

**HB**

**93**

**SFIN**

**FILE**

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was referred to the  
Senate Finance  
Committee

Hearing(s) were held

The bill did not move  
from Committee

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR MACKIE

TO: HB 93

1 Page 1, following line 4:

2 Insert a new bill section to read:

3 **\*\* Section 1.** AS 18.55.997(b)(2) is amended to read:

4 (2) "rural" means a community with a population of 6,500 or less  
 5 that is not connected by road or rail to Anchorage or Fairbanks, or with a  
 6 population of 1,600 or less that is connected by road or rail to Anchorage or  
 7 Fairbanks; in this paragraph. "connected by road" does not include a connection  
 8 by the Alaska marine highway system [HAS THE MEANING GIVEN THE TERM  
 9 "SMALL COMMUNITY" IN AS 18.56.600]."

10 Page 1, line 5:

11 Delete **\*\* Section 1.**12 Insert **\*\* Sec. 2.**

13 Renumber the following bill sections accordingly.

14 Page 2, lines 9 - 13:

15 Delete all material and insert:

16 **\*\* Sec. 3.** AS 18.56.600 is amended to read:17 **Sec. 18.56.600. Definitions.** In AS 18.56.400 - 18.56.600,

18 (1) "housing" means owner-occupied housing having four or fewer  
 19 dwelling units [, SINGLE-FAMILY HOUSING AND OWNER-OCCUPIED  
 20 DUPLEXES] in which not more than 25 percent of the gross floor area is or will be  
 21 devoted to commercial use;

22 (2) "small community" means a community with a population of 6,500

1 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a  
2 population of 1,600 or less that is connected by road or rail to Anchorage or  
3 Fairbanks; in this paragraph, "connected by road" does not include a connection by  
4 the Alaska marine highway system or a connection that crosses an international  
5 border."

SENATE FINANCE  
COMMITTEE # 2  
Amendment Number: 2  
Bill Number: HR 93  
Sponsor: Wilken Date: 4/10/99  
Logged In By: galtram

SENATE FINANCE COMMITTEE

AMENDMENT No. \_\_\_\_\_

By WILKEN

To: \_\_\_\_\_ SENATE BILL No. \_\_\_\_\_

To: \_\_\_\_\_ <sup>House</sup> SENATE BILL No. 93

~~PS 2 LINE 10-12~~

~~LINE 10-11 • DELETE BOLD LANGUAGE~~

~~LINE 11 • REUSE [SINCE FAN... DOPHRES]~~

~~LINE 12 • DELETE "IN WHICH... USE"~~

PS 2 LINE 9

DELETE SECTION 2

# Alaska State Legislature

## SESSION

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Juneau, Alaska 99801-1182

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## MEMBER

Community & Regional Affairs Committee

Health, Education & Social Services Committee

House Resources Committee

Special Committee on Fisheries



## INTERIM

P.O. Box 243

Aniak, Alaska 99557

Phone: 907-675-4413

## Representative Carl M. Morgan, Jr. District 36

### Sponsor Statement HB 93

**“An Act relating to the Alaska Housing Finance Corporation’s rural assistance loan program and to the definition of ‘housing’ for purposes of the corporation’s housing assistance loan program; and providing for an effective date.”**

This legislation would modify AHFC's Rural Mortgage to allow two simple changes:

1. The Rural Mortgage program would allow for refinancing of home loans in the same manner any conventional mortgage allows. While many people across Alaska and the United States have taken advantage of low interest rates to refinance their home mortgages, state law simply does not provide this as an option under the rural lending program.
2. The current definition in state law limits the term "housing" to either single-family and owner-occupied duplexes. This legislation would bring this term into compliance with current industry standards for lending by allowing owner-occupied housing up to four units. Simply, the Rural Mortgage program would be allowed to finance up to four-plexes. This is the same standard that is used by the VA, FHA, Fannie Mae, Freddie Mac and AHFC's conventional urban loan program.

