

HB

58

Alaska House of Representatives

Richard Foster
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During Session
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Juneau, AK 99801-1182
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Majority Whip

MEMORANDUM

To: Senator Thomas Wagoner, Chair
Community & Regional Affairs

From: Representative Richard Foster

Date: February 19, 2003

Re: Scheduling HB 58

I respectfully request that the Senate Community and Regional Affairs Committee schedule House Bill 58 for a hearing.

This bill is important to Village Corporations, which have been involuntarily dissolved by the commissioner of Commerce and Economic Development as required by AS 10.06.633.

Enclosed are the latest version of the bill, the sponsor's statement, the fiscal note and the Savoonga Native Corporation's request for this legislation.

If you have any questions, please contact Larry in my office.

HOUSE BILL NO. 58
By Representative Foster

Sponsor's Statement

This legislation has been introduced at the request of one of the Village Native Corporations within our region. The corporation was involuntarily dissolved by the commissioner under AS 10.06.633 and failed to apply for reinstatement during the grace period established in statute.

This legislation provides a one-time window during which Native village corporations who have been dissolved can apply for reinstatement.

The legislation is needed because these corporations were established under the Alaska land claims settlement and legally own village corporation assets. A new corporation could be created but it would not have the same legal standing as the original corporation nor legally own those assets.

The final provision of the bill allows a Village Native Corporation's board of directors to legally change the corporation name, if another corporation has taken the previously used name.

The Department Commerce and Economic Development has identified three corporations to which this legislation will apply. They are the Savoonga Native Corporation, the Paimiut Native Corporation, and the Tununrimit Rinit Native Corporation.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 58
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Reinstatement of Native Corporations BRU Banking, Securities & Corporations (115)
 Component Banking, Securities & Corporations
 Sponsor Representative Foster/Hawker
 Requester House Community & Regional Affairs Component No. 1233

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation provides the opportunity for native village corporations involuntarily dissolved under AS 10.06.633 to be reinstated on or before December 31, 2003. The legislation may generate a small amount of revenue from fees and penalties received to reinstate a corporation. The division does not anticipate any negative fiscal impact.

Prepared by: Mark Davis, Division Director Phone 907-269-8452
 Division Banking, Securities and Corporations Date/Time 1/28/03 9:42 AM
 Approved by: Edgar Blatchford, Commissioner Date 1/28/2003
 Agency Department of Community & Economic Development

SAVOONGA NATIVE CORPORATION

P.O. Box 160
Savoonga, Alaska 99769
(907) 984-6613

January 2, 2003

Representative Richard Foster State Capital, Room 14 Juneau, AK 99801-1182	716 West 4 th Ave., Suite 380 Anchorage, AK 99501-
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Re: Request for legislation for involuntarily dissolved ANCSA Corporations

Dear Representative Foster:

I am writing as President of Savoonga Native Corporation to request that you sponsor legislation, reinstating involuntarily dissolved ANCSA corporations and extending recognition to corporations that replaced involuntarily dissolved native corporations. In 1994, you sponsored HB71 that did exactly that and became 10.06.960 (j) & (k). What we are seeking is an updated version of AS 10.06.960 (j) & (k). Savoonga Native Corporation was involuntarily dissolved in March 2000 and its reinstatement period has expired. We recently reincorporated under the same name and seek to confirm our new status. As co-sponsor of HB71 I know that you understand the situation. Savoonga Native Corporation would be appreciative if you would sponsor a new version that would confirm our status.

As was true in 1994, and again in 1996, when you sponsored HB392, there are likely to be other native corporations in a similar situation that would also benefit from the legislation. Enclosed for your convenience are the language and legislative history of HB71 (Chapter 120 SLA 94 and HB 392, Chapter 24, SLA '96) Please let me know if you are willing to sponsor such legislation or if I could provide you with any information or be of any assistance. I look forward to hearing from you.

Very truly yours,



Carl Pelowook
President of Savoonga Native Corporation