

HB

71

SENATE COMMITTEE REPORT

DATE: 4/20/93

FURTHER: JUDICIARY

DATE TURNED INTO OFFICE: 4-28-93

CRA Committee considered HOUSE BILL NO. 71

"An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date."

and recommends:

- replace with _____ CS _____ ()
- or adopt previous _____ CS _____ ()
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
Dept of Commerce	3/20/93	0	

Appropriation No Fiscal Note

DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

OTHER RECOMMENDATIONS:

[Signature] Do Pass

Chair: Signature and Recommendation

HB 71: "An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date."

The Department of Commerce and Economic Development, Division of Banking, Securities and Corporations, has no objection to the proposed legislation.

The department supports this legislation in recognition that corporate status for Native villages and regions is specifically called for in the terms and conditions of the Alaska Native Claims Settlement Act. The department acknowledges the unique inalienability of the ownership of Native Alaskans as shareholders in Native corporations.

The department concurs that corporations affected by HB 71 should pay the appropriate fees that would have been effective had they not allowed themselves to become delinquent, plus any penalties allowable under AS 10.06.633(e).

The department encourages the involvement of the regional corporations and other Native associations, such as the Alaskan Federation of Natives, in assisting the smaller village corporations in meeting their filing requirements.

Paul Fuhs, Acting Commissioner

Date: _____

dgl009PP.BSC
012593b

FISCAL NOTE

No. 1
 Bill Version: HB 71
 (H) Publish Date: 3/26/93

STATE OF ALASKA
 1993 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act relating to involuntary dissolution of
Native Corporations
 Sponsor: Representative Foster
 Requestor: _____

Department Affected: Commerce and Economic Development
 BRU: Banking, Securities and Corporations
 Component: _____
 COMPONENT SERIAL NO. 1233

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Willis F. Kirkpatrick, Director
 Division: Banking, Securities and Corporations

Phone: 465-2521
 Date: _____

Approved by Commissioner: Paul Fuhs
 Agency: Commerce and Economic Development

Date: _____

COMMITTEE COPY PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

BILL: HB 71 SHORT TITLE: DISSOLUTION OF NATIVE CORPORATIONS
BILL VERSION:
SPONSOR(S): REPRESENTATIVE(S) FOSTER, MACLEAN, MENARD

CURRENT STATUS: (S) CRA STATUS DATE: 04/20/93
THEN JUD, RLS

HEARING: (S) CRA APR 27 09:00 AM

TITLE: "AN ACT RELATING TO THE INVOLUNTARY DISSOLUTION OF NATIVE CORPORATIONS;
AND PROVIDING FOR AN EFFECTIVE DATE."

01/18/93	161	(H)	READ THE FIRST TIME - REFERRAL(S)
01/18/93	161	(S)	CRA, JUDICIARY
03/26/93	721	(H)	CRA RPT SDP ENR
03/26/93	721	(S)	DP: SANDERS, BURDE, WILLIAMS, TOOH . . . BERG
03/26/93	721	(H)	DNP: DAVIES, WILLIS
03/26/93	731	(H)	-ZERO FISCAL NOTE (DCED) 3/26/93
03/26/93	807	(H)	COSPONSOR(S): MACLEAN
04/13/93	1172	(H)	JUD RPT SDP ENR
04/13/93	1172	(H)	DP: GREEN, JAMES, PORTER, PHILLIPS, HORDLUND
04/13/93	1172	(H)	NR: KOTT, DAVIDSON
04/13/93	1172	(H)	-PREVIOUS ZERO FN (DCED) 3/26/93
04/19/93	1327	(H)	RULES TO CALENDAR 4/19/93
04/19/93	1327	(H)	READ THE SECOND TIME
04/19/93	1328	(H)	ADVANCED TO THIRD READING UNAN CONSENT
04/19/93	1328	(H)	READ THE THIRD TIME HB 71
04/19/93	1328	(H)	PASSED YES N- 42
04/19/93	1328	(H)	EFFECTIVE DATE VOTE SAME AS PASSAGE
04/19/93	1339	(H)	COSPONSOR(S): MENARD
04/19/93	1341	(H)	TRANSMITTED TO (S)
04/20/93	1564	(S)	READ THE FIRST TIME - REFERRAL(S)
04/20/93	1565	(S)	CRA, JUDICIARY

BILL: SB 20 SHORT TITLE: DISSOLUTION OF NATIVE CORPORATIONS

BILL VERSION:

SPONSOR(S): SENATOR(S) ADAMS, Lincoln

CURRENT STATUS: (S) CRA

STATUS DATE: 01/11/93

THEN L&C, JUD, RLS

TITLE: "An Act relating to the involuntary dissolution of Native corporations;
and providing for an effective date."