It is important to note that this bill does not allow the Rural Mortgage loan program to make any kinds of loans that are not allowed under conventional lending practices or industry standards. Simply, the bill attempts to allow the Rural Mortgage loan program to make the same kind of loans allowed for any conventional urban loan program.

For example, in February of 1998, AHFC established a Streamline Refinance program that allowed borrowers with an AHFC urban mortgage to refinance their home loans with minimal transaction costs. By allowing homeowners to take advantage of current low interest rates, AHFC reports that over 1,100 loans were refinanced in 1998. This bill would amend state law to simply allow the same kind of opportunity for rural borrowers.

AHFC's rural loan portfolio has over 1,100 loans with interest rates over 8% totaling approximately \$115 million. Of these loans, just over 500 have a rate higher than 9%. The current interest rate for the Rural Mortgage loan program is 6.125% for a 30 year loan. Lowering home loans by whole percentage points can lower monthly payments by hundreds of dollars – essentially putting this buying power back into the homeowners pocket and the state economy.

This is not in any sense a "give-away" program. The Rural Mortgage loan program is a revolving fund. AHFC reports that default rates in the Rural Mortgage loan program are generally the same or often less than the rate of defaults on conventional urban loans.

In short, this legislation attempts to make two simple changes that will allow a lending program to make the same kind of loans considered standard practice under convention lending. Not only is it an issue of fairness for rural borrowers, but it is also good business for AHFC. These are good loans, and will also provide financing opportunity to assist the rural housing market.



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Internet Web Site  
<http://www.ahfc.state.ak.us>

February 18, 1999

The Honorable Carl Morgan  
Alaska House of Representatives  
State Capitol Building  
Juneau, Alaska

Dear Representative Morgan:

This letter is intended to provide comments regarding AHFC's review and analysis of HB 93.

It is the mission of AHFC "to provide Alaskans access to safe, quality, affordable housing." This legislation, as introduced, will allow the corporation to better accomplish its mission and goals for all residents who qualify for this program.

#### Sectional Analysis

Section 1 of the legislation would allow for refinancing of loans made under AHFC's Rural Mortgage program (page 1, line 13). Current statute allows for the origination and purchase of loans, but does not authorize refinancing of existing loans.

Section 2 amends the definition of "housing" under AHFC's Rural Mortgage program to allow lending for owner-occupied homes of up to four units (page 2, lines 10 & 11). Current statute limits the program to single family homes or duplexes.

Section 3 provides an immediate effective date.

#### Background Information

The Rural Mortgage program was merged into AHFC in 1992 from the Department of Community & Regional Affairs. Loans are made from the housing assistance loan fund (AS 18.56.420). The following is some general information about the loan program:

- The maximum loan term is 30 years or the remaining economic life of the property.
- Interest rates are established in statute as one percent less than the taxable bond rate.
- Loans made under this program are assumable by qualified borrowers.
- Conventional loans require a minimum down payment of 5 percent on a single-family residence and 10 percent on a duplex. For new construction built by the owner, the maximum financing is 100 percent of allowable cost, not to exceed 95 percent of appraised value on a single family residence, and 90% on a duplex. Loans in excess of 90% financing require mortgage insurance. Higher loan-to-values are available on certain federally insured or guaranteed loans.
- Currently, only single-family homes and duplexes are eligible for this program.
- Loans may only be made for homes located in small communities. "Small community" is defined as a community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or a community with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks.



"HOUSING FOR ALL ALASKANS"



HB 93 letter  
February 18, 1999  
Page 2

**As of February 18, 1999, there are 2,571 Rural Mortgage loans at a value of \$323,825,093.**

AHFC believes that allowing the opportunity to refinance existing loans will provide better affordability for many residents. As of February 18, 1999, there are 515 loans at a value of \$48,026,786 with an interest rate of 8% or higher. By allowing these borrowers to take advantage of current interest rates, monthly savings to these borrowers is estimated to range between \$130 and \$200 per month.

