec. 7. AS 18.55.110 is amended to read:

22 Sec. 18.55.110. COOPERATION WITH AND AID OF FEDERAL GOVERNMENT.

23 For purposes of AS 18.55.100 - 18.55.290, the corporation [THE AUTHORITY] may do all  
24 things necessary or desirable to cooperate with or act as agent for the federal government, or to  
25 secure financial aid for housing projects for veterans of World War II and other citizens of the  
26 state, provided that those projects may not be undertaken unless an acute shortage of housing  
27 exists. With respect to those projects, the corporation [AUTHORITY] may not be subject to  
28 limitations, restrictions, or requirements of other laws, except those relating to land acquisition,  
29 prescribing or limiting the procedure or action to be taken in the development or administration  
30 of any buildings, property, public works, undertakings, or projects of municipal or public  
31 corporations or agencies of the state.

1 \* Sec. 8. AS 18.55.120 is amended to read:

2 Sec. 18.55.120. OPERATION AND MANAGEMENT OF PROJECTS. For purposes  
3 of AS 18.55.100 - 18.55.290, the corporation [THE AUTHORITY] shall manage and operate  
4 low-cost housing projects with rentals fixed at the lowest rates consistent with decent, safe, and  
5 sanitary dwellings. A low-cost housing project may not be constructed or operated for profit or  
6 as a source of revenue to a municipality or the state. Rentals in the housing projects may not  
7 exceed the amount that the corporation [AUTHORITY] finds necessary to produce revenues  
8 sufficient together with all other available money from whatever source derived, to

9 (1) pay, as they become due, the principal and interest on its bonds;

10 (2) meet the cost of maintaining and operating the projects, including insurance  
11 and administrative expenses; and

12 (3) create, during not less than the six years immediately following issuance of  
13 any bonds, a reserve sufficient to meet the largest principal and interest payments due in any one  
14 year thereafter and to maintain that reserve.

15 \* Sec. 9. AS 18.55.130 is amended to read:

16 Sec. 18.55.130. QUALIFICATIONS OF TENANTS AND MAXIMUM NUMBER OF  
17 ROOMS. (a) In the operation or management of low-cost housing projects, the corporation  
18 [AUTHORITY] shall from time to time establish rents and requirements for admission of tenants  
19 to its low-cost housing projects [OF THE AUTHORITY] in each municipality [CITY OR  
20 BOROUGH OF ANY CLASS] in which low-cost housing projects of the corporation  
21 [AUTHORITY] are located. The rents and requirements for admission are subject to the  
22 approval of the United States Department of Housing and Urban Development.

23 (b) Except in the case of leased housing [,] as provided in 42 U.S.C. 1421b, [THE  
24 UNITED STATES HOUSING ACT OF 1937, SEC. 23 (PL 89-117; 79 STAT. 455;  
25 AUGUST 19, 1965)] as amended [(42 U.S.C. 1421b)], the corporation shall fix the income  
26 limits for occupancy of its low-cost housing projects [OF THE AUTHORITY] and rents that are  
27 [SHALL BE FIXED BY THE AUTHORITY AND] approved by the United States Department  
28 of Housing and Urban Development after taking into consideration

29 (1) the family size, composition, age, physical handicaps, and other factors that  
30 might affect the rent-paying ability of the family; [,] and

31 (2) the economic factors that affect the financial stability and solvency of the

1 project.

2 (c) Rents and requirements for admission to low-cost housing projects as provided in (a)  
3 and (b) of this section [,] must be so established that a gap of at least 20 per cent, except in the  
4 case of an elderly family or displaced family or in the case of leased housing under 42 U.S.C.  
5 1421b, [THE UNITED STATES HOUSING ACT OF 1937, SEC. 23 (PL 89-117; 79 STAT. 455;  
6 AUGUST 19, 1965)] as amended, [(42 U.S.C. 1421b)] will be left between the upper rental  
7 limits for admission to low-cost housing projects of the corporation [AUTHORITY] and the  
8 lowest rents at which private enterprise unaided by public subsidy is providing housing  
9 substantially similar to the low-cost housing projects of the corporation [AUTHORITY].

10 (d) The corporation [AUTHORITY] may not rent more than the minimum number of  
11 rooms that it considers necessary to provide safe and sanitary accommodations without  
12 overcrowding.

13 (e) Nothing in this section or AS 18.55.120 limits the power of the corporation  
14 [AUTHORITY] to vest in an obligee the right to take possession of a housing project or have  
15 a receiver appointed free from the restrictions imposed by this section or AS 18.55.120 in case  
16 of default by the corporation [AUTHORITY].

17 \* Sec. 10. AS 18.55.140 is amended to read:

18 Sec. 18.55.140. ISSUANCE OF BONDS, NOTES, AND REFUNDING BONDS. The  
19 corporation [AUTHORITY] may issue bonds and notes from time to time in its discretion for  
20 a purpose authorized by this chapter [ANY OF ITS CORPORATE PURPOSES] and may issue  
21 refunding bonds for the purpose of paying or retiring bonds previously issued under this chapter  
22 [BY IT].

23 \* Sec. 11. AS 18.55.150 is amended to read:

24 Sec. 18.55.150. SECURITY FOR BONDS. (a) In conjunction with projects  
25 authorized by this chapter, the corporation [THE AUTHORITY] may issue bonds, including  
26 [BUT NOT LIMITED TO] bonds on which the principal and interest are payable

27 (1) exclusively from the income and revenue of the housing project financed with  
28 the proceeds of the bonds; [,]

29 (2) exclusively from the income and revenue of designated housing projects  
30 whether or not they are financed in whole or in part with the proceeds of the bonds; or [,]

31 (3) from its revenue generally; [,] or

1 (4) exclusively from rents collected on public buildings.  
2 (b) Bonds authorized by (a) of this section may be additionally secured  
3 (1) by a pledge of a grant or contribution from the federal government or from  
4 another source;  
5 (2) [, OR] by a pledge of income or revenue of the corporation; or  
6 (3) [AUTHORITY, OR] by a mortgage of a housing project or other property of  
7 the corporation [AUTHORITY].

8 \* Sec. 12. AS 18.55.160 is amended to read:

9 Sec. 18.55.160. LIMITATION OF LIABILITY ON BONDS. (a) The members of the  
10 board of directors of the corporation [AUTHORITY] and any person executing the bonds  
11 issued under AS 18.55.100 - 18.55.290 are not liable personally on the bonds by reason of their  
12 issuance.

13 (b) The bonds of the corporation issued under AS 18.55.100 - 18.55.290  
14 [AUTHORITY] are not a debt of the state or a political or municipal corporation or other  
15 subdivision of the state and each bond shall so state on its face. Neither the state nor a political  
16 or municipal corporation or other subdivision of the state other than the corporation  
17 [AUTHORITY] is liable on the bonds, nor are the bonds payable out of money or property  
18 [FUNDS OR PROPERTIES] other than those of the corporation [AUTHORITY].

19 (c) The corporation [AUTHORITY] may not pledge the faith of the people of the state  
20 for a loan or obligation that is entered into under AS 18.55.100 - 18.55.290.

21 (d) Bonds of the corporation issued under AS 18.55.100 - 18.55.290 [AUTHORITY]  
22 are not a debt, indebtedness, or the borrowing of money within the meaning of any limitation or  
23 restriction on the issuance of bonds contained in the constitution or laws of the state.

24 \* Sec. 13. AS 18.55.170 is amended to read:

25 Sec. 18.55.170. EXEMPTION FROM TAXES. Bonds and other obligations of the  
26 corporation issued under AS 18.55.100 - 18.55.290 [AUTHORITY] are declared to be issued  
27 for an essential public and governmental purpose and are public instrumentalities and, together  
28 with interest on them and income from them, are exempt from taxes.

29 \* Sec. 14. AS 18.55.180 is amended to read:

30 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS AND NOTES. Bonds and notes  
31 of the corporation issued under AS 18.55.100 - 18.55.290 [AUTHORITY] are authorized by

1 adoption of a resolution prescribing the date of issuance and maturity, interest rate, denomination,  
2 form, conversion privilege, rank or priority, execution, terms of redemption, medium and place  
3 of payment. Bonds and notes may be sold in the manner, on the terms, and at the price the  
4 corporation [AUTHORITY] determines. Each bond and note is negotiable. The signature of  
5 a member of the board of directors of the corporation or an officer of the corporation upon  
6 a bond or note or coupon is not invalidated by that person's ceasing to hold office before the  
7 delivery of the bond or note. The recitation of a bond or note that it has been issued in the  
8 financing of a housing or public building project under AS 18.55.010 - 18.55.290 is conclusive  
9 as to the issuance of the bond or note and the character of the project in a challenge of the  
10 validity of the bond or note or the security for it.

11 \* Sec. 15. AS 18.55.187 is amended to read:

12 Sec. 18.55.187. INDEPENDENT FINANCIAL ADVISOR. In negotiating the private  
13 sale of bonds or bond anticipation notes to an underwriter when that sale is authorized by  
14 AS 18.55.100 - 18.55.290, the corporation shall retain a financial advisor who is independent  
15 from the underwriter. The financial advisor may not bid on the bonds or notes if offered at  
16 public sale or negotiate for their purchase if sold at private sale.

17 \* Sec. 16. AS 18.55.200 is amended to read:

18 Sec. 18.55.200. ADDITIONAL POWERS TO SECURE BONDS OR OBLIGATIONS  
19 UNDER LEASES. When authorized by AS 18.55.100 - 18.55.290, in [IN] connection with the  
20 issuance of bonds or the incurring of obligations under leases and in order to secure the payment  
21 of bonds or lease obligations, the corporation [AUTHORITY], in addition to its other powers,  
22 may

23 (1) pledge all or a part of its gross or net rents, fees, or revenues to which its  
24 right exists or may exist;

25 (2) mortgage all or a part of its real or personal property, owned or later acquired;

26 (3) covenant against pledging all or a part of its rents, fees, and revenues, or  
27 against mortgaging all or a part of its real or personal property, to which its right or title exists  
28 or may come into existence or against permitting or suffering any lien on the revenues or  
29 property;

30 (4) covenant with respect to limitations on its right to sell, lease, or otherwise  
31 dispose of a housing or public building project or a part of a housing or public building project;

- 1 (5) covenant as to what other, or additional debts or obligations may be incurred  
2 by it;
- 3 (6) covenant as to the bonds to be issued and as to the issuance of the bonds in  
4 escrow or otherwise, and as to the use and disposition of the proceeds of bonds;
- 5 (7) provide for the replacement of lost, destroyed, or mutilated bonds;
- 6 (8) covenant against extending the time for the payment of its bonds or interest  
7 on the bonds;
- 8 (9) redeem the bonds, and covenant for their redemption and to provide the terms  
9 and conditions of redemption;
- 10 (10) covenant subject to the limitations contained in AS 18.55.100 - 18.55.290  
11 [AS 18.55.010 - 18.55.290] as to the rents and fees to be charged in the operation of a housing  
12 or public building project, the amount to be raised each year or other period of time by rents,  
13 fees, and other revenues, and as to the use and disposition of these revenues;
- 14 (11) create or authorize the creation of special funds for money held for  
15 construction or operating costs, debt service, reserves, or other purposes, and covenant as to the  
16 use and disposition of this money;
- 17 (12) prescribe the procedure by which the terms of a contract with bondholders  
18 may be amended or abrogated, the amount of bonds the holders of which must consent thereto  
19 and the manner in which the consent may be given;
- 20 (13) covenant as to the rights, liabilities, powers, and duties arising upon the  
21 breach by it of a covenant, condition, or obligation, and covenant and prescribe as to events of  
22 default and terms and conditions upon which any or all of its bonds or obligations shall become  
23 or may be declared due before maturity, and covenant as to the terms and conditions upon which  
24 this declaration and its consequences may be waived;
- 25 (14) vest in a trustee or trustees or the holders of bonds or a specified proportion  
26 of them, the right to enforce the payment of the bonds or covenants securing or relating to the  
27 bonds;
- 28 (15) vest in one or more trustees the right, in the event of a default by the  
29 corporation [AUTHORITY], to take possession of a housing or public building project or a part  
30 of the project, and so long as the corporation [AUTHORITY] continues in default to retain  
31 possession and to use, operate, and manage the project, and to collect the rents and revenues from

1 the project, and to dispose of the money according to the agreement between the corporation  
2 [AUTHORITY] and the trustees;

3 (16) provide for the powers and duties of the trustees, and limit the liability of  
4 the trustees; and

5 (17) provide the terms and conditions upon which the trustee or trustees or the  
6 holders of bonds, or portions of bonds, may enforce a covenant or right securing or relating to  
7 the bonds.

8 \* Sec. 17. AS 18.55.210 is amended to read:

9 Sec. 18.55.210. RIGHT OF OBLIGEE OF CORPORATION [AUTHORITY] TO  
10 BRING INJUNCTION. An obligee of the corporation [AUTHORITY] may, in addition to all  
11 other rights that may be conferred by AS 18.55.100 - 18.55.290 and subject only to contractual  
12 restriction binding upon the obligee, seek an injunction or an action in nature of an action for  
13 mandamus against the members of the board of directors, the corporation, or [AUTHORITY,]  
14 its officers, agents, or employees for a matter arising out of AS 18.55.100 - 18.55.290.

15 \* Sec. 18. AS 18.55.220 is amended to read:

16 Sec. 18.55.220. POWER OF CORPORATION [AUTHORITY] TO CONFER UPON  
17 OBLIGEE RIGHT TO BRING ACTION OR PROCEEDING. In conjunction with the exercise  
18 of a power authorized by AS 18.55.100 - 18.55.290, the corporation [THE AUTHORITY]  
19 may, by resolution, trust indenture, mortgage, lease, or other contract, confer upon an obligee  
20 holding or representing a specified amount in bonds, or holding a lease, the right upon a default  
21 as defined in the resolution or instrument by suit, action, or proceeding

22 (1) to have possession of a housing or public building project or part of one  
23 surrendered to the obligee, with possession retained by the obligee as long as the corporation  
24 [AUTHORITY] continues in default;

25 (2) to obtain the appointment of a receiver of a housing or public building project  
26 or part of one and its rents and profits, who may enter, take possession, and for the duration of  
27 the default operate and maintain it, collect and receive all fees, rents, revenues, or other charges  
28 thereafter arising, and keep the money in a separate account or accounts to be applied in  
29 accordance with the obligations of the corporation [AUTHORITY] as the court directs;

30 (3) to require the corporation [AUTHORITY] and the [ITS] members of its  
31 board of directors to account as if they were the trustees of an express trust.

1 \* Sec. 19. AS 18.55.230 is amended to read:

2 Sec. 18.55.230. EXEMPTION OF REAL PROPERTY OF CORPORATION  
3 [AUTHORITY] FROM EXECUTION OR OTHER PROCESS. In conjunction with the  
4 exercise of a power authorized by AS 18.55.100 - 18.55.290, the [ALL] real property of the  
5 corporation [AUTHORITY] is exempt from levy and sale by execution. Execution [, AND NO  
6 EXECUTION] or other judicial process may not issue against it and [NO] judgment against the  
7 corporation [AUTHORITY] may not be a charge or lien upon its real property. However, this  
8 section does not limit the right of an obligee to foreclose or otherwise enforce a mortgage of the  
9 authority or to pursue any remedy for the enforcement of a pledge or lien given by the  
10 corporation under AS 18.55.100 - 18.55.290 [AUTHORITY] on its rents, fees, or revenues.

11 \* Sec. 20. AS 18.55.240 is amended to read:

12 Sec. 18.55.240. POWER OF CORPORATION [AUTHORITY] TO OBTAIN FEDERAL  
13 AID AND COOPERATION. The corporation [AUTHORITY] may borrow, accept  
14 contributions, grants, or other financial assistance from the federal government in aid of any  
15 housing or public building project and for this purpose may comply with conditions and enter  
16 into the mortgages, trust indentures, leases, or agreements that are necessary, convenient, or  
17 desirable in order to obtain financial aid or cooperation from the federal government in the  
18 undertaking, construction, maintenance, or operation of a housing or public building project  
19 authorized by AS 18.55.100 - 18.55.290.

20 \* Sec. 21. AS 18.55.250 is amended to read:

21 Sec. 18.55.250. EXEMPTION FROM TAXES AND ASSESSMENTS. The property  
22 owned by the corporation under the authority granted in AS 18.55.100 - 18.55.290 [OF THE  
23 AUTHORITY] is public property used for essential public and governmental purposes, and is  
24 [THIS PROPERTY AND THE AUTHORITY ARE] exempt from all taxes and special  
25 assessments of a municipality, the state, or a political subdivision of the state. However, instead  
26 of the payment of taxes on this property, the corporation [AUTHORITY] may make payments  
27 to the municipality or political subdivision for improvements, services, and facilities furnished  
28 by it for the benefit of a housing or public building project.

29 \* Sec. 22. AS 18.55.255(a) is amended to read:

30 (a) In conjunction with the exercise of a power authorized by AS 18.55.100 -  
31 18.55.290, the corporation [THE AUTHORITY] may convey real or personal property that it

1 determines is in excess of its needs. Except as provided in (b) and (c) of this section, the sale  
2 shall be by public auction or by sealed bids at a price not lower than the fair market value  
3 determined by an appraisal made within 180 days before the sale by a qualified appraiser.  
4 Public notice shall be given by publishing notice of the sale at least once a week for two  
5 consecutive weeks in a newspaper of general circulation within the area in which the property  
6 to be sold is located and by posting notice of sale in at least two public places in the area. In  
7 no event may the auction be held less than 30 days after the last day of publication. If [NO]  
8 acceptable bids are not received the corporation [AUTHORITY] may sell the property at  
9 negotiated sale within six months after the date of the auction. A negotiated sale may not be  
10 made on an appraisal made more than nine months before the date of sale. The price at a  
11 negotiated sale may not be less than the appraised value.

12 \* Sec. 23. AS 18.55.255(b) is amended to read:

13 (b) Real or personal property of the corporation [AUTHORITY] may be conveyed  
14 under (a) of this section to a state or federal agency or political subdivision for less than the  
15 appraised value without competitive bidding, upon a determination by the board that the terms  
16 are fair and proper and in the best interests of the state. Before authorizing a conveyance  
17 under this section, the [THE] board of directors of the corporation shall consider both the  
18 nature of the agency's or political subdivision's public services or functions and the terms under  
19 which the property was acquired by the corporation [AUTHORITY].