01/11/93	20	(S)	PREFILE RELEASED 1/4/93
01/11/93	20	(S)	READ THE FIRST TIME - REFERRAL(S)
01/11/93	20	(S)	CRA, L&C, JUD

SPONSOR STATEMENT

HB 71

"An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date."

Representative Foster

This bill would provide a period of time within which ANCSA corporations that have been involuntarily dissolved because of their failure to file a biennial report could be reinstated.

Corporations affected by this bill would be required to pay appropriate fees as they would normally had they not been delinquent, and, in addition, would also pay any penalties allowable under statute before reinstatement.



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

State Capitol
Juneau, AK 99801-1182

MEMORANDUM

TO: Representative Ramona L. Barnes
Speaker of the House

FROM: Douglas A. Wooliver
Staff Attorney *D. A. Wooliver*

SUBJECT: Sectional Analysis of HB 71

DATE: April 16, 1993

The following is a sectional analysis of HB 71; "An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date."

Section 1 amends AS 10.06.960(i). Title 10 deals with "Corporations and Associations" and chapter 06 deals specifically with the "Alaska Corporations Code." Section 960 is entitled "Corporations organized under Alaska Native Claims Settlement Act."

This amendment updates the reference to the Alaska Native Claims Settlement Act and defines "village corporation" by referencing the federal code.

Section 2 amends AS 10.06.960 by adding 2 new subsections. New subsection (j) allows a village corporation that has been involuntarily dissolved, and has passed the deadline for application for reinstatement, to be reinstated within 1 year of the effective date of this Act. Such reinstatement treats the corporation and its shareholders as if there had never been a dissolution.

New subsection (k) states that if a corporation had been involuntarily dissolved and, before the effective date of this Act, replaced by another corporation of the same name, the replacing corporation assumes all of the rights and responsibilities of the dissolved corporation.

Section 3 clarifies that references in section 2 of this act to "the effective date of this Act" refer to the effective date of this act as established under section 4 and not to the effective date of the Alaska Native Claims Settlement Act.

Section 4 provides for an immediate effective date.

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December 30, 1992

File w/bill

Rep. Richard Foster
State Capitol
Room 611
Juneau, Alaska 99801-1182

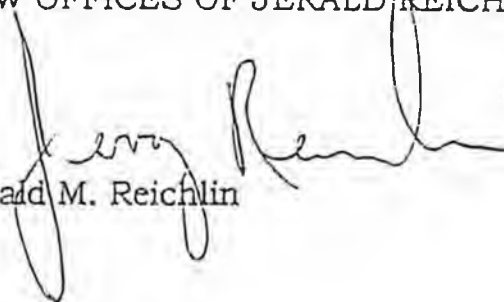
Re: Nunapiglluraq, Inc./Reinstatement of Dissolved ANCSA
Corporations

Dear Rep. Foster:

I am writing on behalf of Nunapiglluraq Corporation of Hamilton regarding the reintroduction of legislation that would provide a "window" for the reinstatement of ANCSA corporations that have been involuntarily dissolved on account of their failure to file a biennial report. You introduced similar legislation in the form of HB435 last year but it failed to gain passage during the press of the legislature's closing hours of business. Nunapiglluraq is requesting that you propose similar legislation in the House this term. Thank you once again for your past and future efforts on behalf of Nunapiglluraq.

Very truly yours,

LAW OFFICES OF JERALD REICHLIN


Jerald M. Reichlin

JMR/kcm

cc: Anna Kamkoff, President
Nunapiglluraq Corp.