As an example, AHFC established a Streamline Refinance program that allowed borrowers with an AHFC urban mortgage to refinance their home loans with minimal transaction costs in February of 1998. To date, 1,499 loans worth over \$128 million have refinanced under the program. While some of these loans resulted in small payment increases for people who refinanced from a 30 to a 15 year loan, nearly 75% of the refinanced loans created average savings of \$193 per month. Put another way – close to \$2 million in buying power was put back into the annual Alaskan economy. HB 93 would allow the same kind of opportunity for borrowers under the Rural Mortgage program.

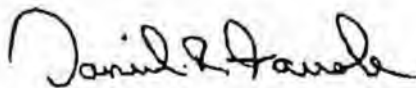
The current definition (AS 18.56.600) limits the term "housing" to either owner-occupied single-family or duplexes for the Rural Mortgage program. HB 93 would bring this term into compliance with current industry standards for lending by allowing owner-occupied housing up to four units. This is the same standard that is used by the VA, FHA, Fannie Mac, Freddie Mac, and AHFC's conventional urban loan programs.

#### Conclusion

This legislation attempts to make two changes that will allow the Rural Mortgage program to make the same kind of loans considered standard practice under conventional lending. Because the results of this legislation fit within the mission of AHFC to provide affordable and safe housing opportunities for Alaskans, the corporation supports passage of the bill.

Thank you for sponsoring HB 93 and the cooperative efforts you have extended to us in putting this bill together. AHFC staff will be available through the legislative committee process to testify and assist in the discussions. Please do not hesitate to refer anyone with questions or the need for information to contact my office.

Sincerely,



Daniel R. Fauske, CEO/Executive Director  
Alaska Housing Finance Corporation

ek:

ify it for the ballot.

**TION ON BILLS OF NOTE**

4, eliminating Daylight Sav-  
Time in Alaska, passed the  
se World Trade Committee  
before Labor and Com-  
ce.

993, allowing refinancing of  
C rural home loans, passed  
se Finance. Next before  
s to be scheduled for a floor

0122, requiring the state to  
its office buildings and rent  
n back where necessary  
ed House State Affairs. Next  
re Finance.

9, allowing noncertified  
hers to contribute to retire-  
t accounts during interim pe-  
s, passed Senate Labor and  
merce. Next before Health,  
cation and Social Services.

46, renaming the Capitol  
ool building after former Lt.  
Terry Miller, passed Senate  
e Affairs. Next before Rules  
e scheduled for a floor vote.

85, allowing state employees  
uy up temporary time served  
credit it toward retirement,  
sed Senate Labor and Com-  
ce. Next before Finance.

**HER**

finance subcommittees in the  
se and Senate are continuing  
aws of all departments, with  
osed legislative budgets for  
y scheduled to be released  
he end of the month.

has been placed in this year's proposed supplemental budget. The budget, however, lacks funds to repair Perseverance Trail and provide what some say is crucial assistance to rural Alaska.

The state will be able to withdraw \$900 million from its budget reserve fund to cover this year's deficit, an increase from the \$700 million limit initially imposed by lawmakers. Funding for state programs will run short this month unless the change is made, but the new amount still won't cover the \$1.2 billion deficit predicted because of lower-than-expected oil prices.

"The net result is we increase the draw by \$200 million and keep state government going for at least another couple of months," Rep. Eldon Mulder, an Anchorage

the supplemental budget, which pays for unexpected and emergency expenses incurred during the year. Gov. Tony Knowles requested \$18.7 million in state general funds and \$14.9 million in other funds, while the House proposal contains \$15 million in state and \$16.3 million in other funds.

Among the House reductions is \$1.7 million of the \$9.6 million in state funds sought for disaster relief to Southwest Alaska because of poor salmon runs. An argument to restore full funding was made by Rep. Mary Kapsner, a Bethel Democrat, who said fishing is the primary source of income for half of her constituents, many of whom have no way to pay their bills.