20 \* Sec. 24. AS 18.55.260 is amended to read:

21 Sec. 18.55.260. LEGALITY OF CORPORATION'S [AUTHORITY] BONDS  
22 AS INVESTMENTS. Bonds of the corporation that are issued under AS 18.55.100 -  
23 18.55.290 [AUTHORITY] are legal and proper investments and security for public and private  
24 banking, insurance, and trust funds.

25 \* Sec. 25. AS 18.55.270 is amended to read:

26 Sec. 18.55.270. [REPORTS AND] RECOMMENDATIONS FOR LEGISLATION. The  
27 corporation [AUTHORITY SHALL FILE WITH THE DEPARTMENT OF COMMERCE AND  
28 ECONOMIC DEVELOPMENT AN ANNUAL REPORT OF ITS ACTIVITIES AND] shall make  
29 recommendations for [THE] legislation or other action it considers necessary to carry out the  
30 purposes of AS 18.55.100 - 18.55.290 [AS 18.55.010 - 18.55.290].

31 \* Sec. 26. AS 18.55.280(a) is amended to read:

1           (a) In conjunction with the exercise by the corporation of a power authorized by  
2 AS 18.55.100 - 18.55.290, a [ANY] public body, officer, or agency of the state may  
3           (1) lend or donate money or property to the corporation [AUTHORITY];  
4           (2) cooperate with it in the planning, construction, or operation of a public  
5 housing or public building project;  
6           (3) transfer to it an interest in property, grant an easement, and undertake  
7 otherwise authorized construction of facilities adjacent to a project;  
8           (4) furnish or improve otherwise authorized roads, streets, alleys, and sidewalks;  
9           (5) make exceptions from building codes, exercise its planning and zoning powers,  
10 and annex the site of a project;  
11           (6) contract to exercise its powers relating to repair, elimination, or closing of  
12 unsafe, insanitary, or unfit dwellings;  
13           (7) purchase the bonds of the corporation for a housing or public building  
14 project authorized by AS 18.55.100 - 18.55.290 [AUTHORITY];  
15           (8) incur the entire expense of improvements made under AS 18.55.010 -  
16 18.55.290;  
17           (9) agree with the corporation [AUTHORITY] that a certain sum or that no sum  
18 shall be paid by the corporation [AUTHORITY] to the public body, officer, or agency [IT]  
19 instead of taxes;  
20           (10) enter into agreements respecting exercise of a power [ANY POWERS]  
21 granted in AS 18.55.100 - 18.55.290 if that agreement is [HEREIN WHICH SHALL BE]  
22 approved and executed by the public body or municipality in or adjacent to the project before  
23 the project is [MAY BE] constructed; and  
24           (11) in general do all things necessary or convenient to cooperate in the planning,  
25 construction, or operation of a project.

26 \* Sec. 27. AS 18.55.288(1) is repealed and reenacted to read:

27           (1) "corporation" means the Alaska Housing Finance Corporation;

28 \* Sec. 28. AS 18.55.288(3) is amended to read:

29           (3) "public building [BUILDINGS]" means a publicly owned structure leased to  
30 the state for governmental, public, or educational use.

31 \* Sec. 29. AS 18.55.290 is amended to read:

1           **Sec. 18.55.290. SHORT TITLE.** AS 18.55.010 - 18.55.290 may be cited as the Housing  
2           Project and Public Building Assistance Act [ALASKA STATE HOUSING AUTHORITY  
3           ACT].

4   \* **Sec. 30.** AS 18.55.310 is amended to read:

5           **Sec. 18.55.310. POWERS AND DUTIES OF CORPORATION** [AUTHORITY]. The  
6           corporation [AUTHORITY] shall construct, protect, operate, maintain, rent, and sell at the places  
7           in the state that it [THE AUTHORITY] considers most appropriate moderate-cost or rental  
8           housing facilities and projects for veterans and other residents of the state. For this purpose the  
9           corporation [AUTHORITY] may accept money [FUNDS] from any source, including the federal  
10           government, and may enter into appropriate contracts, including contracts with the federal  
11           government.

12   \* **Sec. 31.** AS 18.55.330 is amended to read:

13           **Sec. 18.55.330. PREFERENCE TO VETERANS.** The corporation [AUTHORITY] shall  
14           initially offer 50 percent of the dwelling units in a housing project held by it under  
15           AS 18.55.300 - 18.55.470 for rent or sale to veterans. The offer shall be by publication of  
16           reasonable notice in a newspaper circulated in the area in which the housing project is located.  
17           The corporation [AUTHORITY] shall set aside these units for rental or sale to veterans for at  
18           least 30 days following first publication of the notice before making them available to other  
19           residents. If, after an additional 30 days a unit remains unassigned, the corporation  
20           [AUTHORITY] may rent or sell it to any person in the state, provided that residents have first  
21           preference.

22   \* **Sec. 32.** AS 18.55.340 is amended to read:

23           **Sec. 18.55.340. CARE, OPERATION, MAINTENANCE, AND RENTAL OF HOUSING.**  
24           The corporation [AUTHORITY] has control over and is responsible for the care, operation,  
25           maintenance, and rental or sale of the housing held by it under AS 18.55.300 - 18.55.470. It  
26           may enter into appropriate arrangements for carrying out this responsibility and for safeguarding  
27           the interest of the state.

28   \* **Sec. 33.** AS 18.55.350 is amended to read:

29           **Sec. 18.55.350. AVAILABILITY OF HOUSING UNITS.** The corporation  
30           [AUTHORITY] shall make the housing units held by it [CONSTRUCTED] under  
31           AS 18.55.300 - 18.55.470 available for rental to eligible persons upon application in the form it

1 prescribes, and at the moderate rentals that it considers proper, or for sale at the prices and  
2 subject to the terms and conditions that it considers fair and equitable. The corporation [THE  
3 AUTHORITY] shall use the money it receives [FUNDS RECEIVED] from the sale of housing  
4 or housing projects held by it under AS 18.55.300 - 18.55.470, and the revenue from rentals,  
5 after payment of obligations and deductions for proper expenses of maintenance and operation,  
6 for the construction of further housing, under the terms of AS 18.55.300 - 18.55.470.

7 \* Sec. 34. AS 18.55.370 is amended to read:

8 Sec. 18.55.370. USE OF MONEY [FUNDS]. Money [THE FUNDS] appropriated or  
9 made available under AS 18.55.300 - 18.55.470 may be used by the corporation [AUTHORITY]  
10 to make

11 (1) character loans, not exceeding \$500 for each dwelling, to residents or  
12 cooperatives for the improvement, conversion, or construction of dwellings in remote areas for  
13 occupancy by the residents or members of the cooperatives;

14 (2) loans for moderate-cost or rental housing facilities and projects to public  
15 agencies, or private nonprofit or limited dividend corporations, or private corporations or  
16 cooperatives organized under AS 10.15.005 - 10.15.600 that are regulated or restricted by the  
17 corporation until [AUTHORITY (UNTIL) the termination of all loan obligations to it [IT)] as  
18 to rents or sales, charges, capital structure, rate of return, and methods of operation to the extent  
19 and in the manner that provides reasonable rentals to tenants and a reasonable return on the  
20 investment; loans to cooperatives may be made for up to 95 per cent of the appraised value of  
21 the housing facility.

22 \* Sec. 35. AS 18.55.380 is amended to read:

23 Sec. 18.55.380. CORPORATION [AUTHORITY] MAY USE POWERS UNDER  
24 OTHER LAWS. The corporation may invoke a power given to it [ANY POWERS OF THE  
25 AUTHORITY] under any statute, including [BUT NOT LIMITED TO] the powers of eminent  
26 domain and those relating to the issuance of bonds and obligations [, MAY BE INVOKED]  
27 with respect to a project undertaken or loan made or to be made under the authorization provided  
28 in AS 18.55.300 - 18.55.470.

29 \* Sec. 36. AS 18.55.390 is amended to read:

30 Sec. 18.55.390. LIMITATION ON CORPORATION'S [AUTHORITY'S] POWER. The  
31 power of the corporation [AUTHORITY] to act under AS 18.55.300 - 18.55.470 is limited to

1 projects in which [WHERE] adequate financing on reasonable terms is not otherwise available  
2 or entrepreneurial sponsorship is lacking.

3 \* Sec. 37. AS 18.55.400 is amended to read:

4 Sec. 18.55.400. EXPENDITURE OF MONEY [FUNDS]. The corporation  
5 [AUTHORITY] may spend the portion of the money [FUNDS] appropriated under  
6 AS 18.55.300 - 18.55.470 that it considers advisable, either directly or in cooperation with  
7 educational institutions or government agencies, to develop, through study, research, and analysis,  
8 information regarding low cost building supplies, materials, and methods of construction, and to  
9 disseminate this information.

10 \* Sec. 38. AS 18.55.420 is amended to read:

11 Sec. 18.55.420. POWER TO ADOPT AND ENFORCE [MAKE] REGULATIONS. The  
12 corporation [AUTHORITY] may

13 (1) make and enforce reasonable rules and regulations under AS 18.56.098 to  
14 carry out the purposes of AS 18.55.300 - 18.55.470; and

15 (2) [MAY] determine the allocation of dwelling units and projects constructed in  
16 a municipality on the basis of the municipality's [ITS] population or the demand or potential  
17 demand for dwelling units in it.

18 \* Sec. 39. AS 18.55.440 is amended to read:

19 Sec. 18.55.440. ADDITIONAL POWERS. For the purpose of carrying out  
20 AS 18.55.300 - 18.55.470, the corporation [AUTHORITY] may acquire by purchase, lease,  
21 condemnation, or otherwise,

22 (1) land and appurtenances to land necessary or desirable for the establishment,  
23 construction, and operation of moderate cost and moderate rental housing;

24 (2) [. THE AUTHORITY MAY ACQUIRE BY PURCHASE, LEASE,  
25 CONDEMNATION, OR OTHERWISE,] rights-of-way or easements for roads, streets, trails,  
26 utilities, power lines, and other similar facilities necessary and desirable for the proper  
27 establishment, operation, and maintenance of a housing project.

28 \* Sec. 40. AS 18.55.450 is amended to read:

29 Sec. 18.55.450. ABILITY [AUTHORITY] TO ACCEPT LAND [LANDS] AND OTHER  
30 PROPERTY. The corporation [AUTHORITY] may accept land , a building, property, or  
31 equipment that is available from an executive department, independent establishment or agency

1 of the federal government or the state, or a municipality, for the purpose of carrying out  
2 AS 18.55.300 - 18.55.470.

3 \* Sec. 41. AS 18.55.460 is amended to read:

4 Sec. 18.55.460. PREFERENCE FOR STATE PROFESSIONAL AND CONTRACTORS'  
5 SERVICES. In planning, designing, and constructing projects under AS 18.55.300 - 18.55.470,  
6 the corporation [AUTHORITY] shall use [ALASKAN] professional and contractor services of  
7 state residents as far as practicable and shall encourage the use of local building materials.

8 \* Sec. 42. AS 18.55.470(1) is repealed and reenacted to read:

9 (1) "corporation" means the Alaska Housing Finance Corporation;

10 \* Sec. 43. AS 18.55.490 is amended to read:

11 Sec. 18.55.490. LEGISLATIVE INTENT. It is the intent of the legislature in  
12 AS 18.55.480 - 18.55.960 to take advantage of 42 U.S.C. 1441 - 1469c (Title I of the Housing  
13 Act of 1949 (P.L. 81-171; 63 Stat. 413)) [TITLE I OF THE HOUSING ACT OF 1949 (P.L.  
14 81-171; 63 STAT. 413)], as amended.

15 \* Sec. 44. AS 18.55.500 is amended to read:

16 Sec. 18.55.500. INTEREST OF MEMBERS OF BOARD OF DIRECTORS OR  
17 EMPLOYEES OF CORPORATION [AUTHORITY] IN PROJECT PROHIBITED. (a) A  
18 member of the board of directors or employee of the corporation [AUTHORITY] may not  
19 voluntarily acquire an interest, direct or indirect, in a redevelopment project or in property  
20 included or planned by the authority to be included in a redevelopment project, or in a contract  
21 or proposed contract in connection with a project. If the acquisition is not voluntary the member  
22 or employee shall immediately disclose the interest in writing to the corporation [AUTHORITY]  
23 and the disclosure shall be entered upon the minutes of the corporation [AUTHORITY].

24 (b) If a member of the board of directors or employee of the corporation  
25 [AUTHORITY] owns or controls or owned or controlled within the preceding two years an  
26 interest, direct or indirect, in property that the member or employee knows is included or planned  
27 by the corporation [AUTHORITY] to be included in a redevelopment project, the member or  
28 employee shall immediately disclose the interest in writing to the corporation [AUTHORITY]  
29 and the disclosure shall be entered upon the minutes of the corporation [AUTHORITY], and the  
30 member or employee may not participate in an action by the corporation [AUTHORITY]  
31 affecting the property. A violation of this section constitutes misconduct in office or dereliction

1 of duties of employment or both.

2 \* Sec. 45. AS 18.55.510(a) is amended to read:

3 (a) The corporation [AUTHORITY] may not transact business or exercise its powers  
4 under AS 18.55.480 - 18.55.960 in a municipality until the governing body approves by  
5 resolution the exercise in the municipality of the powers, functions, and duties of the corporation  
6 [AUTHORITY] under AS 18.55.480 - 18.55.960.

7 \* Sec. 46. AS 18.55.520 is amended to read:

8 Sec. 18.55.520. POWERS OF THE CORPORATION [AUTHORITY]. In addition to  
9 all powers previously vested in or granted to the corporation [AUTHORITY] by any other law,  
10 the corporation [AUTHORITY] has all the powers necessary or convenient to carry out and  
11 effectuate the purposes and provisions of AS 18.55.480 - 18.55.960, including the following  
12 powers:

13 (1) to prepare or have prepared and to recommend redevelopment plans to the  
14 governing body of any municipality within its area of operation and to undertake and carry out  
15 redevelopment projects within its area of operation;

16 (2) to arrange or contract for the furnishing or repair, by any person or agency,  
17 public or private, of services, privileges, works, streets, roads, public utilities or other facilities  
18 for or in connection with a redevelopment project; and notwithstanding anything to the contrary  
19 contained in AS 18.55.480 - 18.55.960 or any other provision of law, to agree to the conditions  
20 that it considers reasonable and appropriate that are attached to federal financial assistance and  
21 imposed pursuant to federal law relating to the determination of prevailing salaries or wages or  
22 compliance with labor standards, in the undertaking or carrying out of a redevelopment project,  
23 and to include a contract let in connection with a redevelopment project, provisions to fulfill any  
24 of these conditions it considers reasonable and appropriate;

25 (3) within its area of operation,

26 (A) to purchase, lease, obtain options upon, acquire by gift, grant, bequest,  
27 devise, eminent domain, or otherwise, any real or personal property or any interest in it,  
28 together with any improvements on it necessary or incidental to a redevelopment project;

29 (B) to hold, improve, clear, or prepare for redevelopment the [ANY  
30 SUCH] property it obtains under (A) of this paragraph;

31 (C) to sell, lease, exchange, transfer, assign, subdivide, retain for its own

1 use, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or  
2 personal property or any interest in it;

3 (D) to enter into contracts with redevelopers of property containing  
4 covenants, restrictions, and conditions regarding the use of the property for residential,  
5 commercial, industrial, recreational purposes or for public purposes in accordance with  
6 the redevelopment plan and other covenants, restrictions, and conditions that the  
7 corporation [AUTHORITY] considers necessary to prevent a recurrence of slum or  
8 blighted areas or to effectuate the purposes of AS 18.55.480 - 18.55.960;

9 (E) to make any covenant, restriction, or condition of the foregoing  
10 contracts a covenant running with the land, and to provide appropriate remedies for a  
11 breach of the covenant, restriction, or condition, including the right in the corporation  
12 [AUTHORITY] to terminate the contract and the interest in the property created under  
13 the contract;

14 (F) to borrow money and issue bonds and provide security for loans or  
15 bonds;

16 (G) to insure or provide for the insurance of real or personal property or  
17 operations of the corporation [AUTHORITY] against risk or hazard, including the power  
18 to pay premiums on this insurance;

19 (H) to enter into any contracts necessary to effectuate the purposes of  
20 AS 18.55.480 - 18.55.960; however, statutory provisions with respect to the acquisition,  
21 clearance, or disposition of property by another public body do not restrict the  
22 corporation [AUTHORITY] or the other public body in these functions, unless the  
23 legislature has specifically so provided [STATES];

24 (4) to invest money [FUNDS] held in reserves or sinking funds or any money  
25 [FUNDS] not required for immediate disbursement, in property or securities in which savings  
26 banks may legally invest money [FUNDS] subject to their control, and to redeem its bonds at  
27 the redemption price established in the bonds or to purchase its bonds at less than redemption  
28 price; and all bonds redeemed or purchased shall be cancelled;

29 (5) to borrow money and to apply for and accept advances, loans, grants,  
30 contributions, and any other form of financial assistance from the federal government, the state,  
31 municipality, or other public body or from any sources, public or private, for the purposes of

1 AS 18.55.480 - 18.55.960, to give the security required and to enter into and carry out contracts  
2 in connection with the transaction; [THE AUTHORITY] notwithstanding the provisions of any  
3 other law, the corporation may include in a contract for financial assistance with the federal  
4 government for a redevelopment project those conditions imposed pursuant to federal law that  
5 the corporation [AUTHORITY] considers reasonable and appropriate and which are not  
6 inconsistent with the purposes of AS 18.55.480 - 18.55.960;

7 (6) to act through a member or another person designated by the corporation  
8 [AUTHORITY] to conduct examinations and investigations and to hear testimony and take proof  
9 under oath at public or private hearings on any matter material for its information; to administer  
10 oaths, and to issue commissions for the examination of witnesses who are outside the state or  
11 unable to attend before the corporation [AUTHORITY], or excused from attendance; to make  
12 available to appropriate agencies or public officials, including those charged with the duty of  
13 abating or requiring the correction of nuisances or like conditions or of demolishing unsafe or  
14 unsanitary structures or eliminating slums or conditions of blight within its area of operation, its  
15 findings and recommendations with regard to any building or property where conditions exist that  
16 are dangerous to the public health, safety, morals, and welfare;

17 (7) within its area of operation, to make or have made all surveys, appraisals,  
18 studies, and plans necessary to carry out the purposes of AS 18.55.480 - 18.55.960 and to  
19 contract or cooperate with persons or agencies, public or private, in the making and carrying out  
20 of the surveys, appraisals, studies, and plans;

21 (8) to prepare plans and provide reasonable assistance for the relocation of  
22 families displaced from a redevelopment project area to the extent essential for acquiring  
23 possession of and clearing the area or parts of the area to permit the carrying out of the  
24 redevelopment project;

25 (9) to make expenditures that are necessary to carry out the purposes of  
26 AS 18.55.480 - 18.55.960, and to make expenditures from money [FUNDS] obtained from the  
27 federal government and the state [INCLUDING THE ALASKA STATE HOUSING  
28 AUTHORITY FUND], without regard to any other laws pertaining to the making and approval  
29 of appropriations and expenditures;

30 (10) to exercise all or any part or combination of powers granted by this section;

31 (11) with the approval of the local governing body,

1 (A) before approval of an urban renewal or redevelopment plan, or  
2 approval of any modifications of the plan to acquire real property in an urban renewal or  
3 redevelopment area, to demolish and remove any structures on the property, and pay all  
4 costs related to the acquisition, demolition, or removal, including any administrative or  
5 relocation expenses; and

6 (B) to assume the responsibility to bear any loss that may arise as the  
7 result of the exercise of its powers [AUTHORITY] under this paragraph in the event that  
8 the real property is not made part of the urban renewal or redevelopment project;

9 (12) to prepare or have prepared and to recommend neighborhood development  
10 plans to the governing body of any municipality within its area of operation and to undertake and  
11 carry out neighborhood development projects within its area of operation.

