

**HB**

**240**

<TARGET><BILL>HB 240</BILL><SUBJECT>HB  
240</SUBJECT><COMM>HCRA29</COMM></TARGET>



## Sponsor Statement

### House Bill 240 Native Village Corporation Reinstatement

Legislation nearly identical to HB 240 has been introduced and passed by the Legislature several times in recent decades. Unfortunately, it has not been rare for small ANCSA village corporations to miss filing biennial reports to the state and subsequently become involuntarily dissolved. Contributing factors have included inexperience and lack of professional guidance for corporate officers, as well as the remoteness of some of these communities and the vagaries of rural mail, especially when a corporation official relocates.

Whatever the reason for an involuntary dissolution, it is in the interest of the state to provide an opportunity for a village corporation to be reinstated. It is a matter of economic development.

Allowing reinstatement will enable dissolved Native village corporations to resume business development with all the advantages that come with their status under the Alaska Native Claims Settlement Act.

In the case of Nagamut Ltd., which would be eligible under this legislation, you have a corporation reinvigorated by a new generation of shareholders and corporate officers eager to create new commerce and contribute to Alaska's economy.

HB 240 comes at no cost to the state. In fact, the Department of Commerce will see a slight increase in revenue, since any reinstated village corporation will be required to pay fees and associated penalties for late filing of annual reports.

*Alaska State Legislature*  
REPRESENTATIVE BRYCE EDGMON  
*House District 37*



**Memorandum**

**Date:** January 19, 2015

**To:** Representative Cathy Tilton, Chair  
House Community & Regional Affairs Committee

**From:** Representative Bryce Edgmon *BE*

**RE:** HB 240—Reinstatement of Native Corporations

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I respectfully request a hearing for HB 240—Reinstatement of Native Corporations—at your earliest convenience.

This legislation would allow a window of opportunity for involuntarily dissolved Alaska Native village corporations to seek reinstatement and to resume business development with all the advantages that come with their status under the Alaska Native Claims Settlement Act.

Please find the following materials in the HB 240 packet:

- HB 240, Version A
- Sponsor Statement
- Alaska Native Village Corporation Association Fact Sheet

I request that any hearings granted be teleconferenced to LIOs statewide. I am expecting testimony to be offered by

- Miranda Nick, president of Nagamut Natives Ltd. Phone: 907-341-9784
- Micaela Fowler, legislative liaison for the Alaska Department of Commerce, Community, and Economic Development. Phone: 907-465-2503

My staff contact for this legislation is Kristina Andrew, who can be reached at 465-4451.

Thank you for your consideration of this request.

State Capitol Building  
120 East 4th Street, Juneau, AK 99801  
Phone: 907 465 4451 Toll Free: 800 898 4451 Fax: 907 465 3445  
Rep.Bryce.Edgmon@akleg.gov

Adak  
Akutan  
Aleknagik  
Anvik  
Atka  
Attu Station  
Chignik  
Chignik Lagoon  
Chignik Lake  
Clark's Point  
Cold Bay  
Dillingham  
Egegik  
Ekwok  
False Pass  
Flat  
Grayling  
Holy Cross  
Igiugig  
Iliamna  
Ivanof Bay  
King Cove  
King Salmon  
Kokhanok  
Koliganek  
Lake Minchumina  
Levelock  
Lime Village  
Manokotak  
McGrath  
Naknek  
Nelson Lagoon  
New Stuyahok  
Newhalen  
Nikolai  
Nikolski  
Nondalton  
Pedro Bay  
Perryville  
Pilot Point  
Pope-Vannoy  
Port Alsworth  
Port Heiden  
Portage Creek  
Red Devil  
Sand Point  
Shageluk  
Sleetmute  
South Naknek  
St. George  
St. Paul  
Stony River  
Taktotna  
Togiak  
Twin Hills  
Ugashik  
Unalaska

# ALASKA NATIVE VILLAGE CORPORATION ASSOCIATION



## Alaska Native Village Corporations

In 1971 Congress passed the Alaska Native Claims Settlement Act (ANCSA). This piece of legislation, unique to Alaska, granted title to 44 million acres of land. The act also set up 13 Regional Corporations and more than 200 Village Corporations. ANCSA additionally included financial for compensation to Alaska Natives for their land.

## Alaska Native Village Corporation Association

The Alaska Native Village Corporation Association (ANVCA) is a non-profit organization serving Village Corporation. ANVCA was formed for the following:

- To provide services that will improve the efficiency, profitability and stability to its member corporations;
- To advocate for policies that will benefit and protect the interest of Alaska Native Village Corporations with local, state and Federal governments;
- To provide an officially recognized voice for the interests of Alaska Native Village Corporations;
- To provide a network of mutual support and technical assistance that will enhance the success of all Alaska Native Village Corporations and their shareholders;
- To promote responsible resource management and developmental policies;
- To encourage a mutually respectful and cooperative relationship with Alaska Native Regional Corporations, tribal entities and other businesses for the overall benefit of Native peoples; and
- To promote a positive image of our corporations with our shareholders, Native children and the general public.

## ANVCA Mission

ANVCA serves as an advocate for Alaska Native Village Corporations while promoting their individual success, efficiency and stability.

### Opportunities for Village Corporations

Below are some of the more significant economic advantages of a functioning Village Corporation:

- ANCSA section 7 Village Corporations are eligible to receive funds from revenue collected via the Regional Corporations annually
- Participation in the Federal SBA 8(a) government contracting program
- Surface ownership of land conveyed through ANCSA
- In some instances Village Corporations receive consultation from the federal government equivalent to Tribes

**HOUSE BILL NO. 240**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE EDGMON**

**Introduced: 1/15/16**  
**Referred: Prefiled**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the reinstatement of Native corporations; and providing for an**  
2 **effective date."**

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

4 \* **Section 1.** AS 10.06.960(k) is amended to read:

5 (k) Notwithstanding (i) of this section and AS 10.06.633(e), a corporation that  
6 is organized as a Native village corporation under the Act, that has been involuntarily  
7 dissolved by the commissioner under AS 10.06.633, and that has failed to apply for  
8 reinstatement during the period established under AS 10.06.633(e) may be reinstated  
9 under AS 10.06.633(e) on or before December 31, 2017 [2006]. The reinstated  
10 corporation and its shareholders have all of the rights, privileges, liabilities, and  
11 obligations that would have applied to them if the corporation had not been dissolved,  
12 and all corporate and shareholder actions taken during the period of dissolution are  
13 considered to be as valid as if dissolution had not occurred. If a corporation elects to  
14 reinstate under this subsection and if the corporation's previously used corporate name

1 is no longer available for use by the corporation, then, notwithstanding AS 10.06.502 -  
2 10.06.510, an amendment to the articles of incorporation changing the previously used  
3 corporate name may be adopted by action of the corporation's board of directors alone.  
4 \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).