"The people lucky enough to be in debt are in debt up to their ears," she said.

youth centers in a large number of communities, Mulder said.

"This is not a loan or direct assistance," he said. "This is, in all fairness, a jobs program."

An amendment to restore the funding failed by a 26-14 vote.

Rural Alaska will also be affected by the elimination of \$1.4 million sought to maintain the Power Cost Equalization program, which provides partial reimbursement for higher rural utility costs, at current levels. Democrats in the legislative minority argued during committee hearings that people shouldn't be penalized because of higher-than-expected costs. Republicans said the state should not have paid the same amount as previous years if there was a danger of running short of funds.

neau Democrat, said not fixing the trail will cost the state money because of lawsuits from people who are injured or killed.

"People are going to use this trail," she said. "It is absolutely foreseeable. We can block this trail any way we want to. People can come down the back side and use it."

Mulder said lawmakers want the city to take over the trail and discussions with officials have indicated a solution may be reached, but keeping the funding out now "is the real inducement to try and come forward."

Kerttula's amendment failed by a 23-13 vote.

The House is expected to pass the budget Thursday with the Senate considering the measure this weekend or early next week.

*Juneau Empire*

## Bill would save homeowners in interest

By SVEND HOLST

THE JUNEAU EMPIRE

A measure that would allow some rural homeowners to refinance their loans breezed through the House Finance Committee on Tuesday.

According to Kay Murphy, director of mortgage operations for the Alaska Housing Finance Corp., about 550 of the 3,000 people using the publicly owned corporation's rural loan program pay more than 8 percent interest on their home loans. Under the provisions of House Bill 93, those homeowners can take advantage of to-

day's low interest rates.

"If their interest is lower, it wouldn't necessarily make sense to refinance," she said. The rural program's interest rate was just under 6.5 percent today, Murphy said.

The rural loan program, one of several basic programs run by AHFC, started in the early 1980s. Those applying for such loans need to meet standard criteria to get the loans and must come from Alaska's smaller communities.

Qualifying borrowers pay an interest rate 1 percent lower than that of conventional home loans.

The rate difference is based on the idea that it's more expensive to live in the Bush, but the program doesn't undermine other loan programs, Murphy said.

The bill's sponsor, Aniak Republican Rep. Carl Morgan, said its provisions extended features of comparable urban loan programs to rural borrowers.

"The bill attempts to allow the rural loan program to make loans like other conventional urban loan programs," Morgan said.

"This is not by any sense a giveaway program. These are good loans."

The default rate of just a little more than 3 percent for the rural loan program is slightly less than that of its urban equivalent, Murphy said.

Another change to state statutes contained within HB 93 expands the definition of what constitutes a home under the loan program to include owner-occupied housing with four or fewer dwelling units.

Rep. Richard Foster, a Nome Democrat and member of the Republican-led House majority, said similar provisions were pushed by rural legislators in past years.

## Faculty unhappy with chancellor hire procedure

THE ASSOCIATED PRESS

**FAIRBANKS** - Two University of Alaska faculty groups are fuming over their lack of involvement

they normally have an advisory role in the hiring process.

Carol Gold, secretary of the

It is the first major controversy of Hamilton's eight-month tenure, which had been marked by praise from faculty legislators and the

said Hamilton and the regents believed it was best to act immediately.

“  
e're looking at different  
tions for the future.  
Mary Rubadeau

# Rural mortgage measure clears step

By the Journal Staff



House Bill 93, allowing refinancing of rural Alaska Housing Finance Corp. mortgages, passed out of the House Community and Regional Affairs Committee and is now in the Finance Committee.

The intent is to make AHFC's rural mortgage programs conform with the state housing corporation's urban programs, which allow refinancing.

"Right now, the rate for a new rural 30-year loan is about 6.125 percent. Just over 1,100 of AHFC's outstanding rural loans have interest rates over 8 percent; that's about \$115 million," Rep. Carl Morgan, R-Aniak, said.