12 \* Sec. 47. AS 18.55.525 is amended to read:

13 Sec. 18.55.525. NEIGHBORHOOD DEVELOPMENT PROJECTS. (a) A neighborhood  
14 development project, as undertaken and administered by the corporation [AUTHORITY], shall  
15 consist of urban renewal project undertakings and activities in one or more urban renewal areas  
16 that are planned and carried out on the basis of annual increments in accordance with 42 U.S.C.  
17 1469 - 1469c (secs. 131 - 134, Title I, Housing Act of 1949), as amended.

18 (b) The corporation shall adhere to the provisions of [PROVISIONS IN]  
19 AS 18.55.480 - 18.55.960 [SHALL BE ADHERED TO] in its [THE] planning and carrying out  
20 of a neighborhood development project [BY THE AUTHORITY].

21 \* Sec. 48. AS 18.55.530(a) is amended to read:

22 (a) Except as provided in AS 18.55.520(11), the corporation [THE AUTHORITY] may  
23 not acquire real property for a redevelopment project unless the governing body of the  
24 municipality has approved the redevelopment plan, as prescribed in (i) of this section[, EXCEPT  
25 AS PROVIDED IN AS 18.55.520(11)].

26 \* Sec. 49. AS 18.55.530(d) is amended to read:

27 (d) The corporation [AUTHORITY] may prepare or have prepared a redevelopment plan  
28 or any person or agency, public or private, may submit a redevelopment plan to the corporation  
29 [AUTHORITY]. A redevelopment plan must be sufficiently complete to indicate its relationship  
30 to definite local objectives as to appropriate land uses, improved traffic, public transportation,  
31 public utilities, recreational and community facilities, and other public improvements and the

1 proposed land uses and building requirements in the redevelopment project area, and must include  
2 [WITHOUT BEING LIMITED TO]

3 (1) the boundaries of the redevelopment project area, with a map showing the  
4 existing uses and conditions of the real property within those boundaries [THEREIN];

5 (2) a land use plan showing proposed uses of the area;

6 (3) information showing the standards of population densities, land coverage, and  
7 building intensities in the area after redevelopment;

8 (4) a statement of the proposed changes, if any, in zoning ordinances or maps,  
9 street layouts, street levels or grades, building codes, and ordinances;

10 (5) a site plan of the area; and

11 (6) a statement as to the kind and number of additional public facilities or utilities  
12 that will be required to support the new land uses in the area after redevelopment.

13 \* Sec. 50. AS 18.55.530(c) is amended to read:

14 (e) Before recommending a redevelopment plan to the governing body for approval, the  
15 corporation [AUTHORITY] shall submit the plan to the planning commission, if any, of the area  
16 in which the redevelopment project area is located for review and recommendations as to its  
17 conformity with the general plan for the physical development of the area. The planning  
18 commission shall submit its written recommendations with respect to the proposed redevelopment  
19 plan to the corporation [AUTHORITY] within 30 days after receipt of the plan for review.  
20 Upon receipt of the recommendations of the planning commission or, if [NO] recommendations  
21 are not received within 30 days, then without the recommendations, the corporation  
22 [AUTHORITY] may recommend the redevelopment plan to the governing body of the  
23 municipality for approval.

24 \* Sec. 51. AS 18.55.530(g) is amended to read:

25 (g) The recommendation of a redevelopment plan by the corporation [AUTHORITY]  
26 to the governing body shall be accompanied by

27 (1) the recommendations, if any, of the planning commission concerning the  
28 redevelopment plan;

29 (2) [BY] a statement of the proposed method and estimated cost of the acquisition  
30 and preparation for redevelopment of the redevelopment project area and the estimated proceeds  
31 or revenues from its disposal to redevelopers;

1                   (3) [BY] a statement of the proposed method of financing the redevelopment  
2 project; and

3                   (4) [BY] a statement of a feasible method proposed for the relocation of families  
4 to be displaced from the redevelopment project area.

5 \* Sec. 52. AS 18.55.530(i) is amended to read:

6                   (i) Following the hearing required by (h) of this section, the governing body may by  
7 ordinance initially approve a redevelopment plan if it finds that the plan is feasible and conforms  
8 with the general plan for the physical development of the area. Approval of subsequent  
9 modifications of the plan that do not involve substantive changes shall be by resolution. A  
10 redevelopment plan that has not been approved by the governing body when recommended by  
11 the corporation [AUTHORITY] may again be recommended to it with any modifications  
12 considered advisable.

13 \* Sec. 53. AS 18.55.530(j) is amended to read:

14                   (j) The corporation may modify a [A] redevelopment plan [MAY BE MODIFIED] at  
15 any time [BY THE AUTHORITY]. However, if it is modified after the lease or sale of real  
16 property in the redevelopment project area, the redeveloper or the developer's successor in  
17 interest affected by the proposed modification must consent to the modification. If [WHERE]  
18 the proposed modification will substantially change the redevelopment plan as previously  
19 approved by the governing body, the modification must similarly be approved by the governing  
20 body.

21 \* Sec. 54. AS 18.55.530(k) is amended to read:

22                   (k) Notwithstanding any other provision of this chapter, if [WHERE] the local governing  
23 body certifies that an area is in need of redevelopment or rehabilitation as a result of flood, fire,  
24 hurricane, earthquake, storm, or other catastrophe respecting which the governor has certified the  
25 need for disaster assistance under [PUBLIC LAW 875, 81ST CONGRESS, OR OTHER] federal  
26 law, the local governing body may approve an urban renewal or redevelopment plan and an urban  
27 renewal or redevelopment project with respect to the area without regard to the provisions  
28 relating to relocation, conformance of the urban renewal or redevelopment plan with the general  
29 plan, and the provisions of this chapter requiring a general plan for the municipality and a public  
30 hearing on the urban renewal or redevelopment project or plan.

31 \* Sec. 55. AS 18.55.540(a) is amended to read:

1 (a) The corporation [AUTHORITY] may sell, lease, exchange, or otherwise transfer real  
2 property or any interest in real property in a redevelopment project area to a redeveloper for  
3 residential, recreational, commercial, industrial, or other uses, or for public use in accordance  
4 with the redevelopment plan, subject to those covenants, conditions, and restrictions it considers  
5 in the public interest or to carry out the purposes of AS 18.55.480 - 18.55.960. However, the  
6 sale, lease, exchange, or other transfer, or an agreement relating to it, may be made only after,  
7 or subject to, the approval of the redevelopment plan by the governing body of the municipality.  
8 The real property shall be sold, leased, or transferred at its fair value for uses in accordance with  
9 the redevelopment plan although the fair value may be less than the cost of acquiring and  
10 preparing the property for redevelopment. In determining the fair value of real property for uses  
11 in accordance with the redevelopment plan, the corporation [AUTHORITY] shall consider the  
12 uses and purposes required by the redevelopment plan, the restrictions upon, and the covenants,  
13 conditions, and obligations assumed by the redeveloper of the property, the objectives of the  
14 redevelopment plan for the prevention of the recurrence of slum or blighted areas, and the other  
15 matters the corporation [AUTHORITY] specifies as appropriate. In fixing rentals and selling  
16 prices, the corporation [AUTHORITY] shall consider appraisals of the property for these  
17 [SUCH] uses that are made by land experts employed by the corporation [AUTHORITY].

18 \* Sec. 56. AS 18.55.540(b) is amended to read:

19 (b) Before considering a redevelopment contract proposal, the corporation  
20 [AUTHORITY], by public notice published at least once a week for two consecutive weeks in  
21 a newspaper of general circulation in the municipality, or, if there is no [SUCH] newspaper of  
22 general circulation, by posting the notice in three public places in the municipality, shall invite  
23 proposals from, and make available all pertinent information to private developers or to persons  
24 interested in undertaking the redevelopment of an area or any part of an area that the governing  
25 body has declared to be in need of redevelopment. The notice must identify the area and must  
26 state that the further information that is available may be obtained at the office of the authority.  
27 The corporation [AUTHORITY] shall consider all redevelopment proposals and the financial  
28 and legal ability of the prospective developers to carry out their proposals and may negotiate  
29 with developers for proposals for the purchase or lease of real property in the redevelopment  
30 project area. The corporation [AUTHORITY] may accept the redevelopment contract proposal  
31 it considers in the public interest and in furtherance of the purposes of AS 18.55.480 - 18.55.960,

1 provided that the corporation [AUTHORITY] has given to the governing body at least 30 days'  
2 written notice of its intent to accept the redevelopment contract proposal. Thereafter the  
3 corporation [AUTHORITY] may execute a redevelopment contract in accordance with the  
4 provisions of (a) of this section and deliver deeds, leases, and other instruments and take all steps  
5 necessary to effectuate the redevelopment contract. The corporation [AUTHORITY] may,  
6 without regard to the foregoing provisions of this subsection, dispose of real property in a  
7 redevelopment project area to private redevelopers for redevelopment under the reasonable  
8 competitive bidding procedures it prescribes, subject to the provisions of (a) of this section.

9 \* Sec. 57. AS 18.55.550(a) is amended to read:

10 (a) The corporation [AUTHORITY] may

11 (1) acquire by eminent domain real property that it considers necessary within the  
12 boundaries of the redevelopment project or for its purposes under AS 18.55.480 - 18.55.960 after  
13 the adoption by it of a resolution declaring that the acquisition of the real property described in  
14 the resolution is necessary for those purposes; and

15 (2) [. THE AUTHORITY MAY] exercise the power of eminent domain in the  
16 manner provided in AS 09.55.240 - 09.55.460 or in the manner provided by other statutory  
17 provisions for the exercise of the power of eminent domain.

18 \* Sec. 58. AS 18.55.560 is amended to read:

19 Sec. 18.55.560. ACQUISITION AND DEVELOPMENT OF UNDEVELOPED VACANT  
20 LAND. Upon a determination, by resolution, of the governing body of the municipality that the  
21 acquisition and development of undeveloped vacant land not within a slum or blighted area is  
22 essential to the proper clearance or redevelopment of a slum or blighted area or a necessary part  
23 of the general slum clearance program of the municipality, the acquisition, planning, preparation  
24 for development or disposal of the [SUCH] land shall constitute a redevelopment project that  
25 [WHICH] may be undertaken by the corporation [AUTHORITY] in the manner provided in  
26 AS 18.55.480 - 18.55.960. The determination by the governing body is a substitute for the  
27 declaration required by AS 18.55.530(b) but the determination may not be made until the  
28 governing body finds that

29 (1) there is a shortage of decent, safe, and sanitary housing in the municipality;

30 (2) [THAT] the undeveloped vacant land will be developed for predominantly  
31 residential uses; and

1                   **(3)** [THAT] the provisions of dwelling accommodations on the undeveloped  
2 vacant land is necessary to accomplish the relocation in decent, safe, and sanitary housing in the  
3 municipality, of families to be displaced from slum or blighted areas that are to be redeveloped.

4 \* **Sec. 59.** AS 18.55.570(a) is amended to read:

5                   (a) The corporation [AUTHORITY] may

6                   **(1)** issue bonds and notes from time to time for any of the purposes of  
7 AS 18.55.480 - 18.55.960, [ITS CORPORATE PURPOSES] including the payment of principal  
8 and interest upon advances for surveys and plans for redevelopment projects;

9                   **(2)** [. THE AUTHORITY MAY] issue refunding bonds for the purpose of the  
10 payment or retirement or in exchange for bonds previously issued by it;

11                   **(3)** [. THE AUTHORITY MAY] issue the types of bonds and notes it  
12 determines, including bonds and notes on which the principal and interest are payable

13                   **(A)** [(1)] exclusively from the income, proceeds, and revenues of the  
14 redevelopment project financed with the proceeds of the bonds or notes; [,] or

15                   **(B)** [(2)] exclusively from the income, proceeds, and revenue of any of  
16 its redevelopment projects whether or not they are financed in whole or in part with the  
17 proceeds of the bonds or notes; and

18                   **(4)** further secure the [. THE] bonds or notes authorized by (1) - (3) of this  
19 subsection [MAY BE FURTHER SECURED] by a pledge of all or any part of a loan, grant, or  
20 contribution from the federal government or from another source, or by a mortgage of a  
21 redevelopment project of the corporation [AUTHORITY].

22 \* **Sec. 60.** AS 18.55.570(b) is amended to read:

23                   (b) The members of the board of directors of the corporation [AUTHORITY] or a  
24 person executing the bonds or notes authorized by (a) of this section are not liable personally  
25 on the bonds or notes by reason of the issuance of them. The bonds, notes, and other obligations  
26 of the corporation [AUTHORITY] are not a debt of the municipality, the state, or the United  
27 States, and neither the municipality, the state, nor the United States is liable on them, nor are the  
28 bonds, notes, or obligations payable out of money or property [FUNDS OR PROPERTIES]  
29 other than those of the corporation [AUTHORITY] acquired for the purposes of AS 18.55.480 -  
30 18.55.960 and each bond and note shall state this on its face. A bond or note does not constitute  
31 an indebtedness within the meaning of any constitutional or statutory debt limitation or

1 restriction. Bonds and notes of the corporation [AUTHORITY] issued under AS 18.55.480 -  
2 18.55.960 are declared to be issued for an essential public and governmental purpose and,  
3 together with interest on them and income from them, are exempt from all taxes.

4 \* Sec. 61. AS 18.55.570(e) is amended to read:

5 (e) If a member of the board of directors or officer of the corporation [AUTHORITY]  
6 whose signature appears on a bond, note, or coupon ceases to be a member or officer before the  
7 delivery of the bonds or notes, the signature is nevertheless valid and sufficient for all purposes  
8 as if the member or officer had remained in office until delivery. Any provision of law to the  
9 contrary notwithstanding, bonds and notes issued under AS 18.55.480 - 18.55.960 are negotiable.

10 \* Sec. 62. AS 18.55.580 is amended to read:

11 Sec. 18.55.580. POWER OF CORPORATION [AUTHORITY] TO PROVIDE  
12 ADDITIONAL SECURITY FOR BONDS. (a) In connection with the issuance of bonds or the  
13 incurring of obligations under leases, in order to secure the payment of the bonds or obligations,  
14 the corporation [AUTHORITY], in addition to its other powers, may

15 (1) pledge all or a part of its gross or net rents, fees, or revenue from  
16 redevelopment projects to which its right exists or may come into existence;

17 (2) mortgage all or a part of its real or personal property in a redevelopment  
18 project owned or later acquired;

19 (3) covenant against pledging all or a part of its rents, fees, and revenue from  
20 redevelopment projects or against mortgaging all or a part of its real or personal property in a  
21 redevelopment project to which its right or title exists or may come into existence or against  
22 permitting or suffering a lien on the revenue or property, and covenant with respect to limitations  
23 on its right to sell, lease, or otherwise dispose of a redevelopment project or a part of a project,  
24 and covenant as to other, or additional debts or obligations that may be incurred by it;

25 (4) covenant as to the bonds to be issued and as to the issuance of the bonds in  
26 escrow or otherwise, and as to the use and disposition of the proceeds, and provide for the  
27 replacement of lost, destroyed, or mutilated bonds, covenant against extending the time for the  
28 payment of its bonds or interest, and covenant for the redemption of the bonds and to provide  
29 the terms and conditions of redemption;

30 (5) covenant, subject to the limitations contained in AS 18.55.480 - 18.55.960,  
31 as to the amount of revenue to be raised each year or other period of time by rents, fees, and

1 other revenue, and as to their use and disposition, and create or authorize the creation of special  
2 funds for money held for operating costs, debt service, reserves, or other purposes, and covenant  
3 as to the use and disposition of the money held in these funds;

4 (6) prescribe the procedure by which the terms of a contract with bondholders  
5 may be amended or abrogated, the amount of bonds the holders of which must consent thereto,  
6 and the manner in which consent may be given;

7 (7) covenant as to the use, maintenance, and replacement of any or all of its real  
8 or personal property in a redevelopment project, the insurance to be carried and the use and  
9 disposition of insurance money, and warrant its title to that property;

10 (8) covenant as to the rights, liabilities, powers, and duties arising upon the breach  
11 by it of a covenant, condition, or obligation, and covenant and prescribe as to events of default  
12 and terms and conditions upon which any or all of its bonds or obligations shall become or may  
13 be declared due before maturity, and as to the terms and conditions upon which the declaration  
14 and its consequences may be waived;

15 (9) vest in any obligees of the corporation [AUTHORITY] the right to enforce  
16 the payment of the bonds or any covenants securing or relating to the bonds;

17 (10) vest in any obligee or obligees holding a specified amount in bonds the right,  
18 in the event of a default by the corporation [AUTHORITY], to take possession of and use,  
19 operate, and manage a redevelopment project or a part of a project, title to which is in the  
20 corporation [AUTHORITY], or money [FUNDS] connected with a project, and to collect the  
21 rent and revenue arising from the project or part of the project and to dispose of the money in  
22 accordance with the agreement of the corporation [AUTHORITY] with the obligees;

23 (11) provide for the powers and duties of the obligees and limit their liability;

24 (12) provide the terms and conditions upon which the obligees may enforce any  
25 covenant or rights securing or relating to the bonds;

26 (13) exercise all or any part or combination of the powers granted in  
27 AS 18.55.480 - 18.55.960;

28 (14) make the covenants and do any and all acts and things necessary or  
29 convenient or desirable in order to secure its bonds, or, in the absolute discretion of the  
30 corporation [AUTHORITY], as will tend to make the bonds more marketable even if the  
31 covenants, acts, or things are not enumerated in this section.