Rural default rates are about the same as urban rates, he said. "This is a win-win bill."

HB 93 also expands the types of dwellings that can qualify for rural AHFC loans, again to conform with urban programs.

Morgan is sponsor of the measure.

## BILLS TO WATCH

### Finance cuts Y2K request

The Senate Finance Committee slashed two supplemental budget requests from the Knowles administration.

One was for \$19.5 million for state year 2000 computer system repairs and testing, which was cut to \$12.6 million. A second was a cut of a University of Alaska request from \$5 million to \$2.7 million.

The full Y2K appropriation has passed the House, but the Senate committee questioned whether the needs are real.

"We understand the importance of making sure vital state functions continue operating safely and efficiently" after the end of 1999, said Sen. Sean Parnell, R-Anchorage, "but it seemed as though every time we raised specific questions about the numbers in the governor's request, we found the hard costs weren't there."

For example, the committee

found that of \$110,000 requested in the special appropriation to assess Y2K compatibility in the new state ferry Kennicott, all but \$32,000 was included in a separate \$600,000 Y2K request for the entire ferry system.

The committee also felt the ferry's builder should be pressed to pay for Y2K repairs, Parnell said.

"Scrutiny of the governor's request revealed many similar opportunities for reductions," said Sen. Gary Wilken, R-Fairbanks, who chaired a Finance subcommittee on the request.

### Bill rewrites securities laws

A complex, 70-page rewrite of state laws governing securities transactions was voted out of the House Labor and Commerce Committee and is now in the Judiciary Committee.

House Bill 83 is intended to bring Alaska into compliance with the federal National Markets Securities Act.

The state Department of Commerce and Economic Development has been working on the bill for some time and has circulated drafts, along with proposed regulations, in the Alaska financial community.

A revised law and regulations must be in effect by October to comply with the new federal act, state commerce officials told the Labor and Commerce committee.



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Patti Higgins a  
Mark Peters

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Telephone 907-563-7133 - Fax 907-561-1779

February 26, 1999

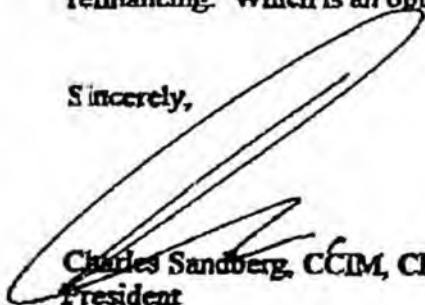
Representative Carl Morgan  
State Capital  
Juneau, Alaska 99801

Dear Representative Morgan,

The Alaska Association of REALTORS, with its over 1100 members statewide wish to express their support for HB 93/A relating to Alaska Housing Finance Corporation.

This legislation would enhance the availability of home ownership in rural areas of the state. It will also allow existing homeowners in rural areas to use AFHC programs for refinancing. Which is an option that is not currently open to rural areas.