1           (b) The corporation [AUTHORITY] may, by resolution, trust, indenture, mortgage,  
2 lease, or other contract confer upon an obligee holding or representing a specified amount in  
3 bonds, the right, in addition to all rights that may be conferred, upon the happening of an event  
4 of default as defined in the resolution or instrument, by an action or proceeding in a competent  
5 court

6           (1) to have possession of a redevelopment project or part of one, title to which  
7 is in the corporation [AUTHORITY], surrendered to the obligee;

8           (2) to obtain the appointment of a receiver of a redevelopment project or part of  
9 a project, title to which is in the corporation [AUTHORITY], and of the rents and profits from  
10 the project or part, and if a receiver is appointed, the receiver may enter and take possession of,  
11 carry out, operate, and maintain the project or a part of the project and may collect and receive  
12 all fees, rents, revenue, or other charges thereafter arising from the project or part, and shall keep  
13 this money in a separate account and apply it in accordance with the obligations of the authority  
14 as the court directs; and

15           (3) to require the corporation [AUTHORITY], the members of its board of  
16 directors [MEMBERS], officers, agents, and employees to account as if it and they were the  
17 trustees of an express trust.

18 \* Sec. 63. AS 18.55.590 is amended to read:

19           Sec. 18.55.590. REMEDIES OF OBLIGEE. An obligee of the corporation  
20 [AUTHORITY] may, in addition to all other rights that may be conferred on the obligee, subject  
21 only to contractual restrictions binding upon the obligee,

22           (1) by mandamus, suit, action, or proceeding at law or in equity compel the  
23 corporation, the members of its board of directors, [AUTHORITY] and its [MEMBERS,]  
24 officers, agents, or employees to perform each and every term, provision, and covenant contained  
25 in a contract of the corporation [AUTHORITY] with or for the benefit of the obligee, and  
26 require the carrying out of any or all those covenants and agreements of the corporation  
27 [AUTHORITY] and the fulfillment of all duties imposed upon it by AS 18.55.480 - 18.55.960;  
28 and

29           (2) by suit, action, or proceeding in equity enjoin any acts or things that may be  
30 unlawful, or in violation of any of the rights of the obligee of the corporation [AUTHORITY].

31 \* Sec. 64. AS 18.55.600(b) is amended to read:

1 (b) The following investments are proper investments under (a) of this section: Any  
2 bonds or other obligations issued by the corporation [AUTHORITY] under AS 18.55.480 -  
3 18.55.960 or by any public housing or redevelopment authority or commission, or agency or any  
4 other public body in the United States for redevelopment purposes, when the bonds and other  
5 obligations are secured by an agreement between the issuing agency and the federal government  
6 in which the issuing agency agrees to borrow from the federal government and the federal  
7 government agrees to lend to the issuing agency, before the maturity of the bonds or other  
8 obligations, money in an amount that, together [WHICH (TOGETHER)] with any other money  
9 irrevocably committed to the payment of interest on the bonds or other obligations,  
10 [OBLIGATIONS]] is sufficient to pay the principal of the bonds or other obligations with interest  
11 to maturity, if, [WHICH MONEY] under the terms of the agreement, the money is required to  
12 be used for the purpose of paying the principal and interest on the bonds or other obligations at  
13 their maturity. The bonds and other obligations shall be authorized security for all public  
14 deposits.

15 \* Sec. 65. AS 18.55.620 is amended to read:

16 Sec. 18.55.620. PROPERTY EXEMPT FROM TAXES AND EXECUTION. (a) All  
17 property held by the corporation for a purpose set out in AS 18.55.300 - 18.55.470 and in  
18 AS 18.55.480 - 18.55.960 [OF THE AUTHORITY] is exempt from levy and sale by virtue of  
19 an execution, and an [NO] execution or other judicial process may not issue against it nor may  
20 judgment against it be a charge or lien upon its property. However, this subsection [;  
21 HOWEVER, THIS SECTION] does not apply to or limit the right of an obligee to foreclose or  
22 otherwise enforce any mortgage of the corporation [AUTHORITY] or to pursue remedies for  
23 the enforcement of a pledge or lien given by the authority on its rents, fees, grants, or revenue.

24 (b) The property held by the corporation for a purpose set out in AS 18.55.300 -  
25 18.55.470 and in AS 18.55.480 - 18.55.960 [OF THE AUTHORITY] is declared to be public  
26 property used for essential public and governmental purposes and the property is [AND THE  
27 AUTHORITY ARE] exempt from all taxes of the state or a political subdivision of the state.  
28 However, subject to (c) of this section, the corporation [AUTHORITY] shall, from the time it  
29 acquires title to property in a redevelopment project until it sells, leases, or otherwise disposes  
30 of that property, make payment equal in amount and in lieu of taxes that [WHICH] would be  
31 assessed and paid to a political subdivision in which the property is situated if the property had

1 not been acquired by the corporation [AUTHORITY]. From the time the corporation  
2 [AUTHORITY] sells, leases, or otherwise transfers the property, the obligation of the  
3 corporation [AUTHORITY] to make payment in lieu of taxes shall cease and the property shall  
4 thereafter be taxable in the same manner as other property within the political subdivision, unless  
5 the property is exempt from taxation by law. The property sold, leased, or otherwise transferred  
6 by the corporation [AUTHORITY] may be assessed for taxation on that part of the tax year  
7 during which it was not owned by the corporation [AUTHORITY], unless the property is  
8 exempt from taxation by law. Except for the payments required by this subsection, the power  
9 vested in the corporation [AUTHORITY] to make payments in lieu of taxes under AS 18.55.250  
10 or other law is not affected by this subsection.

11 (c) Property for which payments are required under (b) of this section is limited to land  
12 and valuable improvements on the land, including buildings located on the property on the  
13 assessment date.

14 (d) Payments for property under (b) of this section [FURTHERMORE, PAYMENTS]  
15 may not be required from the corporation [AUTHORITY] unless the payments are eligible  
16 project costs under federal policy.

17 \* Sec. 66. AS 18.55.630(a) is amended to read:

18 (a) For the purpose of aiding and cooperating in the planning, undertaking, or carrying  
19 out of a redevelopment project located within the area in which it is authorized to act, a public  
20 body may, upon terms, with or without consideration, as it determines,

21 (1) dedicate, sell, convey, or lease any of its interest in a property, or grant  
22 easements, licenses, or other rights or privileges in the property to the corporation  
23 [AUTHORITY];

24 (2) cause parks, playgrounds, or recreational, community, educational, water,  
25 sewer, or drainage facilities, or other works that it is otherwise empowered to undertake to be  
26 furnished in connection with a redevelopment project;

27 (3) furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan  
28 streets, roads, sidewalks, ways, or other places, that it is otherwise empowered to undertake;

29 (4) plan or replan, or zone or rezone any part of the public body or make  
30 exceptions from building regulations and ordinances if the functions are of the character that the  
31 public body is otherwise empowered to perform;

1 (5) cause administrative and other services to be furnished to the corporation  
2 [AUTHORITY] of the character that the public body is otherwise empowered to undertake or  
3 furnish for the same or other purposes;

4 (6) incur the entire expense of public improvements made by the public body in  
5 exercising the powers granted in this section;

6 (7) do any and all things necessary or convenient to aid and cooperate in the  
7 planning or carrying out of a redevelopment plan;

8 (8) lend, grant, or contribute money [FUNDS] to the corporation  
9 [AUTHORITY];

10 (9) employ any money [FUNDS] belonging to or within the control of the public  
11 body, including money [FUNDS] derived from the sale or furnishing of property, service, or  
12 facilities to the authority, in the purchase of the bonds or other obligations of the authority and,  
13 as the holder of the bonds or other obligations, exercise the rights connected with them; and

14 (10) enter into agreements, which may extend over any period, notwithstanding  
15 a provision or rule of law to the contrary, with the corporation [AUTHORITY] respecting action  
16 to be taken by the public body under any of the powers granted by AS 18.55.480 - 18.55.960.

17 \* Sec. 67. AS 18.55.660 is amended to read:

18 Sec. 18.55.660. ADDITIONAL POWERS OF GOVERNING BODY. Whenever the  
19 corporation [AUTHORITY] exercises its rights, powers, and duties under AS 18.55.480 -  
20 18.55.960 in the area adjacent to a municipality, the governing body of the municipality may  
21 prepare or have prepared general plans for the physical development of the area if the preparation  
22 of those plans is not otherwise authorized by law and approve redevelopment plans, and lend or  
23 grant money [FUNDS] and other assistance for the undertaking of redevelopment projects in the  
24 area and to take other action with respect to the area or redevelopment project area that is  
25 authorized or required by AS 18.55.480 - 18.55.960 of the governing body of the municipality.

26 \* Sec. 68. AS 18.55.680(a) is amended to read:

27 (a) In addition to the power given [ITS AUTHORITY] under AS 18.55.480 - 18.55.960,  
28 the corporation [AUTHORITY] may plan and undertake an urban renewal project. In  
29 AS 18.55.480 - 18.55.960 an urban renewal project includes undertaking and activity for the  
30 elimination and prevention of the development or spread of slums or blighted, deteriorated, or  
31 deteriorating areas. An urban renewal project may involve any work or undertaking for this

1 purpose that constitutes a redevelopment project or any rehabilitation or conservation work or any  
2 combination of an undertaking or work.

3 \* **Sec. 69.** AS 18.55.700 is repealed and reenacted to read:

4 Sec. 18.55.700. **POWERS WITH RESPECT TO URBAN RENEWAL.** (a) The  
5 corporation has all the powers necessary or convenient to undertake and carry out urban renewal  
6 plans and urban renewal projects, including the power to acquire and dispose of property, to issue  
7 bonds and other obligations, to borrow and accept grants from the federal government or other  
8 source, and to exercise the other powers granted to it by AS 18.55.480 - 18.55.960 with respect  
9 to redevelopment projects.

10 (b) In connection with the planning and undertaking of an urban renewal plan or urban  
11 renewal project, the corporation, the municipality, and all public and private offices, agencies,  
12 and bodies have all the rights, powers, privileges, and immunities that they have with respect to  
13 a redevelopment plan or redevelopment project, in the same manner as though all of the  
14 provisions of AS 18.55.480 - 18.55.960 applicable to a redevelopment plan or redevelopment  
15 project were applicable to an urban renewal plan or urban renewal project. However, for the  
16 purpose of this subsection,

17 (1) the word "redevelopment" as used in AS 18.55.480 - 18.55.960, except in this  
18 section and in the definition of "redevelopment project" in AS 18.55.950, means "urban renewal";

19 (2) the words "slum" and "blighted" as used in AS 18.55.480 - 18.55.960, except  
20 in this section and in the definitions in AS 18.55.950, mean "blighted, deteriorated, or  
21 deteriorating"; and

22 (3) the finding required by AS 18.55.510(b) with respect to a blighted area is not  
23 required.

24 (c) In addition to the surveys and plans that the corporation may otherwise make, it may  
25 make plans

26 (1) for carrying out a program of voluntary repair and rehabilitation of buildings  
27 and improvements; and

28 (2) for the enforcement of laws, codes, and regulations relating to the use of land  
29 and the use and occupancy of buildings and improvements, and the compulsory repair,  
30 rehabilitation, demolition, or removal of buildings and improvements.

31 (d) The corporation may develop, test, and report methods and techniques, and carry out

1 demonstrations and other activities for the prevention and the elimination of slums and urban  
2 blight.

3 \* Sec. 70. AS 18.55.860 is amended to read:

4 Sec. 18.55.860. ORDINANCE TO GIVE CORPORATION [AUTHORITY] POWER  
5 TO DETERMINE FITNESS OF DWELLINGS FOR HABITATION. The ordinance adopted by  
6 a municipality under AS 18.55.480 - 18.55.960

7 (1) must [ALSO] provide that the corporation [AUTHORITY] may determine  
8 that a dwelling is unfit for human habitation if it finds that conditions exist that

9 (A) are dangerous or injurious to the health, safety, or morals of the  
10 occupant of the dwelling, the occupants of neighboring dwellings or other residents of the  
11 municipality; [,] or

12 (B) [THAT] have a blighting influence on properties in the area;

13 (2) [. THESE CONDITIONS MAY INCLUDE THE FOLLOWING, WITHOUT  
14 LIMITATION: DEFECTS INCREASING THE HAZARDS OF FIRE, ACCIDENT, OR OTHER  
15 CALAMITY; LACK OF ADEQUATE VENTILATION, LIGHT, OR SANITARY FACILITIES;  
16 DILAPIDATION; DISREPAIR; STRUCTURAL DEFECTS; UNCLEANLINESS;  
17 OVERCROWDING; INADEQUATE INGRESS AND EGRESS; INADEQUATE DRAINAGE;  
18 OR ANY VIOLATION OF HEALTH, FIRE, BUILDING, OR ZONING REGULATIONS, OR  
19 ANY OTHER LAWS OR REGULATIONS, RELATING TO THE USE OF LAND AND THE  
20 USE AND OCCUPANCY OF BUILDINGS AND IMPROVEMENTS. THE ORDINANCE] may  
21 provide additional standards to guide the corporation [AUTHORITY] in determining the fitness  
22 of a dwelling for human habitation.

23 \* Sec. 71. AS 18.55.860 is amended by adding a new subsection to read:

24 (b) The conditions sufficient to support a finding under (a)(1) of this section include the  
25 following, without limitation:

26 (1) defects increasing the hazards of fire, accident, or other calamity;

27 (2) lack of adequate ventilation, light, or sanitary facilities;

28 (3) dilapidation;

29 (4) disrepair;

30 (5) structural defects;

31 (6) uncleanliness;

- 1 (7) overcrowding;  
2 (8) inadequate ingress and egress;  
3 (9) inadequate drainage; or  
4 (10) a violation of health, fire, building, or zoning regulations, or any other laws  
5 or regulations, relating to the use of land and the use and occupancy of buildings and  
6 improvements.

7 \* Sec. 72. AS 18.55.950 is amended by adding a new paragraph to read:

8 (18) "corporation" means the Alaska Housing Finance Corporation.

9 \* Sec. 73. AS 18.55.995 is amended to read:

10 Sec. 18.55.995. PURPOSE AND INTENT. The legislature finds that an acute shortage  
11 of housing and related facilities exists in the villages of the state [ALASKA] and that adequate  
12 housing cannot be provided by the private sector due to the economic depression that exists in  
13 most villages of the state [ALASKA]. It is the purpose and intent of the legislature to provide  
14 a means for certain Native associations to form public corporations with the powers and duties  
15 comparable to those provided in AS 18.55.100 - 18.55.960 [THE ALASKA STATE HOUSING  
16 AUTHORITY].

17 \* Sec. 74. AS 18.55.996(b) is amended to read:

18 (b) There is created with respect to each of the associations named in (a) of this section  
19 a public body corporate and politic to function in the operating area of the individual associations  
20 to be known as the regional housing authority of the associations possessing all powers, rights,  
21 and functions now or subsequently specified [FOR THE ALASKA STATE HOUSING  
22 AUTHORITY,] under AS 18.55.100 - 18.55.290, [THE ALASKA STATE HOUSING  
23 AUTHORITY ACT (AS 18.55.010 - 18.55.290)] except those specified with respect to the  
24 construction and acquisition of public buildings for lease to the state or any [SUBSEQUENTLY  
25 SPECIFIED] authority that is inconsistent with AS 18.55.995. A regional housing [THE]  
26 authority may enter into agreements with local government, other political subdivisions of the  
27 state, the state or the federal government for the exercise of a function or power relating to  
28 construction, operation, and maintenance of public facilities or public utilities. Upon execution  
29 of an agreement and for the period of the agreement the regional housing authority shall have  
30 the same powers and functions relating to the subject matter of the agreement as those that may  
31 legally be exercised by the governmental unit with whom the agreement is made including the

1 authority to separately or together with the other unit borrow money and issue notes, bonds, or  
2 other evidence of indebtedness to finance a project within the scope of the agreement subject to  
3 the express limitations, if any, contained in the agreement. All obligations or liabilities of the  
4 regional housing authority shall remain their own and are not obligations or liabilities of the state.

5 \* Sec. 75. AS 18.55.996(g) is amended to read:

6 (g) If an activity associated with the planning, financing, construction, or operation of  
7 a project by a regional housing authority established in this section and authorized under  
8 AS 18.55.100 - 18.55.290 conflicts with an activity of the Alaska Housing Finance Corporation  
9 [ALASKA STATE HOUSING AUTHORITY], the governing body of the municipality in which  
10 the project is located shall resolve the conflict.

11 \* Sec. 76. AS 18.55.997(a) is amended to read:

12 (a) In addition to the powers authorized to a regional housing authority under  
13 AS 18.55.996, a regional housing authority may, in accordance with procedures and policies  
14 adopted and approved by the Alaska Housing Finance Corporation [DEPARTMENT OF  
15 COMMUNITY AND REGIONAL AFFAIRS], make loans for the purchase or development of  
16 residential housing in rural areas of the state, other than in an area where the corporation  
17 [DEPARTMENT] has a loan office. A loan shall be secured by collateral in an amount  
18 acceptable to the corporation [DEPARTMENT OF COMMUNITY AND REGIONAL  
19 AFFAIRS]. The rate of interest on a loan authorized by this section may not exceed the interest  
20 rate on a loan originated or purchased under AS 18.56.400 - 18.56.600 [AS 44.47.370 -  
21 44.47.560].

22 \* Sec. 77. AS 18.55.998(a) is amended to read:

23 (a) There is created in the Alaska Housing Finance Corporation [DEPARTMENT OF  
24 COMMUNITY AND REGIONAL AFFAIRS] a supplemental housing development grant fund.  
25 Using corporate earnings or other available funds [SUBJECT TO THE AVAILABILITY OF  
26 APPROPRIATIONS FOR THE PURPOSE], the corporation [DEPARTMENT] shall make grants  
27 to regional housing authorities established under AS 18.55.996 for the cost of on-site sewer and  
28 water facilities, road construction to project sites, energy efficient design features in homes, and  
29 extension of electrical distribution facilities to individual residences.

30 \* Sec. 78. AS 18.55.998(d) is amended to read:

31 (d) The Alaska Housing Finance Corporation [DEPARTMENT] shall adopt regulations

1 to carry out the purposes of this section. The provisions of AS 18.56.088(a) and (b) [THE  
2 ADMINISTRATIVE PROCEDURE ACT (AS 44.62)] apply to regulations adopted under this  
3 section.

4 \* Sec. 79. AS 18.55.998 is amended by adding a new subsection to read:

5 (e) In order to make grants authorized by (a) of this section in its administration of the  
6 supplemental housing development grant fund established by this section, the board of directors  
7 of the corporation shall identify in the corporation's proposed operating budget the money  
8 available to the corporation, including the corporation's own assets, to supplement available  
9 federal development money.

10 \* Sec. 80. AS 18.56.030(a) is repealed and reenacted to read:

11 (a) The corporation shall be governed by a board of directors consisting of

12 (1) the commissioner of revenue;

13 (2) the commissioner of community and regional affairs; and

14 (3) seven public members appointed by the governor, as follows:

15 (A) one member who represents the financial community or who is a  
16 licensed real estate broker under AS 08.88.171(a);

17 (B) one member that represents the interests of regional housing  
18 authorities;

19 (C) one member who is a rural resident of the state;

20 (D) one member who represents persons requiring special needs housing  
21 or who is a representative of low-income interests or senior citizens;

22 (E) one member who is a representative of the residential energy efficient  
23 homebuilding and weatherization interests in the state; and

24 (F) two public members.

25 \* Sec. 81. AS 18.56.030(b) is amended to read:

26 (b) If a member described in (a)(1) or (2) of this section is unable to attend a meeting  
27 of the board or of a committee of the board, the member may by an instrument in writing filed  
28 with the board, designate a deputy or assistant to act in the member's place at the meeting. For  
29 all purposes of this chapter, the designee is a member of the board at the meeting.

30 \* Sec. 82. AS 18.56.030(c) is amended to read:

31 (c) The board members described in [(a)(2) AND] (a)(3) of this section serve two-year

1 terms.

2 \* Sec. 83. AS 18.56.030 is amended by adding a new subsection to read:

3 (f) The governor shall appoint the members under (a)(3) of this section to give the board  
4 of directors a reasonable geographic balance among regions of the state. The members of the  
5 board appointed under (a)(3) of this section shall have recognized competence and wide  
6 experience in housing, finance, or other business management-related fields.

7 \* Sec. 84. AS 18.56.050 is amended by adding new subsections to read:

8 (b) The board may establish an executive committee or other committee of its members  
9 for any purpose, including, without limitation, the management of investments. The board may  
10 delegate to the executive committee or other committee the powers and duties it considers  
11 appropriate.

12 (c) The board may establish advisory committees for any aspect of its activities.

13 \* Sec. 85. AS 18.56.084 is amended to read:

14 Sec. 18.56.084. INTERNATIONAL BORROWING. For the purpose of obtaining access  
15 to international capital markets to borrow money for the special mortgage loan purchase program  
16 (AS 18.56.098), as an addition to the powers of the corporation under AS 18.56.090, the  
17 corporation may (1) establish or cause to be established, subsidiary corporations incorporated in  
18 the state or in another state, or under the laws of a foreign jurisdiction; (2) invest in corporations  
19 established under this section; (3) issue bonds and borrow money for investments in corporations  
20 established under this section; (4) borrow from corporations established under this section; (5)  
21 guarantee the obligations of corporations established under this section; or (6) enter into  
22 agreements with corporations established under this section or with other persons. In exercising  
23 a power under this section, the corporation may not subject its assets to risk of loss through  
24 foreign currency exchange. A guarantee under this section constitutes a bond of the corporation  
25 as defined in AS 18.56.390 [AS 18.56.900].

26 \* Sec. 86. AS 18.56.088(c) is amended to read:

27 (c) The board may adopt regulations to carry out the purposes of this chapter, and shall  
28 adopt regulations necessary for the following purposes:

29 (1) determination of borrower eligibility including, but not limited to, income  
30 limitations and the determination of remote, underdeveloped, or blighted areas of the state;

31 (2) loan guidelines and terms including but not limited to maximum loan amounts

- 1 and required loan-to-value ratios, but excluding mortgage loan interest rates;
- 2 (3) characteristics of housing eligible for loans or purchase of loans, including
- 3 compliance with the requirements of AS 18.56.300;
- 4 (4) the qualifications of loan originators and servicers and the method of
- 5 allocating amounts available for the purchase of loans; [AND]
- 6 (5) establishment of a procedure, including a fee schedule, for the commitment
- 7 for one year or less of money for the purchase of an individual mortgage loan at a specific
- 8 interest rate; and
- 9 (6) establishment of the program of housing assistance authorized by
- 10 AS 18.56.090(b) including program regulations that, at minimum,
- 11 (A) establish priorities and criteria for providing money and other
- 12 forms of authorized assistance in response to housing assistance proposals;
- 13 (B) define the forms of housing assistance authorized under
- 14 AS 18.56.090(b);
- 15 (C) set out procedures to evaluate housing assistance proposals;
- 16 (D) set out procedures to approve the award of housing assistance;
- 17 and
- 18 (E) prescribe methods of monitoring the use of money paid out under
- 19 AS 18.56.090(b) and the progress of activity under the approved housing assistance
- 20 program.

21 \* Sec. 87. AS 18.56.089(a) is amended to read:

22 (a) Except for the activities of the corporation under AS 18.55.010 - 18.55.960, the

23 [THE] operating budget of the corporation is subject to AS 37.07 (Executive Budget Act).

24 \* Sec. 88. AS 18.56.090 is amended by adding a new subsection to read:

25 (b) The corporation may

26 (1) reserve money to itself, or provide money for, or provide deferred loans,

27 interest rate subsidies, building subsidies, participation financing through housing partnerships,

28 and other forms of housing assistance as set out in regulations of the corporation to, another

29 governmental agency, a municipality, a regional housing authority, or a private nonprofit

30 organization, to pay for the design, construction, development, rehabilitation, or improvement of

31 housing for persons of low and moderate income, for housing in remote, undeveloped, or blighted

1 areas of the state, and for congregate and special needs housing;

2 (2) provide money for, and provide deferred loans, interest rate subsidies, building  
3 subsidies, participation financing through housing partnerships, and other forms of housing  
4 assistance as set out in regulations of the corporation to, corporations and project sponsors for  
5 congregate and special needs housing; and

6 (3) receive money for a purpose described in (1) or (2) of this subsection.

7 \* Sec. 89. AS 18.56.096(c) is amended to read:

8 (c) The corporation may not make, participate in the making of, purchase, or participate  
9 in the purchase of a loan for a residential building if construction of the building began  
10 [BEGINS] after December 31, 1991, unless the building complies with the thermal and lighting  
11 energy standards required by AS 46.11.040. The corporation

12 (1) may adopt regulations to implement this subsection; and

13 (2) shall, by regulation, establish

14 (A) procedures by which the person responsible for the construction of the  
15 building may demonstrate that the building complies with the thermal and lighting energy  
16 standards, including

17 (i) self-certification, if the contractor responsible for the building  
18 construction provides satisfactory evidence that the contractor has completed a  
19 training program of the Alaska Craftsman Home Program or equivalent training  
20 program and the training program is satisfactory to the corporation  
21 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS];

22 (ii) submission of the certificate of a registered architect, registered  
23 engineer, or a building inspector, and the architect, engineer, or building inspector  
24 has completed a training program of the Alaska Craftsman Home Program or  
25 equivalent training program and the training program is satisfactory to the  
26 corporation [COMMISSIONER OF COMMUNITY AND REGIONAL  
27 AFFAIRS];

28 (iii) submission of the certificate of occupancy issued by the  
29 municipality in which the building is located, if the certificate is issued by a  
30 municipality in which the municipal building code meets or exceeds the thermal  
31 and lighting energy standards, as determined by the corporation

1 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS];

2 (iv) another method approved by the corporation  
3 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS] in  
4 regulations adopted by the [COMMISSIONER AFTER CONSULTATION WITH  
5 THE EXECUTIVE DIRECTOR OF THE] corporation; and

6 (B) criteria by which the energy conservation standards may be met; for  
7 purposes of this subparagraph, the residential building complies with the energy standards  
8 if the residence has received a rating under the rating system developed by Energy Rated  
9 Homes of Alaska if, in the judgment of the corporation [COMMISSIONER OF  
10 COMMUNITY AND REGIONAL AFFAIRS], the rating meets or exceeds the thermal  
11 energy standards required by AS 46.11.040.

12 \* Sec. 90. AS 18.56.100(b) is amended to read:

13 (b) Consistent with AS 18.56.090, the corporation may make temporary and permanent  
14 loans from the housing development fund, at an interest rate or rates determined by the  
15 corporation, and with the security for repayment that is necessary and practicable, to purchase,  
16 make, or participate in the making of mortgage loans

17 (1) to borrowers who are sponsors [INDIVIDUALS], nonprofit corporations, or  
18 agencies of the state or a municipal government, for permanent loans to develop, build, repair,  
19 remodel, or rehabilitate residential housing that is to be used and occupied as congregate housing;  
20 or

21 (2) that are not federally insured or guaranteed for residential housing, if the  
22 corporation determines that the loans are not otherwise available, wholly or in part, from private  
23 lenders upon reasonably equivalent terms and conditions.

24 \* Sec. 91. AS 18.56.200 is amended by adding a new subsection to read:

25 (e) The corporation shall include in its annual report under (b) of this section a report  
26 of its activities under

27 (1) AS 18.55.010 - 18.55.290 (Housing Project and Public Building Assistance  
28 Act);

29 (2) AS 18.55.300 - 18.55.470 (programs of moderate income and rental housing);  
30 and

31 (3) AS 18.55.480 - 18.55.960 (Slum Clearance and Redevelopment Act).

1 \* **Sec. 92.** AS 18.56.210(a) is amended to read:

2 (a) If the board of directors determines that it is in the best interest of the corporation,  
3 the corporation may take appropriate action under this section to stabilize the market price of and  
4 demand for residential housing in the state. To accomplish the purposes of this section, the  
5 corporation may

6 (1) make and execute necessary agreements and conveyances under which a  
7 borrower may exchange residential housing securing a mortgage loan owned, held, or sold by the  
8 corporation for other residential housing owned by the corporation;

9 (2) repurchase a mortgage loan sold or pledged by the corporation for the purpose  
10 of exercising a power conferred by this section;

11 (3) for the purpose of qualifying residential housing situated in a condominium  
12 project for the best available financing for mortgage loans, make and execute agreements and  
13 contracts necessary to encourage all owners who occupy units in a condominium project that is  
14 not eligible for financing under this chapter to exchange their ownership interest for a  
15 condominium unit owned by the corporation in another project;

16 (4) make and execute appropriate agreements with insurers, investors, and  
17 guarantors concerning the temporary removal of residential housing owned by the corporation  
18 from the resale market;

19 (5) convert residential housing owned by the corporation that is designed and  
20 constructed for owner occupancy to another beneficial use;

21 (6) make bulk sales of property owned by the corporation under procedures and  
22 terms the corporation determines are in the best interests of the corporation;

23 (7) after giving due consideration to the interests of competing individual sellers  
24 of residential housing, provide financing under terms established by the board to promote the sale  
25 of residential housing owned by the corporation;

26 (8) invest funds of the corporation in the removal and disposal of substandard  
27 publicly owned residential housing if the board of directors determines that the investment is  
28 prudent, properly secured, and in the long-term best interests of the corporation;

29 (9) create subsidiary entities to implement a power conferred by this section and  
30 to provide insurance under AS 18.56.093 and 18.56.095;

31 (10) purchase loans from the housing assistance loan fund (AS 18.56.420)

1           [(AS 44.47.380)] if and only if:

2                           (A) the payments of principal and interest on the loans are deposited in  
3                           a separate fund of the corporation to be used for the purposes, and subject to the  
4                           standards and criteria, of former AS 44.47.360 - 44.47.560 as those statutes provided on  
5                           June 10, 1988; and

6                           (B) the corporation has established a source of mortgage insurance for new  
7                           loans subject to the provisions of AS 18.56.400 - 18.56.600 [AS 44.47.360 - 44.47.560];  
8                           and

9                           (11) take other actions necessary, convenient, or desirable to carry out the powers  
10                          granted in this subsection.

11   \* Sec. 93. AS 18.56 is amended by adding a new section to read:

12                          Sec. 18.56.220. DUTY TO ADVISE ABOUT CORPORATION'S PROGRAMS. The  
13                          corporation shall make a reasonable effort, through seminars, training sessions, and other forms  
14                          of technical assistance, to assist local governments, regional housing authorities, nonprofit  
15                          organizations, and other organizations and individuals to understand the corporation's housing  
16                          programs and the opportunities that exist to obtain financial assistance from the corporation.

17   \* Sec. 94. AS 18.56.300(d) is amended to read:

18                          (d) This section does not apply to a nonconforming housing loan made or purchased  
19                          by the corporation [UNDER AS 18.56.106].

20   \* Sec. 95. AS 18.56 is amended by adding new sections to read:

21                          Sec. 18.56.390. DEFINITIONS FOR AS 18.56.010 - 18.56.390. In AS 18.56.010 -  
22                          18.56.390, unless the context clearly indicates a different meaning,

23                          (1) "adjustable rate mortgage loan" means a mortgage loan with respect to which  
24                          the interest rate varies or is expected to vary from time to time by reference to an index or  
25                          formula or other reference point;

26                          (2) "bond" or "obligation" means a bond, bond anticipation note, or other note of  
27                          the corporation authorized to be issued by the corporation under this chapter, or a mortgage  
28                          participation certificate issued with respect to mortgages of the corporation;

29                          (3) "construction loan" means a construction loan for land development or  
30                          residential housing that is secured by a federally insured or guaranteed mortgage or that is  
31                          insured or guaranteed by the United States or an instrumentality of the United States, or for

1 which there is a commitment by the United States or an instrumentality of the United States to  
2 insure or guarantee such a loan, or a construction loan for land development or residential  
3 housing which land development or residential housing will be secured by a mortgage loan;

4 (4) "development costs" means the costs approved by the corporation as  
5 appropriate expenditures that may be incurred by sponsors, builders, and developers of residential  
6 housing, before commitment and initial advance of the proceeds of a construction loan or of a  
7 mortgage loan, including but not limited to

8 (A) payments for options to purchase properties on the proposed  
9 residential housing site, deposits on contracts of purchase, or, with prior approval of the  
10 corporation, payments for the purchase of the properties;

11 (B) legal and organizational expenses, including payments of attorney fees,  
12 project manager, clerical, and other staff salaries, office rent, and other incidental  
13 expenses;

14 (C) payment of fees for preliminary feasibility studies and advances for  
15 planning, engineering, and architectural work;

16 (D) expenses for tenant surveys and market analyses; and

17 (E) necessary application and other fees;

18 (5) "governmental agency" means any department, division, public agency,  
19 political subdivision, or other public instrumentality of the state or the federal government;

20 (6) "housing development fund" means the housing development fund created by  
21 AS 18.56.100;

22 (7) "land development" means the process of acquiring land primarily for  
23 residential housing construction for persons of lower and moderate income and making, installing,  
24 or constructing nonresidential housing improvements, including water, sewer, and other utilities,  
25 roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or works,  
26 whether on or off the site, that the corporation considers necessary or desirable to prepare the  
27 land primarily for residential housing construction;

28 (8) "mortgage" or "mortgage loan" means a mortgage loan for residential housing;  
29 insured or guaranteed by the United States or an instrumentality of the United States or for which  
30 there is a commitment by the United States or an instrumentality of the United States to insure  
31 or guarantee such a mortgage, or if not so insured or guaranteed or if there is no such

1 commitment, that is secured upon such terms and conditions as the corporation considers  
2 necessary or practicable to insure all repayments;

3 (9) "persons of lower and moderate income" means a person or persons  
4 considered by the corporation to require assistance available under this chapter on account of  
5 insufficient or inadequate personal or family income or otherwise limited personal financial  
6 resources, taking into consideration, without limitation, such factors as

7 (A) the amount of the total income of the persons available for housing  
8 needs;

9 (B) the size of the family;

10 (C) the cost and condition of housing facilities available;

11 (D) standards established for various federal programs determining  
12 eligibility based on income of the persons; and

13 (E) the ability of the persons to compete successfully in the normal  
14 housing market and to pay the amounts at which private enterprise is providing decent,  
15 safe, and sanitary housing;

16 (10) "remote, underdeveloped, or blighted areas" means areas considered by the  
17 corporation to require assistance available under this chapter on account of insufficient  
18 availability of the residential housing necessary to promote, develop, or maintain the economic  
19 growth or potential of the area, taking into consideration, without limitation, the following:

20 (A) the population, resources, and environment of the area;

21 (B) the present availability and condition of residential housing in and near  
22 the area;

23 (C) the cost of construction and rehabilitation of residential housing in the  
24 area;

25 (D) the availability of other federal or state sponsored programs to  
26 facilitate the development of residential housing in the area; and

27 (E) the ability of residents of the area to finance the purchase of  
28 residential housing or to rent or lease residential housing at rates comparable to those in  
29 effect in other areas of the state;

30 (11) "residential building" or "residential housing"

31 (A) means a specific work or improvement undertaken primarily to

1 provide dwelling accommodations without limitation as to form of lawful occupancy,  
2 whether rental, under contract, fee ownership, cooperative housing, condominium, mobile  
3 home, or other lawful form of ownership;

4 (B) includes

5 (i) special needs housing; and

6 (ii) the acquisition, construction, or rehabilitation of land,  
7 buildings, and improvements to them, and other nonhousing facilities as may be  
8 incidental or appurtenant to the land or buildings;

9 (12) "special needs housing"

10 (A) means residential housing designed to meet the needs of persons with  
11 specific and special housing needs, including supportive services;

12 (B) includes

13 (i) housing for the elderly and individuals with a disability or  
14 mental illness;

15 (ii) emergency shelter for the homeless; and

16 (iii) transitional housing;

17 (13) "sponsors" means individuals, public and private corporations, associations,  
18 partnerships or other entities, whether or not operated for profit; and consumer housing  
19 cooperatives, associations, partnerships, or other entities organized under law for the primary  
20 purpose of providing housing to individuals and families of lower and moderate income; it  
21 includes organizations engaged in the production, origination, and development of residential  
22 housing units intended to qualify for financial assistance under 42 U.S.C. 1437f (sec. 8, Housing  
23 Act of 1937), as amended.

24 ARTICLE 2. HOUSING ASSISTANCE.

25 Sec. 18.56.400. POWERS OF CORPORATION RELATED TO HOUSING  
26 ASSISTANCE. The board may

27 (1) adopt regulations in accordance with AS 18.56.088 to implement  
28 AS 18.56.400 - 18.56.600;

29 (2) make and execute agreements, contracts, and other instruments necessary or  
30 convenient in the exercise of the powers and functions granted under AS 18.56.400 - 18.56.600;

31 (3) purchase or participate in the purchase of nonconforming and rural housing

1 mortgage loans in accordance with AS 18.56.400 - 18.56.600;

2 (4) purchase or participate in the purchase of loans for building materials for  
3 nonconforming and rural housing in accordance with AS 18.56.400 - 18.56.600;

4 (5) procure insurance against loss in connection with the corporation's functions  
5 under AS 18.56.400 - 18.56.600;

6 (6) acquire real or personal property, or an interest in real or personal property,  
7 by purchase, transfer, or foreclosure, when the acquisition is necessary or appropriate to protect  
8 a loan in which the corporation has an interest; sell, transfer and convey that property to a buyer;  
9 and, if the sale, transfer or conveyance cannot be effected with reasonable promptness or at a  
10 reasonable price, rent or lease the property to a tenant pending the sale, transfer or conveyance;

11 (7) do all acts necessary, convenient or desirable to carry out the powers expressly  
12 granted or necessarily implied in AS 18.56.400 - 18.56.600;

13 (8) originate and service direct loans made to qualified buyers in accordance with  
14 AS 18.56.400 - 18.56.600.

15 Sec. 18.56.410. ALASKA ENERGY EFFICIENT HOME GRANT FUND. (a) There  
16 is established in the corporation the Alaska energy efficient home grant fund consisting of money  
17 appropriated to it by the legislature and deposited in it by the corporation. The corporation shall  
18 administer the Alaska energy efficient home grant fund under the provisions of this section.

19 (b) The corporation may grant funds from the Alaska energy efficient home grant fund  
20 to agencies of the state or federal government, individuals, or businesses that retrofit existing  
21 single family dwellings or build new single family dwellings that meet criteria adopted by the  
22 corporation.

23 (c) The corporation shall adopt guidelines and procedures for the fund after consultation  
24 with the board of directors of the Alaska Craftsman Home Program.

25 Sec. 18.56.420. HOUSING ASSISTANCE LOAN FUND. (a) There is created in the  
26 corporation, as a revolving loan fund, the housing assistance loan fund consisting of money  
27 appropriated to it by the legislature and deposited in it by the corporation, and repayments of  
28 principal and interest on loans made or purchased from the assets of the fund. The corporation  
29 shall

30 (1) adopt regulations to administer the housing assistance loan fund in accordance  
31 with AS 18.56.400 - 18.56.600; and

1 (2) provide money for a rural assistance loan program to originate, purchase, or  
2 participate in the purchase of

3 (A) nonconforming and rural housing mortgage loans;

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

6 (C) loans made for renovations or improvements to nonconforming and  
7 rural housing;

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

11 (b) Money in the fund may be used by the legislature to make appropriations for costs  
12 of administering the housing assistance program.

13 Sec. 18.56.430. HOME OWNERSHIP ASSISTANCE FUND. (a) There is created in  
14 the corporation the home ownership assistance fund consisting of money appropriated to it by  
15 the legislature and deposited in it by the corporation. Money in the fund shall be used solely to  
16 assist persons of lower and moderate income to purchase or construct single-family homes  
17 financed under AS 18.56.400 - 18.56.600 by providing a subsidy to those persons.

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

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

22 (d) The corporation shall adopt regulations that establish maximum income-to-loan  
23 payment ratios for persons who apply for a subsidy under this section.

24 (e) In this section, "persons of lower and moderate income" means individuals considered  
25 by the corporation to require assistance under this section because of inadequate income or other  
26 limited personal financial resources, taking into consideration

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

28 (2) the size of the family;

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

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

- 1 (5) the ability to enter the private housing market and to pay market amounts for  
2 decent, safe, and sanitary housing; and  
3 (6) other factors considered relevant by the corporation.

4 Sec. 18.56.440. LIMITATIONS ON USE OF HOUSING ASSISTANCE LOAN FUND.

5 The corporation may not use the money in the housing assistance loan fund to

6 (1) originate a direct loan or purchase or participate in the purchase of a  
7 nonconforming or rural housing mortgage loan that exceeds the limitations on mortgage loans  
8 purchased by the Federal National Mortgage Association as to principal amount or loan-to-value  
9 ratio;

10 (2) originate a direct loan or purchase or participate in the purchase of a loan  
11 made for building materials for nonconforming or rural housing

12 (A) that exceeds \$45,000 or exceeds

13 (i) 80 percent of the appraised value of the work completed on the  
14 nonconforming or rural housing for which the loan is made if the nonconforming  
15 or rural housing is pledged as collateral for the loan; or

16 (ii) 90 percent of the value of other property that is pledged as  
17 security for the loan and that is satisfactory to the corporation as collateral;

18 (B) unless the terms of the loan agreement require inspections and  
19 certifications, as required by regulations of the corporation, at the expense of the  
20 borrower; and

21 (C) unless the period of time allowed for repayment of the loan is equal  
22 to or less than 15 years;

23 (3) originate direct loans or purchase or participate in the purchase of a  
24 nonconforming or rural housing mortgage loan that is secured by real property the marketable  
25 title to which is shown in accordance with AS 18.56.480(b)(2) if the total amount of outstanding  
26 nonconforming and rural housing mortgage loans held by the corporation exceeds 10 times the  
27 amount of money in the restricted title loss reserve account established by AS 18.56.490;

28 (4) originate a direct loan for nonconforming or rural housing or purchase or  
29 participate in the purchase of a nonconforming or rural housing mortgage loan, other than a loan  
30 for the repair, remodeling, rehabilitation, or expansion of an existing owner-occupied residence,  
31 if the borrower has an outstanding housing loan made under a state loan program, other than a

1 loan for nonowner-occupied housing under AS 18.56.580, that bears interest at a rate that was  
2 less than the prevailing market interest rate for similar housing loans at the time the loan was  
3 made;

4 (5) originate a direct mortgage loan or purchase or participate in the purchase of  
5 a mortgage loan for rental housing unless the borrower agrees not to discriminate against tenants  
6 or prospective tenants because of sex, marital status, changes in marital status, pregnancy,  
7 parenthood, race, religion, color, national origin, or status as a student;

8 (6) originate, purchase, or participate in a loan to a person who has a past due  
9 child support obligation established by court order or by the child support enforcement division  
10 under AS 25.27.160 - 25.27.220 at the time of application.

11 Sec. 18.56.450. OPERATING LOSS RESERVE ACCOUNT. (a) There is established  
12 an operating loss reserve account for the purpose of meeting legal expenses incurred through the  
13 foreclosure of properties acquired by the corporation under AS 18.56.400(6) and making repairs  
14 to these properties so that they may be sold to new buyers.

15 (b) The operating reserve loss account consists of money appropriated to it by the  
16 legislature and deposited in it by the corporation. To the extent that money is paid out of the  
17 operating loss reserve account for the purposes stated in this section, this money shall be replaced  
18 with money received as interest on loans authorized by AS 18.56.400 - 18.56.600.

19 Sec. 18.56.460. SECURITY FOR LOANS. (a) The corporation shall adopt regulations  
20 in accordance with AS 18.56.088 establishing acceptable security for loans originated or  
21 purchased in whole or in part under AS 18.56.420.

22 (b) A person may pledge as security for the repayment of a loan originated or purchased  
23 in whole or in part under AS 18.56.420 a preference right that person holds to receive title to  
24 land the person occupies as a primary place of residence, primary place of business, subsistence  
25 campsite, or as headquarters for reindeer husbandry. The preference right must be conveyed to  
26 the person by the Native corporation to which the land was granted under 43 U.S.C. 1613  
27 (Alaska Native Claims Settlement Act) before it may be pledged as security under this  
28 subsection. The corporation shall prescribe procedures and standard forms for establishing,  
29 pledging, and appraising the value of a preference right held by a person to secure the repayment  
30 of a loan originated or purchased in whole or in part under AS 18.56.420.

31 Sec. 18.56.470. INTEREST ON LOANS. (a) The interest rate on a mortgage loan

1 originated or purchased in whole or in part under AS 18.56.420 for nonconforming housing that  
2 is not rural housing is one-quarter percent more than the interest rate, as determined under  
3 AS 18.56.098(g)(1) - (4), on a mortgage loan purchased under AS 18.56.098(a) from the proceeds  
4 of the most recent applicable issue of taxable bonds before the origination or purchase of the  
5 mortgage loan originated or purchased under AS 18.56.420.

6 (b) The interest rate on a mortgage loan originated or purchased in whole or in part under  
7 AS 18.56.420 for rural housing is one percent less than the interest rate, as determined under  
8 AS 18.56.098(g)(1) - (4), on a mortgage loan purchased under AS 18.56.098(a) from the proceeds  
9 of the most recent applicable issue of taxable bonds before the origination or purchase of the  
10 mortgage loan originated or purchased under AS 18.56.420.

11 (c) Notwithstanding the requirements of (a) and (b) of this section, if there has not been  
12 an applicable issue of taxable bonds issued within six months before the origination or purchase  
13 of a loan under this section, the corporation may estimate the interest rate that an issue of taxable  
14 bonds would bear.

15 Sec. 18.56.480. TITLE. (a) Before the corporation originates or purchases a  
16 nonconforming or rural housing mortgage loan in whole or in part, the corporation may require  
17 a borrower to show marketable title to real property offered as security for the loan to be  
18 purchased.

19 (b) A borrower may show marketable title to real property for the purposes of (a) of this  
20 section

21 (1) by purchasing title insurance from a title insurance company authorized to do  
22 business in the state; or

23 (2) by delivering to the corporation a copy of a letter of intent signed by an  
24 authorized representative of the United States Department of the Interior that shows the transfer  
25 of title to the property from the United States government to the borrower if

26 (A) the borrower is an Alaska Native; and

27 (B) title to the property was originally transferred from the United States  
28 government, directly or indirectly, to the borrower under federal law.

29 (c) For the purposes of this section, a deed which federal law prohibits or limits the  
30 power to transfer or encumber and which would otherwise constitute marketable title to real  
31 property is considered marketable title to real property if the United States Bureau of Indian

1       Affairs or another appropriate federal agency waives immunity under the federal law from  
2       foreclosure or other alienation of the real property.

3               Sec. 18.56.490. RESTRICTED TITLE LOSS RESERVE ACCOUNT. (a) There is  
4       established in the corporation the restricted title loss reserve account. The restricted title loss  
5       reserve account consists of money appropriated to it by the legislature and deposited to it by the  
6       corporation, and shall be administered by the corporation.

7               (b) The corporation may withdraw money from the restricted title loss reserve account  
8       in an amount equal to the loss to the corporation on a nonconforming or rural housing mortgage  
9       loan originated or purchased in whole or in part by the corporation if marketable title to the real  
10       property used to secure the loan was shown in accordance with AS 18.56.480(b)(2). Money  
11       withdrawn from the restricted title loss reserve account under this section shall be deposited in  
12       the housing assistance loan fund.

13              Sec. 18.56.500. FIRE INSURANCE. Before purchasing or participating in the purchase  
14       of a nonconforming or rural housing mortgage loan, the corporation may require the borrower  
15       to agree to purchase and maintain fire insurance for the real property for which the loan is made  
16       in an amount not less than the outstanding principal balance of the loan.

17              Sec. 18.56.510. LOAN ORIGINATION AND SERVICING. (a) Before purchasing or  
18       participating in the purchase of a nonconforming or a rural housing mortgage loan, the  
19       corporation shall enter into a loan servicing agreement with the private financial institution from  
20       which the loan is to be purchased.

21              (b) The corporation may execute service agreements with private lending institutions or  
22       with regional native housing authorities established under AS 18.55.996 to service loans  
23       originated by the corporation or loans originated under AS 18.55.997.

24              (c) Under the servicing agreement, the private financial institution or the regional native  
25       housing authority shall administer the loan and may charge the corporation a negotiated  
26       origination or servicing fee on the division's share of the loan. When appropriate, the private  
27       financial institution or the regional native housing authority may also charge the borrower a  
28       reasonable originator fee not to exceed one percent.

29              Sec. 18.56.520. APPRAISALS. Before originating or purchasing or participating in the  
30       purchase of a nonconforming or rural housing mortgage loan, the corporation may have or may  
31       require the borrower to have an appraisal made of the fair market value of the real property.

1 including structures on the real property, for which the loan is made. In conducting an appraisal  
2 under this section, the appraiser shall give full value to insulation and other features of  
3 construction in structures on the real property that add to the energy efficiency of the structures.

4 Sec. 18.56.530. ENERGY AUDIT EXEMPTION. In making loans under AS 18.56.400 -  
5 18.56.600, the corporation is exempt from the requirements of AS 46.11.050(b).

6 Sec. 18.56.540. TOLL-FREE TELEPHONE NUMBER. For the purposes of  
7 administration of AS 18.56.400 - 18.56.600, the corporation shall arrange for and maintain a  
8 toll-free telephone number for the corporation so that private financial institutions and their  
9 borrowers may contact the corporation from any location in the state by telephone without a toll  
10 charge.

11 Sec. 18.56.550. FIELD OFFICES; CONTRACT SERVICES; ASSISTANCE TO  
12 OTHERS. (a) The corporation may establish field offices under AS 18.56.400 - 18.56.600, may  
13 hire one or more lending officers, and may contract for the services of

14 (1) real property appraisers who are familiar with rural construction; and  
15 (2) engineers who are familiar with engineering problems in arctic and subarctic  
16 regions.

17 (b) The personnel described in (a) of this section may make visits to the regions  
18 established under AS 18.56.570(a) to provide preconstruction and post-construction inspections  
19 of real property for which loans are originated or purchased by the corporation in whole or in  
20 part under AS 18.56.420 and to provide assistance to private financial institutions and their  
21 borrowers in the regions. Authority for final approval of loans may not be exercised by the  
22 personnel described in this section.

23 Sec. 18.56.560. DEMONSTRATION PROJECTS AND INFORMATION. The  
24 corporation may enter into agreements with public and private agencies to provide demonstration  
25 projects and information concerning housing construction in each of the regions established under  
26 AS 18.56.570(a).

27 Sec. 18.56.570. REGIONAL ALLOCATION. (a) The corporation, by regulations  
28 adopted in accordance with AS 18.56.088, shall establish and may amend the boundaries of  
29 reasonably compact and contiguous regions in the state.

30 (b) Unless otherwise required by an appropriation, the corporation shall allocate the  
31 money in the housing assistance loan fund among the regions established under (a) of this section

1 for the purpose of originating or purchasing each type of loan described in AS 18.56.420. In  
2 making an allocation under this subsection, the corporation shall consider the past and potential  
3 lending activity of private financial institutions in the region as well as the need for loans in the  
4 region. The corporation may reallocate the money among the regions as the corporation  
5 considers necessary.

6 Sec. 18.56.580. LOANS FOR NONOWNER OCCUPIED HOUSING. (a) In addition  
7 to the powers authorized by AS 18.56.400, the corporation may adopt regulations under  
8 AS 18.56.088 allowing the use of money in the housing assistance loan fund to make loans for  
9 the purchase or development of nonowner occupied housing in rural areas of the state.

10 (b) The rate of interest on a loan authorized by this section may not exceed 10-1/2  
11 percent a year.

12 (c) The principal amount of loans made for nonowner occupied housing under this  
13 section may not exceed 20 percent of the total principal amount of loans made for nonconforming  
14 and rural housing under AS 18.56.400 - 18.56.600.

15 (d) In this section

16 (1) "development" means the construction of a new residence or the repair,  
17 remodeling, rehabilitation, or expansion of an existing residence;

18 (2) "nonowner occupied housing" means a single-family residence or a  
19 multi-family residence having up to eight dwelling units, that is not nonconforming housing, and  
20 is not occupied by the owner; the corporation may modify this definition if it determines that  
21 there is a special need for nonowner occupied housing and that a change in the definition is  
22 necessary to enable the corporation to meet that need.

23 Sec. 18.56.590. BIENNIAL REPORT. To further ensure effective budgetary decision  
24 making by the legislature, the corporation shall present a complete accounting of the housing  
25 assistance revolving fund to the legislature every two years by January 10. The accounting must  
26 consist of an audit by an independent outside auditor for each year covered by the accounting.  
27 The accounting must include a full description of all mortgage loan interest and principal  
28 repayments and program receipts for purposes of programs under AS 18.56.400 - 18.56.600,  
29 including mortgage loan commitment fees, received by or accrued to the corporation during the  
30 two preceding fiscal years, and all income earned on assets held by the corporation for purposes  
31 of programs under AS 18.56.400 - 18.56.600 during that period.



1 (d) The corporation shall adopt regulations under AS 18.56.088 to carry out the purposes  
2 of this section.

3 (e) In this section, "low cost and low income multiple family housing"

4 (1) means a specific work or improvement undertaken primarily to provide  
5 multiple family dwelling accommodations for low income persons;

6 (2) includes the acquisition, construction, or rehabilitation of land, buildings,  
7 improvements, and other nonhousing facilities that are incidental or appurtenant to the housing.

8 ARTICLE 4. SENIOR HOUSING OFFICE.

9 Sec. 18.56.700. SENIOR HOUSING OFFICE. (a) There is established in the  
10 corporation a senior housing office. The office shall promote a comprehensive response to the  
11 needs of senior citizens for adequate, accessible, secure, and affordable housing in the state. In  
12 order to fulfill this purpose, the office may

13 (1) study the needs of senior citizens in the state for housing to meet their needs;

14 (2) seek financial assistance from appropriate sources for the development of  
15 housing alternatives for senior citizens;

16 (3) administer the senior housing loan program established under AS 18.56.700 -  
17 18.56.799;

18 (4) cooperate and coordinate with other public and private agencies to respond  
19 to the housing needs of senior citizens;

20 (5) offer public education programs to increase the awareness of alternatives to  
21 large residential facilities for senior citizens;

22 (6) provide information to senior citizens to help them understand their financial  
23 alternatives related to homes they might already own and to help them coordinate with other  
24 senior citizens in finding housing alternatives, including information and coordination on home  
25 equity conversion and home sharing; and

26 (7) disseminate information to construction contractors to educate them about  
27 remodeling projects that would meet the needs of many senior citizens for accessible and secure  
28 housing.

29 (b) In order to avoid duplication of efforts and to benefit from the commission's  
30 expertise, the office shall consult with the Older Alaskans Commission in the performance of the  
31 office's duties under AS 18.56.700 - 18.56.799 so that the housing needs of senior citizens can

1 be met most efficiently and effectively.

2 Sec. 18.56.710. SENIOR HOUSING REVOLVING FUND. (a) The senior housing  
3 revolving fund is established. The revolving fund consists of appropriations made to it by the  
4 legislature, the proceeds of bonds sold under AS 18.56.790 as they are deposited into it by the  
5 corporation for specific projects, and money or other assets transferred to the revolving fund by  
6 the corporation. The corporation may pledge amounts deposited in the revolving fund for bonds  
7 issued under AS 18.56.790 and used by the corporation for making, purchasing, or participating  
8 in

- 9 (1) senior housing mortgage loans;  
10 (2) loans made for building materials for senior housing;  
11 (3) loans made for renovation or improvement of or for senior housing, including  
12 loans for renovation or improvement of congregate or individual residences; and  
13 (4) loans made for the construction of senior housing.

14 (b) For each loan proposed to be made under AS 18.56.700 - 18.56.799, the corporation  
15 shall determine the financial feasibility of the project for which the loan would be used and the  
16 extent to which the project would meet senior housing needs in the area for which it is proposed.

17 Sec. 18.56.720. INTEREST RATE. The interest rate on loans made under  
18 AS 18.56.700 - 18.56.799 that are funded by a bond issue under AS 18.56.790 is equal to the  
19 cost of funds of that bond issue plus

- 20 (1) two percentage points for a construction loan;  
21 (2) one-half of one percentage point for a permanent loan.

22 Sec. 18.56.730. CONDITIONS ON LOANS. (a) The corporation shall adopt regulations  
23 under AS 18.56.088(a) and (b) establishing acceptable security for loans originated or purchased  
24 in whole or in part under AS 18.56.700 - 18.56.799.

25 (b) The corporation

26 (1) may condition a loan under AS 18.56.700 - 18.56.799 on an agreement by the  
27 borrower to maintain the financed project as senior housing for a time period specified by the  
28 corporation; and

29 (2) shall establish by regulation the criteria it will use for specifying time periods  
30 under (1) of this subsection and for determining under what circumstances the time periods can  
31 be decreased after the loan is made.

1           **Sec. 18.56.740. FIRE INSURANCE.** Before purchasing or participating in the purchase  
2 of a senior housing mortgage loan, the corporation shall require the borrower to agree to purchase  
3 and maintain fire insurance for the real property for which the loan is made in an amount not less  
4 than the outstanding principal balance of the loan.

5           **Sec. 18.56.750. LOAN ORIGINATION AND SERVICING.** (a) Before purchasing or  
6 participating in the purchase of a senior housing loan, the corporation shall enter into a loan  
7 servicing agreement with the private financial institution from which the loan is to be purchased.

8           (b) The corporation may execute service agreements with private lending institutions or  
9 with regional native housing authorities established under AS 18.55.996 to service loans  
10 originated by the office.

11           (c) Under the servicing agreement, the private financial institution or the regional native  
12 housing authority shall administer the loan and may charge the corporation a negotiated  
13 origination or servicing fee on the office's share of the loan. When appropriate, the private  
14 financial institution or the regional native housing authority may also charge the borrower a  
15 reasonable origination fee not to exceed one percent.

16           **Sec. 18.56.760. APPRAISALS.** Before originating or purchasing or participating in the  
17 purchase of a senior housing mortgage loan, the corporation may have or may require the  
18 borrower to have an appraisal made of the fair market value of the real property, including  
19 structures on the real property, for which the loan is made. In conducting an appraisal under this  
20 section, the appraiser shall give full value to insulation and other features of construction in  
21 structures on the real property that add to the energy efficiency of the structures.

22           **Sec. 18.56.770. TOLL-FREE TELEPHONE NUMBER.** The corporation shall arrange  
23 for and maintain a toll-free telephone number for senior housing purposes so that private financial  
24 institutions and their borrowers may contact the office from any location in the state by telephone  
25 without a toll charge.

26           **Sec. 18.56.780. CONTRACTING FOR SERVICES.** The corporation may contract for  
27 the services of persons who will assist the office in performing its duties under AS 18.56.700 -  
28 18.56.799.

29           **Sec. 18.56.790. BONDS FOR SENIOR HOUSING.** (a) Under the procedures of this  
30 chapter, the corporation may issue bonds in a total amount not exceeding \$30,000,000 to fund  
31 senior housing loans made under AS 18.56.700 - 18.56.799 that are approved by the corporation

1 under (b) of this section.

2 (b) Before issuing its bonds under this section, the corporation shall compile a list of  
3 approved senior housing projects that it has determined are financially feasible and meet housing  
4 needs for senior citizens as required under AS 18.56.710(b).

5 (c) The proceeds of bonds issued under this section for approved projects shall be  
6 deposited in the senior housing revolving fund administered by the senior housing office under  
7 AS 18.56.700 - 18.56.799 on a schedule determined by the corporation.

8 (d) There is established in the corporation a senior housing bond account. The account  
9 consists of proceeds of bonds issued under this section, money appropriated to the account,  
10 repayments of principal the corporation collects for a loan made under AS 18.56.700 - 18.56.799  
11 that was funded by bonds issued under this section, and the corporation's right, title, and interest  
12 in property financed through a loan made under AS 18.56.700 - 18.56.799 that was funded by  
13 bonds issued under this section. The corporation may pledge assets in the account and in the  
14 senior housing revolving fund for the payment of bonds issued under this section and may use  
15 money in the account for payment of the bonds.

16 (e) In this section, "bond" has the meaning given in AS 18.56.390.  
17 Sec. 18.56.799. DEFINITIONS. In AS 18.56.700 - 18.56.799,

18 (1) "office" means the senior housing office established under AS 18.56.700;

19 (2) "senior housing"

20 (A) means construction or improvement undertaken primarily to provide  
21 dwelling accommodations for persons 60 years of age or older, including conventional  
22 housing, housing for frail elderly, group homes, congregate housing, residential horizontal  
23 property regimes organized under AS 34.07, residential cooperatives organized under  
24 AS 10.15 or AS 34.08, residential condominiums organized under AS 34.08, and other  
25 housing that meets special needs of the elderly;

26 (B) includes acquisition, construction, or rehabilitation of land, buildings,  
27 improvements, and other nonhousing facilities that are incidental or appurtenant to the  
28 housing described in (A) of this paragraph.

29 **ARTICLE 5. SENIOR CITIZENS HOUSING DEVELOPMENT FUND.**

30 Sec. 18.56.800. **DECLARATION OF PURPOSE.** There exists in the state a serious  
31 shortage of decent, safe and sanitary residential housing available at low or moderate prices or

1 rentals to persons 60 years of age or older. There also exists in the state organizations whose  
2 purposes are to provide the kinds of housing needed to alleviate this shortage. Development  
3 work to provide such housing involves substantial expense that is often beyond the resources of  
4 the organizations.

5 Sec. 18.56.810. SENIOR CITIZENS HOUSING DEVELOPMENT. (a) There is created  
6 in the corporation a senior citizens housing development fund. Subject to direct appropriation  
7 or through proceeds of a bond issue, the corporation shall make grants to municipalities or public  
8 or private nonprofit corporations designated as tax exempt under 26 U.S.C. 501(c)(3) and (4)  
9 (Internal Revenue Code of 1954) for the purpose of developing senior citizen housing. A grant  
10 from the proceeds of a bond issue may be made only to municipalities.

11 (b) Application for a grant under (a) of this section shall be in the form prescribed by  
12 the corporation. The application

13 (1) shall demonstrate the need for senior citizen housing in the area to be served  
14 and the feasibility of the proposed project; and

15 (2) must include an adequate management plan that shall demonstrate the ability  
16 of the eligible recipient to sustain the proposed project.

17 (c) A senior citizen housing project developed under this section

18 (1) shall be prepared in accordance with facility procurement policies developed  
19 by the Department of Transportation and Public Facilities under AS 35.10.160 - 35.10.200; and

20 (2) is a public facility under AS 35.10.160 - 35.10.200.

21 (d) The corporation shall adopt regulations to carry out the purposes of this section. The  
22 provisions of AS 18.56.088(a) and (b) apply to regulations adopted under this section.

23 (e) In this section, "senior citizen housing" has the meaning given "senior housing" in  
24 AS 18.56.799.

#### 25 ARTICLE 6. ENERGY CONSERVATION.

26 Sec. 18.56.850. HOME ENERGY CONSERVATION AND WEATHERIZATION  
27 PROGRAM. (a) The corporation shall plan, study, implement, and assist programs for home  
28 energy conservation and weatherization including, without limitation, the

29 (1) Alaska craftsman home program;

30 (2) energy rated homes of Alaska program;

31 (3) home energy loan program;

- 1 (4) rural capital retrofit program; and  
2 (5) low income weatherization program.

3 (b) In the development of a home energy conservation or weatherization program under  
4 (a) of this section, the corporation may not consider the value of Alaska longevity bonus  
5 payments under AS 47.45 or permanent fund dividends under AS 43.23 in determining whether  
6 a person meets income guidelines established under AS 18.56.088 and (a) of this section for a  
7 state or, to the extent permitted by federal law, a federal energy conservation or weatherization  
8 program.

9 \* Sec. 96. AS 18.56.900 is repealed and reenacted to read:

10 Sec. 18.56.900. DEFINITIONS. In this chapter,

- 11 (1) "board" means the board of directors of the corporation;  
12 (2) "corporation" means the Alaska Housing Finance Corporation created by this  
13 chapter.

14 \* Sec. 97. AS 09.25.115(g) is amended to read:

15 (g) Each public agency shall establish the fees for the electronic services and products  
16 provided under this section. The Telecommunications Information Council may cancel the fees  
17 established by a public agency in the executive branch, except the fees of [INCLUDING THE  
18 ALASKA STATE HOUSING AUTHORITY, BUT NOT INCLUDING] the University of Alaska  
19 and the Alaska Railroad Corporation, if the council determines that the fees are unreasonably  
20 high.

21 \* Sec. 98. AS 09.25.123(a) is amended to read:

22 (a) The Telecommunications Information Council shall supervise and adopt regulations  
23 for the operation and implementation of AS 09.25.110 - 09.25.140 by public agencies in the  
24 executive branch, except [INCLUDING THE ALASKA STATE HOUSING AUTHORITY, BUT  
25 NOT INCLUDING] the Alaska Railroad Corporation.

26 \* Sec. 99. AS 09.25.220(5) is amended to read:

27 (5) "public agency" means a political subdivision, department, institution, board,  
28 commission, division, authority, public corporation, council, committee, or other instrumentality  
29 of the state or a municipality; "public agency" includes the University of Alaska [, THE  
30 ALASKA STATE HOUSING AUTHORITY,] and the Alaska Railroad Corporation;

31 \* Sec. 100. AS 09.38.015(c) is amended to read:

1 (c) Property of the state, a general law or home rule municipality, and of [THE  
2 ALASKA STATE HOUSING AUTHORITY,] the Alaska Municipal Bond Bank Authority [,] or  
3 another [OTHER] state public corporation is exempt.

4 \* Sec. 101. AS 18.60.545(6) is amended to read:

5 (6) "state agency" or "agency of the state"

6 (A) means a state department or agency, whether in the legislative,  
7 judicial, or executive branch;

8 (B) [, INCLUDING SUCH ENTITIES AS THE ALASKA STATE  
9 HOUSING AUTHORITY; "STATE AGENCY" OR "AGENCY OF THE STATE"] does  
10 not include the University of Alaska, a municipality, or an agency of a municipality.

11 \* Sec. 102. AS 29.45.050(l) is amended to read:

12 (l) A municipality may by ordinance exempt from taxation an interest, other than record  
13 ownership, in real property of an individual residing in the property if the property has been  
14 developed, improved, or acquired with federal funds for low-income housing and is owned or  
15 managed as low-income housing by the Alaska Housing Finance Corporation under  
16 AS 18.55.100 - 18.55.960 [ALASKA STATE HOUSING AUTHORITY] or by a regional  
17 housing authority formed under AS 18.55.996. However, the corporation may make payments  
18 to the municipality or political subdivision for improvements, services, and facilities  
19 furnished by it for the benefit of a housing project, and this subsection [THIS SECTION]  
20 does not prohibit a municipality from receiving those payments or any payments in lieu of taxes  
21 authorized under federal law.

22 \* Sec. 103. AS 34.60.135 is amended to read:

23 Sec. 34.60.135. PLANNING LOANS FOR ADDITIONAL HOUSING. In addition to  
24 the other programs authorized by this chapter, the Alaska Housing Finance Corporation [A  
25 STATE AGENCY] may make loans in order to encourage and facilitate the construction or  
26 rehabilitation of housing to meet the needs of displaced persons. These loans are a part of the  
27 federally assisted project cost and may be made to nonprofit, limited dividend, or cooperative  
28 organizations, or to public bodies. The loans may be made only for necessary and reasonable  
29 expenses, before construction, for planning and obtaining federally insured mortgage financing  
30 for the rehabilitation or construction of housing for displaced persons. The loans may not exceed  
31 80 percent of the reasonable costs expected to be incurred in planning, and in obtaining financing

1 for housing for displaced persons. Reasonable costs include but are not limited to costs for  
2 preliminary surveys and analysis of market needs, preliminary architectural fees, site acquisition,  
3 application and mortgage commitment fees, and construction loan fees and discounts. Loans to  
4 an organization established for profit shall bear interest at a market rate established by the Alaska  
5 Housing Finance Corporation [STATE AGENCY]. All other loans shall be without interest.  
6 The Alaska Housing Finance Corporation [STATE AGENCY] shall require repayment of loans  
7 made under this section [,] under terms and conditions that it may prescribe [ESTABLISHED  
8 BY THE STATE AGENCY]. Repayment shall be made upon completion of the project or  
9 sooner, and except in the case of a loan to an organization established for profit, the Alaska  
10 Housing Finance Corporation [STATE AGENCY] may cancel any part or all of a loan if the  
11 corporation determines [FOLLOWING A DETERMINATION BY THE STATE AGENCY] that  
12 a permanent loan to finance the rehabilitation or construction of the housing cannot be obtained  
13 in an amount adequate for repayment of the loan.

14 \* Sec. 104. AS 34.60.137 is amended to read:

15 Sec. 34.60.137. HOUSING REPLACEMENT ASSISTANCE AS LAST RESORT. If a  
16 federal aided program or project cannot proceed to actual construction because comparable  
17 replacement sale or rental housing is not available, and the state agency determines that housing  
18 cannot otherwise be made available, the agency may take, or may request the Alaska Housing  
19 Finance Corporation to take, action necessary or appropriate to provide the housing either by  
20 use of funds authorized for the project or by use of money available to the corporation.

21 \* Sec. 105. AS 35.05.040 is amended to read:

22 Sec. 35.05.040. POWERS OF DEPARTMENT. The department may

- 23 (1) acquire property;
- 24 (2) exercise the power of eminent domain;
- 25 (3) take immediate possession of real property, or any interest in it under a  
26 declaration of taking or by other lawful means;
- 27 (4) acquire rights-of-way for present or future use;
- 28 (5) dispose of excess property or property rights;
- 29 (6) accept and dispose of federal funds or property available for public works  
30 construction, maintenance, or equipment;
- 31 (7) enter into contracts or agreements relating to public works with the federal

1 government and political subdivisions, and also enter into contracts with a foreign government  
2 if approved by the federal government;

3 (8) exercise any other power necessary to carry out the purpose of this title;

4 (9) lease or grant land or any interest in land to the Alaska Housing Finance  
5 Corporation for a purpose set out in AS 18.55.100 - 18.55.960 [ALASKA STATE HOUSING  
6 AUTHORITY] on terms and conditions prescribed by the department;

7 (10) procure directly materials, labor and contractual services for planning,  
8 designing and constructing public facilities of the state.

9 \* Sec. 106. AS 36.30.015(f) is amended to read:

10 (f) The board of directors of the Alaska Housing Finance Corporation, notwithstanding  
11 AS 18.56.088, [AND THE BOARD OF DIRECTORS OF THE ALASKA STATE HOUSING  
12 AUTHORITY] shall adopt regulations under the Administrative Procedure Act (AS 44.62) to  
13 govern the procurement of supplies, services, professional services, and construction for it [THE  
14 RESPECTIVE PUBLIC CORPORATIONS]. The regulations must

15 (1) reflect competitive bidding principles and provide vendors reasonable and  
16 equitable opportunities to participate in the procurement process; and

17 (2) include procurement methods to meet emergency and extraordinary  
18 circumstances.

19 \* Sec. 107. AS 36.30.050(c) is amended to read:

20 (c) The lists may be used by the chief procurement officer or an agency when issuing  
21 invitations to bid or requests for proposals under this chapter. The lists may be used by the  
22 legislative council, the court system, [THE ALASKA STATE HOUSING AUTHORITY,] and  
23 the Alaska Railroad Corporation.

24 \* Sec. 108. AS 36.30.735(b) is amended to read:

25 (b) In this section, "state agency"

26 (A) means a state department or agency, whether in the legislative,  
27 judicial, or executive branch;

28 (B) does not include [, INCLUDING SUCH ENTITIES AS THE  
29 ALASKA STATE HOUSING AUTHORITY, BUT NOT INCLUDING] the University  
30 of Alaska, a municipality, or an agency of a municipality [OR THE ALASKA STATE  
31 HOUSING AUTHORITY].

1 \* Sec. 109. AS 36.30.990(1) is amended to read:

2 (1) "agency"

3 (A) means a department, institution, board, commission, division,  
4 authority, public corporation, the Alaska Pioneers' Home, or other administrative unit of  
5 the executive branch of state government;

6 (B) does not include

7 (i) the University of Alaska;

8 (ii) [THE ALASKA STATE HOUSING AUTHORITY;

9 (iii)] the Alaska Railroad Corporation;

10 (iii) [(iv)] the Alaska Housing Finance Corporation;

11 (iv) [(v)] a regional Native housing authority created under  
12 AS 18.55.996, or a regional electrical authority created under AS 18.57.020;

13 (v) [(vi)] the Alaska Aerospace Development Corporation;

14 \* Sec. 110. AS 37.05.146 is amended to read:

15 Sec. 37.05.146. DEFINITION OF PROGRAM RECEIPTS. In AS 37.05.142 - 37.05.146  
16 and AS 37.07.080, "program receipts" means fees, charges, income earned on assets, and other  
17 state money received by a state agency in connection with the performance of its functions; all  
18 program receipts except the following are general fund program receipts:

19 (1) federal receipts;

20 (2) University of Alaska receipts (AS 14.40.491);

21 (3) individual, foundation, or corporation gifts, grants, or bequests that by their  
22 terms are restricted to a specific purpose.

23 (4) receipts of the following funds

24 (A) highway working capital fund (AS 44.68.210);

25 (B) correctional industries fund (AS 33.32.020);

26 (C) loan funds;

27 (D) international airports revenue fund (AS 37.15.430);

28 (E) funds managed by the Alaska Aerospace Development Corporation  
29 (AS 14.40.821), [THE ALASKA STATE HOUSING AUTHORITY (AS 18.55.020),] the  
30 Alaska Housing Finance Corporation (AS 18.56.020), the Alaska Railroad Corporation  
31 (AS 42.40.010), the Municipal Bond Bank Authority (AS 44.85.020), or the Alaska

- 1                   **Industrial Development and Export Authority (AS 44.88.020);**  
2                               (F) fish and game fund (AS 16.05.100);  
3                               (G) school fund (AS 43.50.140);  
4                               (H) training and building fund (AS 23.20.130);  
5                               (I) retirement funds (AS 14.25, AS 22.25, AS 26.05.222, AS 39.35, and  
6                   former AS 39.37);  
7                               (J) permanent fund (art. IX, sec. 15, Alaska Constitution);  
8                               (K) public school trust fund (AS 37.14.110);  
9                               (L) second injury fund (AS 23.30.040);  
10                              (M) fishermen's fund (AS 23.35.060);  
11                              (N) FICA administration fund (AS 39.30.050);  
12                              (O) mental health trust fund (AS 37.14.031).

13   \* **Sec. 111.** AS 39.05.060(a) is amended to read:

14                   (a) Each member of the following shall be a citizen of the United States:

- 15                              (1) Local Boundary Commission;  
16                              (2) Alcoholic Beverage Control Board;  
17                              (3) Employment Security Advisory Council;  
18                              (4) [ALASKA STATE HOUSING AUTHORITY;  
19                              (5)] Board of Fisheries;  
20                              (5) [(6) REPEALED,  
21                              (7) REPEALED,  
22                              (8) REPEALED,  
23                              (9)] the Governor's Commission on the Involvement of Young People in  
24                   Government;  
25                              (6) [(10)] Board of Game.

26   \* **Sec. 112.** AS 39.50.200(a)(4) is amended to read:

- 27                              (4) "instrumentality of the state" means a state department or agency, whether in  
28                   the legislative, judicial, or executive branch, including [SUCH ENTITIES AS] the University of  
29                   Alaska [AND THE ALASKA STATE HOUSING AUTHORITY];

30   \* **Sec. 113.** AS 44.21.230(a)(9) is amended to read:

- 31                              (9) give assistance, on request, to the senior housing office in the Alaska Housing

1        **Finance Corporation** [DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS] in  
2        administration of the senior housing loan program under **AS 18.56.710 - 18.56.799**  
3        [AS 44.47.587 - 44.47.609] and in the performance of the office's other duties under  
4        **AS 18.56.700** [AS 44.47.585]; and

5        \* Sec. 114. AS 44.21.240(6) is amended to read:

6                    (6) "senior citizen housing" has the meaning given "**senior housing**" in  
7        **AS 18.56.799** [AS 44.47.620(e)].

8        \* Sec. 115. AS 44.99.020 is amended to read:

9                    Sec. 44.99.020. USE OF PAPER. A state agency shall use both sides of paper when  
10        feasible. In this section, "state agency" means a department, institution, board, commission,  
11        division, authority, public corporation, or other administrative unit of the executive, legislative,  
12        or judicial branch of state government, including the University of Alaska, [THE ALASKA  
13        STATE HOUSING AUTHORITY,] the Alaska Railroad Corporation, and legislative committees.

14        \* Sec. 116. AS 44.99.350(3) is amended to read:

15                    (3) "state agency"

16                    **(A)** means a department, institution, board, commission, division,  
17        authority, public corporation, committee, or other administrative unit of the executive,  
18        judicial, or legislative branch of state government, including the University of Alaska;

19                    **(B)** **does not include** [AND THE ALASKA STATE HOUSING  
20        AUTHORITY, BUT NOT INCLUDING] the Alaska Railroad Corporation.

21        \* Sec. 117. AS 44.99.400 is amended to read:

22                    Sec. 44.99.400. COPYRIGHTS. A state agency may hold the copyright for software  
23        created by the agency or developed by a private contractor for an agency, and may enforce its  
24        rights to protect the copyright. In this section, "state agency" means a department, institution,  
25        board, commission, division, authority, public corporation, committee, or other administrative unit  
26        of the executive, judicial, or legislative branch of state government, including the University of  
27        Alaska, [THE ALASKA STATE HOUSING AUTHORITY,] the Alaska Aerospace Development  
28        Corporation, and the Alaska Railroad Corporation.

29        \* Sec. 118. AS 46.07.030(b) is amended to read:

30                    (b) The location of a facility constructed under this chapter shall be determined by the  
31        commissioner after consultation with the governing body of the village in which the facility is

1 located, as well as with appropriate public agencies [, INCLUDING BUT NOT LIMITED TO  
2 THE ALASKA STATE HOUSING AUTHORITY]. The aim of the consultation is to achieve  
3 maximum coordination in public development plans and activities affecting the community in  
4 which the facility is to serve.

5 \* Sec. 119. AS 46.11.040 is amended to read:

6 Sec. 46.11.040. APPLICABILITY OF THERMAL AND LIGHTING ENERGY  
7 STANDARDS TO RESIDENTIAL BUILDINGS. State financial assistance may not be approved  
8 or granted for the construction of or purchase of a loan for a residential building if construction  
9 of the building begins after December 31, 1991, unless

10 (1) the building is in compliance with thermal and lighting energy standards;

11 (2) the building is in compliance with the building code of a municipality and the  
12 standards for thermal and lighting energy of the municipal building code meet or exceed the  
13 thermal and lighting energy standards;

14 (3) the building

15 (A) is constructed under an exception to the municipal building code  
16 granted because the exception will result in increased energy efficiency; or

17 (B) is located or is to be located in an area where thermal and lighting  
18 energy standards are not justified because of the high cost of implementation of the  
19 standards, with specific consideration given to the availability of inexpensive home  
20 heating energy sources, as determined under regulations adopted by the Alaska Housing  
21 Finance Corporation [COMMISSIONER OF COMMUNITY AND REGIONAL  
22 AFFAIRS]; or

23 (4) the applicant agrees, in writing, that the building will be brought into  
24 compliance with thermal and lighting energy standards within one year of conveyance.

25 \* Sec. 120. AS 46.11.900(8) is amended to read:

26 (8) "thermal and lighting energy standards" means the thermal and lighting energy  
27 standards

28 (A) established by the American Society of Heating, Refrigeration, and  
29 Air Conditioning Engineers as revised

30 (i) by the commissioner of transportation and public facilities under  
31 AS 44.42.020(a) for public facilities; or

1 (ii) by the Alaska Housing Finance Corporation  
2 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS] for  
3 buildings and structures that are not public facilities; or

4 (B) developed in regulations adopted

5 (i) by the commissioner of transportation and public facilities under  
6 AS 44.42.020(a) for public facilities; or

7 (ii) by the Alaska Housing Finance Corporation  
8 [COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS] for  
9 buildings and structures that are not public facilities.

10 \* Sec. 121. AS 18.55.020, 18.55.030, 18.55.050, 18.55.070, 18.55.430, 18.55.640, 18.55.950(2),  
11 AS 18.56.083, 18.56.210(a)(10), AS 39.50.200(b)(12), AS 44.47.050(a)(18), 44.47.050(b), 44.47.370,  
12 44.47.378, 44.47.380, 44.47.382, 44.47.390, 44.47.395, 44.47.400, 44.47.410, 44.47.420, 44.47.430,  
13 44.47.440, 44.47.460, 44.47.470, 44.47.475, 44.47.480, 44.47.490, 44.47.500, 44.47.510, 44.47.520,  
14 44.47.530, 44.47.560, 44.47.585, 44.47.587, 44.47.589, 44.47.591, 44.47.593, 44.47.595, 44.47.597,  
15 44.47.599, 44.47.601, 44.47.603, 44.47.609, 44.47.610, 44.47.620, 44.47.630, 44.47.635, and  
16 AS 44.99.200(b)(5) are repealed.

17 \* Sec. 122. TRANSITIONAL PROVISIONS RELATING TO MERGER OF ALASKA STATE  
18 HOUSING AUTHORITY. (a) All contracts, rights, liabilities, bonds, notes, or other obligations of the  
19 Alaska State Housing Authority created by or under a law amended or repealed by this Act and in effect  
20 on the effective date of this section, remain in effect notwithstanding this Act's taking effect, with all  
21 contracts, rights, liabilities, bonds, notes, or other obligations of the Alaska State Housing Authority  
22 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the Alaska Housing Finance  
23 Corporation with the same limitations and provisions as under a contract, right, liability, bond, note, or  
24 other obligation of the former Alaska State Housing Authority.

25 (b) All records, equipment, appropriations, and other property of the Alaska State Housing  
26 Authority shall be transferred to the Alaska Housing Finance Corporation to implement the provisions  
27 of this Act.

28 (c) Employees of the Alaska State Housing Authority become employees of the Alaska Housing  
29 Finance Corporation on the effective date of this section.

30 \* Sec. 123. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF HOUSING  
31 PROGRAMS FROM THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS. (a) All

1 contracts, rights, liabilities, bonds, notes, or other obligations of the Department of Community and  
2 Regional Affairs under former AS 44.47.370 - 44.47.560 and 44.47.635 created by or under a law  
3 amended or repealed by this Act and in effect on the effective date of this section, remain in effect  
4 notwithstanding this Act's taking effect, with all contracts, rights, liabilities, bonds, notes, or other  
5 obligations of the Department of Community and Regional Affairs incurred under former AS 44.47.370 -  
6 44.47.560 and 44.47.635 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the  
7 Alaska Housing Finance Corporation.

8 (b) All records, equipment, appropriations, and other property of the Department of Community  
9 and Regional Affairs held under former AS 44.47.370 - 44.47.560 and 44.47.635 shall be transferred to  
10 the Alaska Housing Finance Corporation to implement the provisions of this Act.

11 (c) Employees of the Department of Community and Regional Affairs responsible for  
12 administration of the programs set out in former AS 44.47.370 - 44.47.560 and 44.47.635 become  
13 employees of the Alaska Housing Finance Corporation on the effective date of this section.

14 \* Sec. 124. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF SENIOR CITIZEN  
15 HOUSING PROGRAMS FROM THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.

16 (a) All contracts, rights, liabilities, bonds, notes, or other obligations of the Department of Community  
17 and Regional Affairs under former AS 44.47.585 - 44.47.620 created by or under a law amended or  
18 repealed by this Act and in effect on the effective date of this section, remain in effect notwithstanding  
19 this Act's taking effect, with all contracts, rights, liabilities, bonds, notes, or other obligations of the  
20 Department of Community and Regional Affairs incurred under former AS 44.47.585 - 44.47.620  
21 becoming contracts, rights, liabilities, bonds, notes, and other obligations of the Alaska Housing Finance  
22 Corporation.

23 (b) All records, equipment, appropriations, and other property of the Department of Community  
24 and Regional Affairs secured under former AS 44.47.585 - 44.47.620 shall be transferred to the Alaska  
25 Housing Finance Corporation to implement the provisions of this Act.

26 (c) Employees of the Department of Community and Regional Affairs responsible for  
27 administration of the programs set out in former AS 44.47.585 - 44.47.620 become employees of the  
28 Alaska Housing Finance Corporation on the effective date of this section.

29 (d) All bonds issued under former AS 18.56.083 and in effect on the effective date of this  
30 section remain in effect notwithstanding this Act's taking effect.

31 \* Sec. 125. TRANSITIONAL PROVISIONS RELATING TO TRANSFER OF HOME ENERGY

1 CONSERVATION AND WEATHERIZATION PROGRAMS FROM THE DEPARTMENT OF  
2 COMMUNITY AND REGIONAL AFFAIRS. (a) All contracts, rights, liabilities, bonds, notes, or other  
3 obligations of the Department of Community and Regional Affairs under AS 44.47.050(a)(18) and  
4 44.47.050(b) created by or under a law repealed by sec. 121 of this Act and in effect on the effective  
5 date of this section, remain in effect notwithstanding this Act's taking effect, with all contracts, rights,  
6 liabilities, bonds, notes, or other obligations of the Department of Community and Regional Affairs  
7 incurred under AS 44.47.050(a)(18) and 44.47.050(b) becoming contracts, rights, liabilities, bonds, notes,  
8 and other obligations of the Alaska Housing Finance Corporation.

9 (b) All records, equipment, appropriations, and other property of the Department of Community  
10 and Regional Affairs secured under AS 44.47.050(a)(18) and 44.47.050(b) shall be transferred to the  
11 Alaska Housing Finance Corporation to implement the provisions of AS 18.56.850, added by sec. 95 of  
12 this Act, and sec. 121 of this Act.

13 (c) Employees of the Department of Community and Regional Affairs responsible for  
14 administration of the home energy conservation and weatherization programs set out in  
15 AS 44.47.050(a)(18) and 44.47.050(b), repealed by sec. 121 of this Act, become employees of the Alaska  
16 Housing Finance Corporation on the effective date of this section.

17 \* Sec. 126. TRANSITIONAL PROVISION: EXPANSION OF MEMBERSHIP OF ALASKA  
18 HOUSING FINANCE CORPORATION BOARD OF DIRECTORS. (a) Notwithstanding  
19 AS 18.56.030(a)(3)(A) - (F), repealed and reenacted by sec. 80 of this Act, the public members of the  
20 board of directors of the Alaska Housing Finance Corporation who are serving on the effective date of  
21 this section continue to serve their unexpired terms. Thereafter, the governor shall fill vacancies on the  
22 board of directors among the members under the provisions of AS 18.56.030(a)(3)(A) - (F), as repealed  
23 and reenacted by sec. 80 of this Act, and AS 18.56.030(f), added by sec. 83 of this Act.

24 (b) Notwithstanding AS 18.56.030(c), of the members first appointed to fill the additional seats  
25 on the board of directors authorized by AS 18.56.030(a)(3), amended by sec. 80 of this Act, one shall  
26 be appointed for a term of one year and two shall be appointed for a term of two years. The governor  
27 shall specify the length of the term of each member.

28 \* Sec. 127. TRANSITIONAL PROVISION: REPORT OF TRANSFERRED ASSETS. Each of the  
29 following shall prepare or direct the preparation of all necessary financial reports of the assets to be  
30 transferred by them under this Act as of the close of business on the day before the effective date of the  
31 transfer:

1 (1) Department of Community and Regional Affairs;

2 (2) Alaska State Housing Authority.

3 \* Sec. 128. ALASKA STATE HOUSING PLANNING COMMISSION. (a) The Alaska State  
4 Housing Planning Commission is established within the Office of the Governor. The commission  
5 consists of five members

6 (1) a representative of the Office of the Governor, designated by the governor;

7 (2) the commissioner of commerce and economic development;

8 (3) the commissioner of community and regional affairs;

9 (4) a representative of the Alaska Housing Finance Corporation, designated by the board  
10 of directors of the corporation; and

11 (5) a public member, appointed by the governor, who is a representative of low income,  
12 homeless, or special needs housing interests.

13 (b) In addition to the members specified in (a) of this section, the governor may invite the  
14 United States Department of Housing and Urban Development to designate a representative of that  
15 department to serve with the Alaska State Housing Planning Commission in an advisory capacity.

16 (c) The Alaska State Housing Planning Commission shall

17 (1) assist with the merger of the state housing programs as set out in this Act to ensure  
18 that housing program service delivery is maintained efficiently and without interruption during the  
19 transitional period; and

20 (2) make recommendations to the legislature regarding further statutory changes that may  
21 be necessary or appropriate to enhance the delivery of housing programs and services in the state.

22 (d) A majority of the members appointed under (a) of this section constitutes a quorum for  
23 organization of the commission and for conducting the business and exercising the powers of the  
24 commission. The commission shall elect a chair from among its membership. The commission shall  
25 meet at the call of the chair.

26 \* Sec. 129. ALASKA HOUSING FINANCE CORPORATION MAY PURCHASE HOUSING  
27 LOANS OF DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS. (a) Notwithstanding  
28 AS 18.56.210(a)(10) and any other provision of law, the Alaska Housing Finance Corporation may  
29 purchase, at an appropriate discount mutually satisfactory to the board of directors of the Alaska Housing  
30 Finance Corporation and the commissioner of community and regional affairs, the mortgage loans and  
31 other housing-related loans that are held on the effective date of this section by the Department of

1 Community and Regional Affairs for the loans it has made under the department's various housing  
2 assistance programs set out in AS 44.47.370 - 44.47.560 and 44.47.585 - 44.47.635.

3 (b) The commissioner of community and regional affairs shall deposit the full amount received  
4 from the purchase made under (a) of this section in the state general fund.

5 \* Sec. 130. REVISOR OF STATUTES TO REVISE REFERENCES. In each of the following, the  
6 revisor of statutes shall delete references to "authority" and insert in place of each deletion a reference  
7 to "corporation": AS 18.55.100(d), 18.55.320(a), 18.55.410, 18.55.470(2) and (3), 18.55.510(c),  
8 18.55.530(b), (c), (f), and (h), 18.55.540(c), and (d), 18.55.570(c), (d), and (f), 18.55.610,  
9 18.55.630(b), 18.55.650; 18.55.720, 18.55.770, 18.55.790, 18.55.800, 18.55.810, 18.55.830, 18.55.840,  
10 18.55.850, 18.55.870, 18.55.880, 18.55.890, 18.55.900, 18.55.932(a), (b), (c), (e), and (f), 18.55.934(a),  
11 and 18.55.950(4), (10), and (14).

12 \* Sec. 131. Section 128 of this Act is repealed January 1, 1993.

13 \* Sec. 132. Sections 127 - 129 of this Act take effect immediately under AS 01.10.070(c).

14 \* Sec. 133. Except as provided in sec. 132, this Act takes effect July 1, 1992.