Sincerely,



Charles Sandberg, CCIM, CRS, GRI  
President



Back-up HB93  
INFO

**AHFC LOAN ACTIVITY - KENAI PENINSULA**

	1997		1998		Change %	
	Loans	Amount	Loans	Amount	Loans	Amount
<b>✓ Homer</b>						
Taxable	5	\$568,950	11	\$1,553,674	120%	173%
Tax Exempt	11	\$923,806	19	\$1,872,026	73%	103%
Veterans	1	\$80,000	12	\$1,401,217	1100%	1652%
Rural	11	\$1,017,534	43	\$6,475,506	291%	533%
<b>TOTAL</b>	<b>28</b>	<b>\$2,590,290</b>	<b>85</b>	<b>\$11,302,423</b>	<b>204%</b>	<b>335%</b>
<b>Kenai</b>						
Taxable	3	\$251,992	17	\$1,896,253	467%	549%
Tax Exempt	35	\$3,267,787	40	\$3,520,719	14%	8%
Veterans	13	\$1,431,391	11	\$1,166,973	-15%	-18%
Rural	10	\$1,226,303	42	\$5,442,803	320%	344%
<b>TOTAL</b>	<b>61</b>	<b>\$6,217,773</b>	<b>110</b>	<b>\$12,026,748</b>	<b>80%</b>	<b>93%</b>
<b>✓ Nikiski</b>						
Taxable	0	\$0	1	\$63,000	100%	100%
Tax Exempt	6	\$569,176	5	\$488,152	-17%	-14%
Veterans	1	\$111,580	4	\$453,340	300%	306%
Rural	3	\$922,931	34	\$4,160,765	325%	351%
<b>TOTAL</b>	<b>15</b>	<b>\$1,603,687</b>	<b>44</b>	<b>\$5,165,257</b>	<b>193%</b>	<b>222%</b>
<b>✓ Seward</b>						
Taxable	4	\$559,950	13	\$1,409,314	225%	32%
Tax Exempt	5	\$535,508	11	\$985,957	120%	84%
Veterans	2	\$244,000	3	\$334,575	50%	37%
Rural	6	\$760,303	21	\$2,721,184	250%	258%
<b>TOTAL</b>	<b>17</b>	<b>\$2,099,761</b>	<b>48</b>	<b>\$5,451,030</b>	<b>182%</b>	<b>160%</b>
<b>✓ Soldotna</b>						
Taxable	1	\$130,000	19	\$1,684,673	1800%	1196%
Tax Exempt	31	\$2,952,832	36	\$3,400,382	16%	15%
Veterans	10	\$1,259,176	17	\$1,763,597	70%	40%
Rural	16	\$1,792,141	86	\$10,828,128	438%	504%
<b>TOTAL</b>	<b>58</b>	<b>\$6,134,149</b>	<b>158</b>	<b>\$17,676,780</b>	<b>172%</b>	<b>188%</b>



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To Lori Nottingham	From John Bitney
Co. Rep. Carl Moran	Co. AHFC
Dept.	Phone # 330.8445
Fax #	Fax #

ahfc:jbw

printed 3/25/99 - 10:08 AM

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ALASKA STATE LEGISLATURE



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(907) 465-3517 (FAX)

## SENATOR JERRY MACKIE

SENATE MAJORITY LEADER

April 2, 1999

### MEMORANDUM

To: Senator Torgerson, Co-chair  
Senator Parnell, Co-chair  
Senate Finance Committee

From: Senator Mackie

Re: Amending HB 93, Rural Assistance Housing Loans.

HB 93 is currently in the Senate Finance Committee. I would appreciate an amendment that would increase the population cap for a community's eligibility for the rural housing loan program. This would resolve a situation that has developed in Haines. Because of a recent successful annexation, the city's population has increased to approximately 1750. This surpasses the current 1600 ceiling for the small community program thereby eliminating residents of Haines. This unfortunate circumstance serves as a penalty for the city's, otherwise, praiseworthy efforts to respond to expanded local government needs.

On reading the attached definition that establishes the ceiling, AS 18.56.600 (2), it would appear that Haines, Skagway, and Hyder are subject to the more restricted 1600 cap because of having a long, tenuous, and indirect road connection to the railbelt area of the state. All other small communities in Southeast are subject to the 6,500 population cap. I believe that this result was unintended when the definition was first enacted.

The following amendment would place Haines, Skagway, and Hyder in their rightful category of small communities less than 6,500 that is the ceiling for all other small Southeast communities. This is accomplished by the phrase "or a connection that crosses an international border" that is added to AS 18.56.600 (2).

I much would appreciate your favorable consideration of this amendment.

SENATE FINANCE COMMITTEE

SIGN - IN

HB 93-RURAL ASSISTANCE HOUSING LOANS

NAME: John Bitney Subject/Bill No: 1693

Co./Dept./Title: AHFC Phone: 330.8445

Address: 4330 Bonifac Zip: 99510

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_

Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions