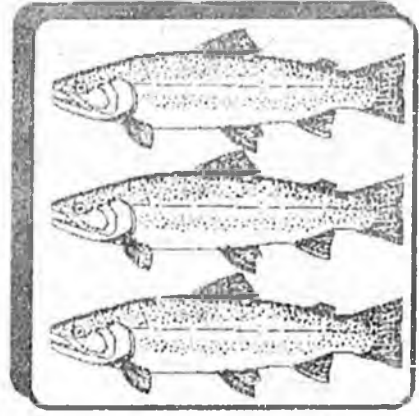


9508 SENATE & REPRESENTATIVE



Alaska Regional
Development Organizations
ANNUAL REPORT

March, 1996

ALASKA REGIONAL DEVELOPMENT ORGANIZATIONS

ANCHORAGE ECONOMIC DEVELOPMENT CORPORATION

Designation Date: April 11, 1989
Max Lowe, Chairman
Patricia DeMarco, President
550 West 7th Avenue, Suite 1400
Anchorage, AK 99501
Phone: 258-3700 Fax: 258-6646

ARCTIC DEVELOPMENT COUNCIL

Designation Date: March 1, 1991
David Baker, President
Don Schindler, Executive Director
P.O. Box 1353
Barrow, AK 99723
Phone: 852-4146 Fax: 852-2683

COPPER VALLEY ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1990
Carol Neeley, President
Donna Tollman, Executive Director
P.O. Box 9
Glennallen, AK 99588
Phone: 822-5001 Fax: 822-5009

KENAI PENINSULA BOROUGH ECONOMIC DEVELOPMENT DISTRICT

Designation Date: February 22, 1989
James Elson, Chairman
Stan Steadman, Executive Director
P.O. Box 3029
Kenai, AK 99611
Phone: 283-3335 Fax: 283-3913

LOWER KUSKOKWIM ECONOMIC DEVELOPMENT COUNCIL

Designation Date: September 17, 1991
Andrew Guy, Chairman
Carl Berger, Executive Director
P.O. Box 2021
Bethel, AK 99559
Phone: 543-5967 Fax: 543-2255

LOWER YUKON ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1991
Larry Lujan, President
Susan Anderson, Executive Director
P.O. Box 2021
Anchorage, AK 99524
Phone: 271-2424 Fax: 271-3951

MAT-SU RESOURCE CONSERVATION AND DEVELOPMENT, INC.

Designation Date: November 1, 1993
Ted Smith, President
Douglas Smith, Executive Director
351 West Parks Highway, Suite 100
Wasilla, AK 99654
Phone: 373-1062 Fax: 373-1064

NORTHWEST ARCTIC BOROUGH ECONOMIC DEVELOPMENT COMMISSION

Designation Date: June 28, 1989
Charlie Curtis, Chairman
Jeff Hadley, Executive Director
P.O. Box 1110
Kotzebue, AK 99752
Phone: 442-2500 Fax: 442-2027

PRINCE WILLIAM SOUND ECONOMIC DEVELOPMENT COUNCIL

Designation Date: November 1, 1991
Jackie Robb, President
Paul Roetman, Executive Director
P.O. Box 2353
Valdez, AK 99686
Phone: 835-3775 Fax: 835-5770

SOUTHEAST CONFERENCE

Designation Date: April 14, 1989
J. Allan MacKinnon, President
Berne Miller, Executive Director
124 West Fifth Street
Juneau, AK 99801
Phone: 463-3445 Fax: 463-4425

SOUTHWEST ALASKA MUNICIPAL CONFERENCE

Designation Date: April 6, 1989
Alice Ruby, President
Mary Stadum, Executive Director
3300 Arctic Boulevard, Suite 203
Anchorage, AK 99503
Phone: 562-7380 Fax: 562-0438



ARDOR Association

March 1996

Members

Donna Tollman, President
Copper Valley Economic
Development Council

Stan Steadman, Vice President
Kenai Peninsula Borough
Economic Development District

Susan Anderson, Secretary
Lower Yukon Economic
Development Council

Paul Roetman, Treasurer
Prince William Sound Economic
Development Council

Patricia DeMarco
Anchorage Economic
Development Corporation

Don Schindler
Arctic Development Council

Carl Berger
Lower Kuskokwim Economic
Development Council

Douglas Smith
Mat-Su Resource
Conservation and Development
Corporation

Jeff Hardley
Northwest Arctic Borough
Economic Development
Commission

Berne Miller
Southeast Conference

Mary Stadium
Southwest Alaska Municipal
Conference

Dear Reader,

As we approach the seventh anniversary of designation of the first Alaska Regional Development Organization (ARDOR), there are many accomplishments to point to and many challenges that remain.

During this time, the very real need for regional economic development planning and program implementation has become increasingly evident. Each ARDOR office has not only become a focal point for development activity in its region but increasingly local residents and organizations are looking to ARDORs for economic development services and leadership. At the same time, the challenge has become even greater to find the resources necessary to carry out this important work.

Three years ago, the Alaska Legislature had the foresight to grant state agencies the authority to enter directly into contracts with ARDORs. As both federal and state agencies look for ways to downsize, while still providing a necessary level of public service, ARDORs are proving to be logical choices to bring the delivery of those services closer to the users and at a lower cost. This approach is typical of the national movement to the regionalization of federal and state program delivery and provides many opportunities for increased efficiencies and greater local participation in determining and meeting community needs.

During 1995, the ARDORs not only carried out significant economic development programs within their individual regions, but worked together on a number of projects with statewide implications. Additionally, ARDORs rededicated themselves to insuring high-level operating standards and accountability for the productive use of public and private resources.

As we prepare to enter the 21st century, the members of the ARDOR Association are committed to developing strong regional economies and healthy communities for Alaskan families throughout our state.

Sincerely,

Donna Tollman
President



The Year in Review

"I'm a firm believer in the long range planning aspect of regional development and the strength of local input and ownership that it provides."

Dave Cobb, Business Manager, Valdez Fisheries Development Association

The Alaska Regional Development Organizations (ARDOR) program was conceived and implemented for the purpose of establishing a network of regional organizations to plan and promote economic development at the regional level. In 1988, the Alaska Legislature established the program in statute in support of the widely held belief that locally driven initiatives, in partnership with the state, can most effectively stimulate economic development and produce healthy, sustainable local economies.

To qualify for designation as an ARDOR, applicant organizations must meet specific criteria that insure their broad-based public and private sector support as well as carry out detailed work programs that address their region's economic development needs. The program allows maximum flexibility for determining local priorities but it requires that ARDORs retain qualified, professional staff to administer their programs. Additionally, ARDORs are charged to work with the private sector, local communities, development agencies and organizations within their regions to produce a regional development strategy. This document, which must be updated every two years, provides the framework for development activities undertaken by the organizations.

Since its inception, the ARDOR program has been administered by the Division of Trade and Development within the Department of Commerce and Economic Development. The division's role has been to review annual ARDOR work plans, award and administer matching grants in support of those efforts and provide technical and professional support to ARDORs to help them achieve their goals. This level of support has been made possible with annual grants from the U.S. Economic Development Administration (EDA) matched with state CIP dollars. All state operating budget appropriations to the program have been passed directly to the ARDORs.

In FY97, administrative responsibility for the ARDOR program is proposed to be transferred to the Department of Community and Regional Affairs. Additionally, the state has been notified that grants from the EDA will no longer be available to underwrite the cost of support services to ARDORs. The coming year will certainly require some adjustments on the part of the ARDORs and the state agency with whom they will be most closely associated.

In FY96, the legislature appropriated \$650,000 for financial support to ARDORs; a \$250,000 decrease from FY95. This provides funding of approximately \$55,000 to each designated

organization. Even this modest investment enabled ARDORs to leverage an additional \$5.9 million from federal, private and other funding sources. Most impressive is the growth in ARDOR revenues derived from fees for services which grew from \$557.0 in FY95 to \$3,177.7 to date in FY96. This reflects the increased confidence other public and private organizations have in ARDORs as they contract with them to implement projects and deliver services to user groups in their regions.

As part of their commitment to quality management and a strong public image, late in FY95 the ARDORs underwent a compliance review which resulted in one organization voluntarily ceasing operations and a second organization losing its designation as an ARDOR. This was followed by a second ARDOR losing its designation in the first half on FY96. In each case, the inability of the ARDOR to function at an appropriate level was a result of the lack of strong support for the organization from within its region. Happily, efforts are now underway to structure new ARDORs in two of those regions and it is anticipated that they will soon again be fully participating in the program.

As part of the FY96 funding application process, all ARDORs completed a self-administered survey to evaluate the degree to which they are engaged in appropriate economic development activities and operate consistent with sound management practices. The results of this survey have been analyzed and the survey instrument is being modified for continued use as a management tool.

Finally, amendments to the regulations under which the ARDOR program is administered have been proposed. Scheduled for release for public comment soon, these amendments simplify program administration and clarify ambiguous language which results in differing interpretations of program intent and regulatory requirements.

It has been a year of challenges and accomplishments for ARDORs and the future looks no less demanding. But with each year, the need for regional development organizations becomes evermore apparent and the only acceptable response must be to redouble our commitment to building strong regional economies for the benefit of all Alaskans.

“The success of SWAMC and all regional development organizations will ensure success in the region, the state and the country as a whole. People and communities who are self-reliant and feel they can contribute will always be an essential asset to the country.”

*Jack McFarland,
Director, SWAMC*



Anchorage Economic Development Corporation

Patricia M. DeMarco, Ph.D., President

"The ARDOR network is one of the most effective mechanisms for coordinating activities across the entire state.

The regular contact mechanism and professional responsiveness of the ARDORs make economic development efforts better integrated without losing focus."

*Max Lowe,
Chairman of the Board,
AEDC*

The Anchorage Economic Development Corporation (AEDC) is a private nonprofit corporation with support from over 150 private firms, the City of Anchorage and the State of Alaska. The AEDC promotes business development by attracting new business, expanding existing businesses, and promoting opportunities for international trade.

Many successful marketing programs and activities were conducted in 1995. Following are examples of AEDC's major 1995 accomplishments:

- Continued support of the statewide BUY ALASKA program generated 185 jobs. By encouraging the use of Alaska made goods and services, \$12.35 million was added to or retained in the Alaska economy.
- Submitted company-specific proposals to three major firms considering Anchorage as a location for distribution operations. Continued intense follow up with these and other global logistics prospects.
- Published a winter tourism needs assessment and began pursuing development of the recommended infrastructure projects.
- Initiated the formation of the Alaska High-Tech Business Council to be chartered in early 1996, to support and promote Alaska's high tech industry.
- Continued work with Alaska and Hawaii senators on a visa waiver proposal to allow more Koreans to travel to these two states. Continued heavy promotion of Alaska as a year-round destination to tourists from Korea and Japan and completed an Alaska travel manual for Korean travel agents.
- Collaborated with the Kenai, Mat-Su and Fairbanks ARDORs to deliver a presentation about investment opportunities in Alaska to delegates to the USA-Republic of China Joint Business Council conference held in Alaska in September 1995.
- Presented informational seminars about Alaska in Boston, Minneapolis and Chicago; producing many viable business development contacts.
- At the request of Mayor Mystrom, began facilitation of the Anchorage Seafood Industry Task Force to find ways to provide more of the support services for the seafood industry from within Alaska.
- Increased communication with companies in Alaska as well as outside by developing a Home Page on the Internet (<http://www.alaska.net/~aedc/>) and conducting a direct mail program to outside companies. These efforts resulted in over 5,000 new business contacts for AEDC.

AEDC's 1996 work plan calls for continued business development in the target industries of international cargo services, manufacturing and distribution, winter tourism infrastructure, seafood processing, headquarters employment and knowledge intensive industries.

Board of Directors: Max J. Lowe, Chairman

- Dennis C. Bird
- Ernest E. Hall
- B. John Shipe
- Michael F. Brady
- Rick L. Nerland
- Mike E. Stone
- Fuller A. Cowell
- Mel R. Nichols
- Phil A. Thingstad
- George R. Findling
- Tennys B. Owens
- Dana L. Tindall
- Jim M. Gorski
- Robert C. Penney



Arctic Development Council

Don Schindler, Executive Director

The Arctic Development Council is the lead development agency for the North Slope Borough. Created by the region's business leaders in 1991, it provides a vital and necessary forum for representatives of major public and private entities to address regional issues at a grassroots level. Highlights of last year include:

Small Business Support Services

- Nearly 900 client contacts. Primary contact categories:
 - General business information (21 percent)
 - Business breakfasts/training workshops (19 percent)
 - Requests for loan and financial information (13 percent)
 - Requests for Mayor's Mini-Grant program information (9 percent)
- Completed outreach plan for village-based business support services
- Conducted KUVRAQ I entrepreneurial training program with six graduates
- KUVRAQ I and II training programs scheduled for March 1996
- Grant writing assistance:
 - Two RDA applications for City of Anaktuvuk Pass; one funded
 - Provided information on grant and loan availability to over 250 clients
- Contract assistance:
 - Consultation to Pt. Lay on development of fuel delivery alternatives
- Training and Referrals:
 - Four workshops on small business start up and management topics

Small Business Incubator Services

- Opened for business July 1995; first tenant admitted November 1995
- Services provided to incubator clients include:
 - Shared secretarial and office support
 - Photocopying and clerical support
 - Access to business library and data terminals
 - Building security and professional building management
- Received Alaska Municipal League Award of Excellence in *Innovation in Economic Development* category

Revolving Loan Fund

- Revolving Loan Fund Implementation Plan submitted to borough for "seed" capitalization
- Possibility of federal match for borough capitalization appears likely
- Plan provides micro-loans of \$5.0 to \$15.0 for working capital and inventory purchases
- ADC role as community lender permits growth into funding source for larger fixed asset financing

Board of Directors: David Baker, President

- | | | |
|--------------------|-----------------|---------------------|
| • Brian Bazzett | • Jeslie Kaleak | • Ben Nageak |
| • Robert Harcharek | • Tony Kesler | • Grant Thompson |
| • Robin Harrison | • Bruce Kleven | • Jim Vorderstrasse |
| • David Hoffman | • Price Leavitt | |

"The Arctic Development Council is a very needed organization. It is helping small businesses form in Barrow and our outlying communities. It is extremely important to help these small businesses get going, especially in this region which is dependent on such a high percentage of government jobs."

*Grant Thompson,
President, Cape Smythe
Air Service*



Copper Valley Economic Development Council

Donna Tollman, Executive Director

"The CVEDC is responsible for many activities that have gone a long way toward bettering the quality of life in our region. The ARDOR program has reinvigorated us and created more excitement and interest in this community than we've seen since construction of the pipeline."

*Theresa Absher, CVEDC
Director*

The mission of the Copper Valley Economic Development Council (CVEDC) is to coordinate public and private resources in the Copper Valley region to create an environment in which economic development can occur. CVEDC has a number of projects underway to further our goals and objectives for economic development in the Copper Valley region of Alaska.

Installation of the Interactive Distance Learning/Medical Link project is underway. This project will provide interactive television linkage to seven communities' school sites, three medical clinics and Prince Williams Sound Community College to provide expanded educational, medical, and work force development and training opportunities.

Visitation to the Copper Valley continues to increase as the National Park Service advances its plans to build a new Visitor Center and Park Headquarters to serve the Wrangell St. Elias National Park and Preserve. The Kennicott/McCarthy area is receiving increased visitation, which, in turn, is creating a number of opportunities for residents throughout the region. CVEDC is working on a number of hotel and restaurant development projects, as well as smaller businesses to accommodate the needs of the visitors and local residents.

CVEDC continues to provide assistance to local communities with project development, day care assistance, business information, business planning, financing and funding information and job training. The ARDOR provides a strong linkage between the region's public and private sectors.

Affordable energy remains a key barrier to economic development in the region. CVEDC and its board of directors feel the Sutton to Glennallen Interie is the long-term solution to overcoming this barrier. The construction of the line would ultimately mean a better bottom line for existing business and would make new business development a feasible proposition.

Board of Directors: Carol Neeley, President

- Theresa Absher
- Mary Bowman
- John Downes
- Darby Hobson
- Vickie Nelson
- Thelma Schrank
- Will Tipton
- Susan Winingham



Kenai Peninsula Borough Economic Development District

Stan Steadman, Executive Director

The KPBEDD mission is to serve the residents of the Kenai Peninsula Borough by enhancing the quality of life through responsible and sustainable regional economic development activities. To further the mission, the KPBEDD managed a variety of projects in 1995 which are leading to significant development activities.

- **Expanded Infrastructure:** analyzed natural gas access to Homer, Seward, and communities in between; planned for development of a world-class volcano interpretive center between Anchor Point and Ninilchik; participated on team to establish a shellfish research and hatchery facility in Seward and shellfish nursery in Kachemak Bay; studied economic impact of expanded ice rink development in communities throughout Kenai Peninsula; and served on teams to develop a Challenger Learning Center in Kenai and make downtown improvements through Soldotna Main Street Program.
- **Opportunities for Entrepreneurs:** administered a \$280,000 revolving loan fund which has provided financing to 13 businesses; established UAA/ Small Business Development Subcenter which provided training, consultation and other technical assistance; established Business Innovation Center (small business incubator); awarded one of six national Ford Foundation/National Association of Development Organizations Partnership Grants to establish Youth Enterprise Development Project.
- **Community Capacity Building:** provided administrative and/or technical support to the Kenai Peninsula Tourism Marketing Council, Kenai Peninsula Resource Conservation and Development District, Kachemak Shellfish Mariculture Association, Healthy Communities-Healthy People, Kenai Peninsula Opportunities, and the Peninsula School-To-Work Program.
- **Information and Publications for Economic Opportunities:** published Situation & Prospects (S&P), Quarterly Update, Overall Economic Development Plan: 1995 - 96 Update, and EDD Update; provided funding support for Kenai Peninsula Meeting Planner Guide, and distributed Kenai Peninsula Borough Prospectus.
- **Developing Markets:** facilitated Russian exchanges with Sakhalin region in cooperation with Russian American Center and in anticipation of local oil and gas industry involvement; organized trade missions to Russia and sister city, Akita, Japan.

These projects resulted in the involvement of over six hundred residents on boards, councils, task forces, and oversight committees. 1995 was a productive year for Kenai Peninsula economic development efforts.

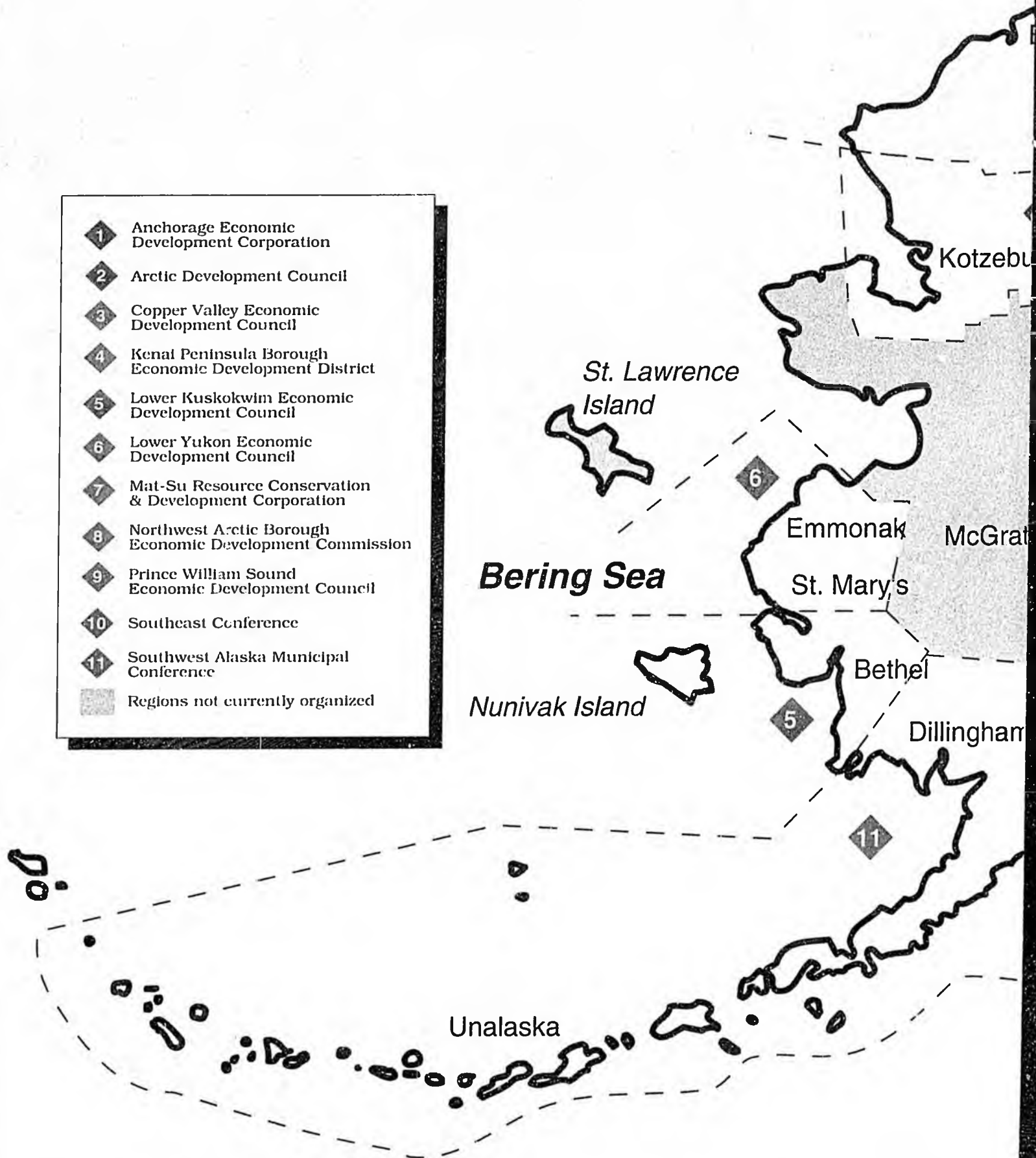
Board of Directors: James A. Elson, Chairman

- Louis Bencardino
- Jack Brown
- Penny Carty
- Jim Chambers
- Kurt Eriksson
- Harry E. Gregoire
- Debra Horne
- Tom Manninen
- Sharon Moock
- Philemon Morris
- Jeff Murphy
- Ray Springer
- Drew Scalzi
- Mary Tougas
- Jefferson Trenton

"It wasn't many years ago that people from the various Kenai Peninsula communities had a difficult time discussing a regional issue, let alone working together to resolve one. Today, with the KPBEDD's help as a facilitator and forum for region-based cooperative efforts, people and communities through out the borough routinely interact for the mutual benefit of all. The ARDOR program is one of the major reasons this has become possible."

*Jeff Murphy, KPBEDD
Director*

- 1 Anchorage Economic Development Corporation
- 2 Arctic Development Council
- 3 Copper Valley Economic Development Council
- 4 Kenai Peninsula Borough Economic Development District
- 5 Lower Kuskokwim Economic Development Council
- 6 Lower Yukon Economic Development Council
- 7 Mat-Su Resource Conservation & Development Corporation
- 8 Northwest Arctic Borough Economic Development Commission
- 9 Prince William Sound Economic Development Council
- 10 Southeast Conference
- 11 Southwest Alaska Municipal Conference
-  Regions not currently organized



Alaska Regional Development Organizations





Lower Kuskokwim Economic Development Council

Carl Berger, Executive Director

“Starting a new business is like caring for a baby. The baby is helpless and you must do whatever has to be done to meet its needs and keep it healthy so it will grow and prosper.”

*Alexie Jimmie, LKEDC
Director*

The Lower Kuskokwim Economic Development Council (LKEDC) is a nonprofit 501c(3) corporation designed as a partnership of the private and public sectors of the Lower Kuskokwim region, with broad representation from the sixteen-member board of directors.

The mission of the Lower Kuskokwim Economic Development Council is to promote regional economic development activities in Bethel and the surrounding Lower Kuskokwim villages, including local planning and assistance in securing funding for small business activities and the preparation of grant proposals to fund village economic development and infrastructure needs.

Currently, the council is involved in the following activities:

- Valued-added fish processing and production in the region, to supply schools and local institutions with salmon nuggets and other fish products and to create local employment.
- Establishing a joint venture with a boat-building company from outside the region to produce boats locally for village use and to create local employment.
- Establishing tourism-related businesses in selected villages in the region. Developing accommodations, services and infrastructure in all area villages to meet the needs of the traveling public.
- Forming a partnership with the Bethel Chamber of Commerce to carry out their activities and promote participation in the Chamber by businesses from throughout the region.
- Developing a locally-based, value-added fur production industry in area villages.
- Providing capacity building to village organizations for the establishment and growth of local small businesses.
- Assisting the fish processing facility in Quinhagak to become operational.
- Utilizing the Mekoryuk reindeer processing facility for processing of halibut and other fish species.

Board of Directors: Andrew Guy, Chairman

- | | | |
|-----------------------|------------------|-------------------|
| • Max Angellan | • Alexie Jimmie | • Myron Naneng |
| • Sam George | • Harold Jones | • Robert Nick |
| • Rep. Richard Foster | • Gary Korthuis | • Fred Phillip |
| • Sen. Lyman Hoffman | • Jackson Lomack | • Carolyn Walters |
| • Rep. Ivan M. Ivan | • Ted Moses | |



Lower Yukon Economic Development Council

Susan Anderson, Executive Director

The Lower Yukon Economic Development Council (LYEDC) is a private, nonprofit corporation whose board of directors represent the ten villages and the major businesses in the region. The strength of both LYEDC and its initiatives lies in its board of directors.

LYEDC's board is made up of community and business leaders whose goals reflect those of the region's residents. It is key to ensuring that the organization skillfully serves the region and its people. The board has begun the process of updating LYEDC's Regional Development Strategy. This plan identifies long-range goals which LYEDC will play a role in achieving which include expanding business opportunities and increasing value added production in the region.

Since its formation, the Lower Yukon Economic Development Council has worked to enhance the economic well-being of the region by first encouraging a "can-do" spirit among its residents. With this spirit in place, the LYEDC has been able to help identify economic opportunities and assist local residents in the development and realization of their goals. LYEDC achieves this by facilitating the inflow of information and new ideas to the region as well as by raising the awareness of state and federal agencies of the conditions and opportunities on the Lower Yukon.

Much of this effort has resulted in productive partnerships with other economic development organizations which bring increased project funding and services to local residents. These partnerships include:

- **CDQ - ARDOR Business Assistance Partnership Agreement**
The ARDOR is providing technical assistance to fishermen and fisheries related businesses in the CDQ villages. In addition, the ARDOR will train local CDQ representatives to provide these services in the future.
- **RECD AmeriCorps - ARDOR Community Development Project**
The USDA Rural Economic and Community Development Service awarded LYEDC seven AmeriCorps slots to provide community organizing and development services within the region. This partnership has the added benefit of training local people in the concepts and practice of community and economic development.
- **IRS - ARDOR Tax Payer Education in the Schools Program**
The IRS, in partnership with LYEDC and the Lower Yukon school districts, is offering tax preparation classes in each of the region's schools. These classes will not only aid the students as they grow older, but also allow them to charge for tax preparation services in the villages, both providing a valuable service and producing income for savings or investment.
- **RECD - ARDOR Leading Communities Project**
In May, RECD proposed a cooperative project whereby government agencies and ARDORs work together through a community liaison to concentrate economic development resources on that community. This project has so far led to the development of projects in housing and the environment.

Board of Directors: Larry Lujan, President

- | | | |
|---------------------|-----------------------|-----------------|
| • Edward Adams | • Bay Johnson | • Laura Perez |
| • Bill Alstrom | • Andrew Kelly, Sr. | • Paul Phillip |
| • Nick Andrew | • Dan Kirby | • Anthony Ulak |
| • Andrew Brown, Sr. | • Alvin Owletuck, Sr. | • Caroline Ulak |
| • Joe Evan | • George Owletuck | |

"LYEDC has done an excellent job of pulling economic development resources to the Lower Yukon. We are lucky to have an office in Anchorage which can hear our concerns and promote the well being of this region."

Scott Wagner, Alakanuk



Mat-Su Resource Conservation and Development, Inc.

Douglas Smith, Executive Director

“Our challenge is to identify opportunities to achieve a consensus that will result in solid accomplishments. Our success will be measured by the improvements in our quality of life.”

*Ted Smith, President,
Mat-Su RC&D*

Mat-Su Resource Conservation & Development, Inc. (Mat-Su RC&D) represents a partnership of the Natural Resource Conservation Service (NRCS) and the ARDOR program. This alliance pools our limited financial resources and allows concentration on the goals of development.

The Matanuska Susitna Borough faces many challenges in the creation of a solid economic base. Nearly 40 percent of our residents work outside the borough; perhaps due to high unemployment rates and lower wages in the Mat-Su. Yet, our population has increased at three times Alaska's average rate over the past 13 years. To meet these demands Mat-Su RC&D is working with the borough in several areas including promotion of infrastructure, recreation and tourism facilities and the wise use of our natural resources.

Projects underway or completed in this past year include the following:

Marketing Port MacKenzie: Created and distributed a Port Prospectus targeting industrial companies looking for expansion or relocation. This is a regional economic development project with potential to provide direct access to the resources of Alaska's interior.

Hatcher Pass Task Force: Formed a task force to deal with obstacles in development of a local ski facility. Mat-Su RC&D made recommendations to the Mat-Su Borough, presentations to local Chambers of Commerce, and helped to move the community toward consensus.

Constructed Wetlands: Mat-Su RC&D is working with a citizen-based effort to build a playground in Wasilla. The playground will be designed and built by the community and financed through private donations.

Other projects include assistance to Alaska Glacier Valley Grains, the Center for Appropriate Technology, Alaska Bed & Breakfast Association, Knik Glacier Access Project, Big Lake Hatchery, and a Timber Bridge demonstration project.

Mat-Su RC&D is made up a diverse board of directors which provides the depth of knowledge and experience needed to respond to the many issues confronting our region.

Board of Directors: Ted Smith, President

- Freeda Adams
- Dan Deedy
- Steve Levine
- Darcie Salmon
- Cindy Bettine
- Rose Marie DePriest
- Carol Meyer
- Calvin Steele
- Shane Bignell
- John Eder
- Doug Mills
- Dick Zobel
- John Bogue
- Clarence Furbush
- Rose Palmquist
- Jim Carter
- Henry Guinotte
- Jackson Parry



Northwest Arctic Borough Economic Development Commission

Jeffery Hadley, Executive Director

The Northwest Arctic Borough Economic Development Commission's updated and adopted Overall Economic Development Plan opened the way for federal assistance programs to help fund local projects. That this document reaffirmed projects identified in an earlier application, which resulted in the award of Champion Community status, had some pleasant consequences. The Kiana Traditional Council received USDA funding for an arts and crafts facility and the Buckland IRA Council was awarded funds by the Administration for Native Americans to begin production and sale of Native food products, including smoked meats and berry preserves.

A video, promoting tourism visitation to the region, has been completed with the support of more than \$60,000 in services contributed by local businesses. Soon, the NABEDC will have the capability to produce compact disks from videos and will consider producing a CD for computer use, not only for distribution to travel agents but also for sale over the Internet.

The Kiana Rapid Response System for village fire fighting has been set up and packaged for export to other communities. This system is sold as a package, which includes hardware and training of the community volunteer fire department for quick response to fires. Arctic Novelties Manufacturing in Kotzebue received an RDA mini-grant for production equipment for Arctic Igloo kits. Kiana is now making a small amount of profit on its tourism trade, which is still in the test marketing stage. Buckland IRA and an anthropologist will be collaborating on producing a compact disk for educating school children about beluga whale hunting. A commercial CD on the same topic is also under consideration for sale over the Internet.

Currently, the only local access to the Internet is through an AlaskaNET switch in Kotzebue and its access is limited to Prodigy. Working with the local telephone cooperative, it appears better access will be available in the near future. The village schools now have an 800 dial up e-mail and bulletin board service available to them, which was secured the NABEDC.

NW_Arctic_Borough@prodigy.com is the address to use to contact the NABEDC via e-mail. A web page will be available before June 1996.

Alaska's real future lies in its ARDORs. When the oil is gone, Alaska will look to its grass roots organizations for the help it needs to continue economic growth."

*John Downes, CVEDC
Director*

Board of Directors: Charlie Curtis, Chairman

- Joe Ballot
- Reggie Cleveland
- Donald Dorsey
- Chuck Greene
- Frank Greene
- Ralph Hargraves
- Jason Jessup
- Alex Navarro
- Doug Neal
- Brad Reeves
- Randy Swenson



Prince William Sound Economic Development Council

Paul Roetman, Executive Director

"PWSEDC continues to be instrumental in opening the door to the region's economic development opportunities by assisting private and public sector cooperation that capitalizes on that opportunity. Simply put, they make things happen in Prince William Sound."

*Mark Stahl, Manager,
Lands & Resources
Department
Chugach Alaska
Corporation*

PWSEDC's primary mission is to serve as a forum for the discussion of regional economic issues and to foster economic growth and job creation through strategic planning and infrastructure development. PWSEDC has had an exceptional year in planning, securing funding and coordinating development projects throughout the region's five communities. Following are highlights of PWSEDC's proactive stance and development activities.

- Growing Regional Presence - From a staff of one in 1993, PWSEDC has grown to a staffing level of four, including a regional office in Valdez and a satellite office in Cordova. This growth is a direct result of increased project-related work and contracts.
- Diversified Revenue Base - PWSEDC has achieved an unprecedented level of funding for FY 96, with a current operational and project budget over \$1.5 million.
- In August 1995, the Department of Natural Resources contracted with PWSEDC for \$1.35 million to manage four marine park projects. These include creation of trails and restroom facilities at Dock Point Beach in Valdez and improvements to the Allison Point sport fishing area near Valdez, the Fleming Spit sport fishing area in Cordova and a one-and-a-half mile hiking trail to Iktua Bay from Chenega Village.
- PWSEDC is nearing completion of a 16-month, \$310,000 Sound Waste Management Plan. Developed by the region's communities, the plan resulted in a number of long-term, cost-effective recommendations. Two now being pursued by PWSEDC include a \$1 million Environmental Operation Station proposal to be submitted to the Exxon Valdez Oil Spill Trustee Council for funding and a \$400,000 appropriation for development of a new land fill site for the City of Cordova.
- With the recent additions to staff, PWSEDC has the capacity to undertake local planning efforts through contracts with the communities in the region. Planning scheduled for this year include an Economic Development Strategy (\$11,500) for the community of Cordova, an Overall Economic Development Plan (\$7,200) for the village of Tatitlek and the completion of a Boat Harbor Comparative Analysis (\$10,500) and Overall Economic Development Plan (\$13,500) for the City of Valdez.
- Other projects to be undertaken this year include: 1) A \$1.1 million proposal for the Valdez Duck Flats Viewing Area Project for construction of a series of boardwalks to accommodate the growing number of visitors. 2) Several grant applications in support of development projects including a \$100,000 CDBG for the City of Cordova, a \$65,000 CDBG for the City of Valdez, and two grant proposals totaling \$80,000 for the Village of Chenega Bay.

Board of Directors: Jackie Robb, President

- Scott Clark
- Dave Cobb
- R. C. Collin
- Dave Dengel
- Jeff Fulton
- Clayton Hurless
- Scott Janke
- Mark Johnson
- Gary Kompkoff
- Brian Lettich
- Randy Maag
- JoAnn McDowell
- Chris Overbeck
- Mark Stahl
- Chuck Totemoff
- Tom Van Brocklin



Southeast Conference

Berne Miller, Executive Director

For Southeast Conference, 1995 was a year of transition and growth. A complete staff turnover in February brought new ideas and new energy to Conference endeavors. Key were increased emphasis on regional economic development and a new focus on locally-initiated community development. By year's end, the result was a renewed commitment to improving economic, social, and environmental conditions throughout southeast Alaska and first steps toward increasing the Conference's capacity to make things happen for the region's people and communities.

As in the past, during 1995 Southeast Conference gave first attention to the lifeblood of the region's economic and social well-being, the Alaska Marine Highway System. The Conference's Transportation Committee continued its traditional work with Department of Transportation leaders on system operations and maintenance, scheduling, and expansion, and worked with several independent developers who propose undertaking projects to add capacity to the system. The Conference's newly-named Environment Committee settled into its recently-expanded role as it continued working with state agencies to help craft regulations that accomplish the intended purpose, at a cost our small rural communities can afford. And, of course, the Conference's successful region-wide Household Hazardous Waste Collection Program continued.

As an ARDOR, Southeast Conference put clear focus on creating jobs in the private sector, protecting private-sector jobs that currently exist, and working to resurrect jobs that have disappeared unnecessarily in the past. Drawing on a grant provided by several of its private-sector members, the Conference undertook active participation in the Tongass National Forest Land Management Plan revision process. The Conference's objective is to ensure that Forest Service decisions cause no avoidable adverse economic or social consequences for the people and communities of southeast Alaska and, if possible, reverse the unintended economic contraction that followed passage of the Tongass Timber Reform Act in 1990.

Early in the year, Southeast Conference was designated the Resource Conservation and Development Council for southeast Alaska. In this role, the Conference takes on the mission of accelerating utilization and conservation of the region's natural resources. The Conference will execute this new mission by finding groups of citizens who want to make things happen in their local communities, then helping them initiate and complete projects they decide are needed close to home. New resources that come with RC&D designation should be in place by mid-1996.

Finally, in the years ahead, Southeast Conference intends to find ways to deliver services the region's people and communities need but which federal and state governments can no longer provide as budget reductions and program down-sizing continue. While communities, regions, and the entire state face significant challenges in the future, Southeast Conference remains convinced that working public/private partnerships represent one of the most effective approaches to solving regional problems and meeting regional needs.

Board of Directors: J. Allan MacKinnon, President

- Forrest DeWitt
- Rosemary Hagevig
- Marieke Nordlinger
- Bobbie Permenter
- Dick Smith
- Linda Snow
- David Stone
- Ginny Tierney
- John Tronrud
- Bob Ward

"The advice and facilitation Southeast Conference provided during our recent renewal effort was a significant factor in our citizens bringing that endeavor to a successful conclusion."

*Sioux Plummer, Mayor,
City of Skagway*



Southwest Alaska Municipal Conference

Mary Stadum, Executive Director

"Our work is never done at SWAMC, as we map out directions for how to achieve economic development goals. Some may never be reached, but that's ok for what we accomplish along the way helps in ways that cannot be measured."

*Carvel Zimin, Jr.,
SWAMC, Director*

The Southwest Alaska Municipal Conference (SWAMC), with over one hundred and twenty-five public and private sector members, advances the region's collective interests and helps promote economic development opportunities to improve the quality of life and influence long-term, responsible development. Recent accomplishments include:

- **PLANNING** - SWAMC publishes an annual update to the Overall Economic Development Plan for southwest Alaska, including an overview of the area and its economy, identification of economic issues, and highlighting significant accomplishments in the region. SWAMC provides planning assistance to members and support for local development initiatives.
- **INFORMATION EXCHANGE** - SWAMC publishes a bimonthly newsletter featuring articles on events and issues affecting southwest Alaska. Highlights include community and member activities, SWAMC resolutions, local and national economic development information, grant sources, seafood marketing information, training opportunities, and an events calendar.
- **CONFERENCES** - Two annual conferences are held each year, each attracting over 100 participants. They focus on economic development and municipal issues including fisheries, tourism, transportation, environmental clean up, and small business development. Conferences offer members an opportunity to network with each other, with elected officials, and policy makers.
- **RESOLUTIONS** - SWAMC members develop resolutions that are distributed to policy makers expressing the collective views of Southwest residents on state and federal issues important to the region. Seventeen resolutions on fisheries, tourism, transportation, energy, education, and economic development were passed and distributed by SWAMC membership in 1995.
- **MARKETING** - SWAMC attends trade and travel shows, develops publications and surveys, and places advertising to market the region and its resources. Last year, SWAMC responded to over 3,000 visitor inquiries and referred follow-up inquiries to SWAMC tourism industry members.
- **SMALL BUSINESS TRAINING AND DEVELOPMENT** - SWAMC provided assistance and training to over one hundred individuals and businesses during the past year, including training in marketing, packaging tours, sales tracking, desktop publishing, and customer services.
- **FISHERIES MANAGEMENT** - SWAMC has lobbied successfully at the state and federal level for legislation and policies beneficial to commercial fishing and resource preservation, including support for CDQs and inshore/offshore allocations, reauthorization of the Magnuson Act, and increases in the Department of Fish and Game budget for southwest Alaska.
- **TRANSPORTATION** - SWAMC successfully lobbied Alaska's national and state legislators for an ocean-going ferry vessel, increased Alaska Marine Highway service to the Aleutian Chain, and is working for expanded marine and air transportation to and within southwest Alaska.

Board of Directors: Alice Ruby, President

- | | | |
|-----------------|--------------------|-----------------|
| • Glen Alsworth | • Stephanie Madsen | • Jim Stevens |
| • Jim Brenner | • Jack McFarland | • Wayne Stevens |
| • Steve Hakala | • Kara Sandvik | • Carvel Zimin |
| • Frank Kelly | • Jerome Selby | |

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Film Services
Department of Education
State of Alaska

HB

47

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: CSHB 43 (FIN)

Revision Date: 1/29/97 Dept. Affected: Public Safety
 Title: An Act relating to registration and municipal BRU: Motor Vehicles
tax on rental vehicle... Component: Field Service
 Sponsor: Representative Mulder
 Requestor: H, FIN COMPONENT SERIAL NO. 0502

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ()						
Revenue Code						

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill will not fiscally impact the Division of Motor Vehicles

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 1/30/97
 Approved by Commissioner: *Ronald L. White* Date: 1/30/97
 Agency: Ronald L. White, Dept. of Public Safety

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REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



MEMORANDUM

DATE: February 5, 1997
TO: Senator Jerry Mackie
FROM: Representative Eldon Mulder
RE: CSHB 43 (FIN) -- Scheduling for Hearing

Please schedule CSHB 43 (FIN) for hearing as soon as possible.

CSHB 43 (FIN) is a clean-up bill to solve an inadvertent problem from last year. When we changed the vehicle registration from one year to two years, we exempted rental vehicles since they were usually only in the state for one year. We forgot to specifically allow collection of the municipal vehicle tax on an annual basis.

HB 43 allows the collection of municipal fees on annual registrations of rental vehicles. It also permits a municipality to collect fees for any vehicle registered between January 1, 1997 and the effective date of this legislation. It is important that we pass this technical cleanup bill as soon as possible so there is little extra collection expense for municipalities that collect a motor vehicle tax.

HB 43 was amended in House Finance to extend the option of annual registration to vehicles used for a commercial purpose. This extension was added to relieve an undue burden on commercial fleet operators whose annual outlay can amount to hundreds of thousands of dollars. Doubling this outlay cuts severely into their investment capital.

CSHB 43 is supported by the Alaska Truckers Association, the Department of Motor Vehicles and the Municipality of Anchorage.

I have included copies of the bill, sponsor statement, sectional and zero fiscal note from the Department of Motor Vehicles.



REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

Sponsor Statement
CSHB 43 (FIN)
by
Representative Eldon Mulder

CSHB 43 is a clean-up bill to solve an inadvertent problem from last year and extends the option of annual registration of motor vehicles to commercial vehicles.

SB 226 from the 19th Alaska Legislature changed vehicle registration from one year to two years. Amendments to SB 226 exempted rental vehicles since they were usually in the state for less than one year. In doing so we did not specifically allow collection of the municipal vehicle tax for rental vehicles on an annual basis.

CSHB 43 allows for the collection of municipal fees on annual registrations of rental vehicles. It also permits the collection of municipal fees for any rental vehicle registered between January 1, 1997 and the effective date of this legislation.

In registering their fleets of vehicles, many commercial fleet operators are restricted by the outlay of what could be used as investment capital. Registration of these fleets sometimes amounts to hundreds of thousands of dollars. Changes made to HB 43 in the House Finance Committee extend the option of annual registration to vehicles used for a commercial purpose.

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DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

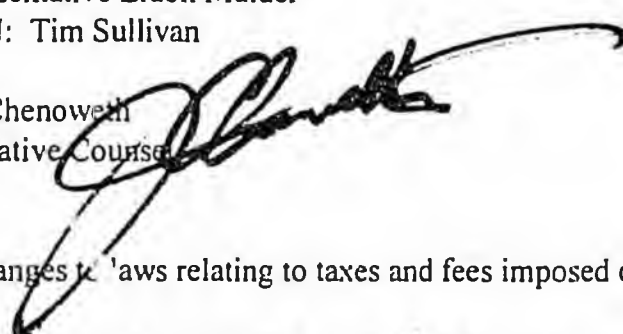
MEMORANDUM

January 30, 1997

SUBJECT: CSHB 43 (Finance), relating to vehicle registration, municipal taxation of vehicles, and emission control inspection fees for vehicles -- sectional analysis (Work Order No. 20-LS0254\H)

TO: Representative Eldon Mulder
ATTN: Tim Sullivan

FROM: Jack Chenoweth
Legislative Counsel



The bill makes a series of changes to laws relating to taxes and fees imposed on vehicles.

Bill section 1 makes amendments to AS 28.10.108(f) to clarify what is required by way of the registration of motor vehicles used for commercial purposes when they are to be registered on an annual basis. Provisions of current law allow annual registration at the request of the vehicle owner and with payment of the annual registration fee due the state. Under the proposed additions, annual registration would require compliance with two additional provisions--payment of the appropriate proportions of the municipally-levied vehicle registration tax and, if applicable, the biennial emission control inspection fee.

Bill section 2 makes a conforming change to AS 28.10.421(h) so that the rates set out for annual registration fees are made applicable to "vehicles used for commercial purposes" and are not limited to "rental motor vehicles." (A definition of "commercial purposes" is offered at AS 28.40.100(a)(3).)

AS 28.10.431(b) sets out the tax rates to be applied when a municipality levies a biennial motor vehicle registration tax. **Bill section 4** adds a new bill section, AS 28.10.431(1), setting out a municipally-levied registration tax rate table for the tax when it is levied on an annual basis. **Bill section 3** makes a necessary conforming change permitting municipalities to increase or decrease the municipally-levied registration tax that is annually levied (as they may now do for the tax when it is levied on a biennial basis).

Bill section 5 specifically addresses the authority of a municipality to take advantage of the annual municipal registration tax provisions added by bill section 4. It authorizes collection of the annual tax on vehicles used for commercial purposes to those vehicles already

Representative Eldon Mulder
January 30, 1997
Page 2

registered during the period that began on January 1, 1997 and that will end on the effective date of the Act.

Bill section 6 makes the entirety of this Act retroactive to January 1, 1997.

Bill section 7 gives the measure an immediate effective date. This immediate effective date provision requires a two-thirds vote to be effective.

JBC:jdr
97-064.jdr

HB

106

(11)

Date Referred to Committee: February 3, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/10/97

The FINANCE Committee considered:

HB 105

HOUSE BILL NO. 105

UNORGANIZED BOROUGH NAT'L FOREST RECEIPTS

"An Act relating to the unorganized borough national forest receipts program; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) DCRA zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Thernault</i>	Thernault	X			
<i>Mark Hanley</i>	Hanley	X			
<i>Leon Mulder</i>	Mulder	X			
<i>Tony Martin</i>	Martin	X			
<i>Vin Kohring</i>	Kohring	X			
<i>J. Davies</i>	J. Davies	X			
<i>Grissendot</i>	Grissendot			X	
<i>Kelly</i>	Kelly	✓			
<i>Foster</i>	Foster	☺			
<i>J. Davis</i>	J. Davis	X			

Co-CHAIR'S SIGNATURE *Gene Thernault* *Mark Hanley*
 Thernault Hanley

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to the unorganized BRU: none
borough national forest receipts ... Component none
 Sponsor: House Finance Committee
 Requestor: House Finance Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY97) impact \$ none

ANALYSIS: (Attach a separate page if necessary)
 This legislation is a "housecleaning" measure that has no effect on the administration of this program. There are no fiscal impacts on the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 2/7/97
 Approved by Commissioner: *Mike Duwa* Date: 2/7/97
 Agency: Community & Regional Affairs

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(11)

Date Referred to Committee: February 3, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/10/97

The FINANCE Committee considered:

HB 106

HOUSE BILL NO. 106

MUNICIPAL ASSISTANCE PROGRAM

"An Act relating to the municipal assistance program and the organization grant program; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ [] the same title [] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
[] fiscal note(s) _____ [] fiscal note(s) _____
[] zero fiscal note(s) DCRA [] zero fiscal note(s) _____

Table with columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include names like Therriault, Hanley, Mulder, Martin, Kohring, J. Davis, Grussendorf, and FOSTER with corresponding checkmarks.

CHAIR'S SIGNATURE: [Signature] Therriault Hanley

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to the municipal BRU: none
assistance program and the organiz... Component none
 Sponsor: House Finance Committee
 Requestor: House Finance Committee **COMPONENT SERIAL NO.** _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY97) Impact \$ none

ANALYSIS: (Attach a separate page if necessary)
 This legislation is a "housecleaning" measure that has no effect on the administration of this program. There are no fiscal impacts on the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 2/7/97
 Approved by Commissioner: *Mike Durbin* Date: 2/7/97
 Agency: Community & Regional Affairs

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Alaska State Legislature
House Finance Committee

REPRESENTATIVE
MARK HANLEY

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State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
GENE THERRIALT

Co-Chair
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Fax (907) 465-3884

INTERIM ADDRESS
118 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax (907) 488-4271

MEMORANDUM

DATE: February 26, 1997

TO: Senator Jerry Mackie
Chairman, Senate Community and Regional Affairs Committee

FROM: Representative Gene Therriault *Gene*
Co-Chairman, House Finance Committee

SUBJECT: Schedule request for House Bills 105 & 106

Please schedule House Bills 105 & 106 for a hearing before the Senate Community and Regional Affairs Committee at your earliest convenience. I have attached a copy of the sponsor statement and the most recent version and a zero fiscal note for each bill.

I introduced HB 105 & HB 106, along with House Bills 103, 107, & 108 as a package intended to cleanup nearly 30 inactive accounts from state statutes. They do not impede the intent of or appropriation to any existing program. I believe the department's fiscal note analysis on HB 105 & HB 106 states it best, "This legislation is a "housekeeping" measure that has no effect on the administration of this program."

Please contact me or my aide, Mike Tibbles if you have any questions.

Alaska State Legislature

House Finance Committee

REPRESENTATIVE
MARK HANLEY

Co-Chair
1907) 465-4039
Fax 1907) 465-2418

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716 W. 4th Ave., Suite 300
Anchorage, Alaska 99501-2133
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Fax 1907) 258-9168



State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
GENE THERRIAULT

Co-Chair
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Fax 1907) 465-3884

INTERIM ADDRESS
118 N. Cushman, Suite 101
Fairbanks, Alaska 99701
1907) 488-0857
Fax 1907) 468-4271

Contact: Representative Gene Therriault

SPONSOR STATEMENT HB 105 & HB 106

HB 105 proposes to eliminate the unorganized borough national forest receipt fund. Currently, federal appropriations for the program go directly into the General Fund, leaving this special account inactive and empty.

HB 106 proposes to eliminate the organizational grant fund and the municipal assistance fund. Although these programs remain operative, the funds are inactive and empty.

HB 105 & HB 106, along with House Bills 103, 107, & 108 were introduced as a package of bills seeking to enact a major cleanup of **nearly 30 inactive accounts** from State Statutes. The legislation clearly reflects the mission of bringing about a "smaller, smarter" government through careful scrutiny of inefficient and unnecessary administrative functions.

During the past year, investigation by Representative Martin, the past Chairman of the Legislative Budget and Audit Committee, revealed that a large number of special accounts, established through the legislative process over the last thirty years, have been completely inactive since their creation.

Prior to introducing these bills, House Finance Committee Co-Chair Therriault and Representative Martin contacted agencies responsible for the funds to insure their deletion would not be problematic. Without exception, the departments supported the elimination of the inactive accounts contained in these bills. In fact, it was discovered that in some cases, the departments were unaware of the accounts' existence.

A cooperative effort continued with the Administration, specifically the Office of Management and Budget, to develop a package of bills to repeal the non-operative statutes from the accounting process. In some cases, legislation does not actually repeal statutes, but rather changes the language to read "Program" rather than "Fund", in order to retain the integrity of a program without maintaining a separate account.

These bills do not impede the intent of or appropriation to any existing program, but rather are a series of housekeeping measures designed to save the State from unnecessary administrative expense.

HB

212

Alaska State Legislature



Committees
Labor & Commerce
Legislative Council
World Trade
Trade & Tourism
Special Committee
on Fisheries

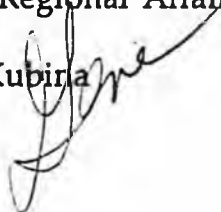
Representative Eugene Kubina
House Minority Leader

During Session:
Alaska State Capitol
Juneau, Alaska 99801-1182

During Interim:
P.O. Box 2463
Valdez, Alaska 99666

MEMORANDUM

TO: Senator Jerry Mackie, Chair
Senate Community & Regional Affairs Committee

FROM: Representative Gene Kubina 

DATE: May 6, 1997

RE: Scheduling of HB 212

I would respectfully request that you hold a hearing on HB 212, "An Act relating to determination of an established village for the purposes of regulating the sale, use, and possession of alcoholic beverages".

I urge you to schedule this bill as soon as possible.

Thank you.

Alaska State Legislature



Committees
Labor & Commerce
Legislative Council
World Trade
Trade & Tourism
Special Committee
on Fisheries

Representative Eugene Kubina
House Minority Leader

During Session:
Alaska State Capitol
Juneau, Alaska 99801-1182

During Interim:
P.O. Box 2463
Valdez, Alaska 99686

SPONSOR STATEMENT - HB 212

HB 212, "An act relating to determination of an established village for the purposes of regulating the sale, use, and possession of alcoholic beverages," gives the Alcoholic Beverage Control (ABC) Board greater flexibility in defining actual boundary dimensions for the purpose of enforcing the local option law.

As Villages throughout Alaska have voted themselves dry over the years, their relative isolation has minimized regional conflicts. But when the Native Village of Gulkana decided to ban all alcoholic beverages within the communities' borders, the situation became more problematic. The five-mile radius perimeter effects businesses that exist along the highway system, several residents of the Village of Gakona, as well as general traffic along the highway. As a consequence, these people did not get the opportunity to cast a vote, but they are effected by the law.

This bill would give the ABC Board authority to set the boundary of the established village when circumstances such as these occur. This legislation will resolve the Village of Gulkana problem, as well as provide a permanent solution for those villages in similar circumstances that wish to go dry in the future.

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to determination of BRU: none
an established village for purposes ... Component: none
 Sponsor: Rep. Kubina
 Requestor: House C&RA Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE:

--	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY97) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This legislation would have no fiscal impact on the department.

Prepared by: Remond Henderson, Director Phone: 465-4708
 Division: Division of Administrative Services Date: 4/4/97
 Approved by Commissioner: _____ Date: 4/4/97
 Agency: Community & Regional Affairs

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130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 9, 1997

SUBJECT: Sectional Summary of HB 212

TO: Representative Gene Kubina
Attn: Katrina

FROM: Michael F. Ford 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Provides that the perimeter of an established village is the area within a five-mile radius of the village post office, or a site selected by the local governing body or the A.B.C. board if no local governing body exists. Specifies that the perimeter does not include an area within a municipality or within another established village. Allows the A.B.C. board to determine a village's perimeter if the board determines that under (a) and (b) the perimeter does not accurately reflect the true perimeter of the village.

Section 2. Effective date of July 1, 1997.

MFF:jdr
97-257:jdr

Representative Gene Kubina

Alaska House of Representatives

State Capitol

Juneau, Alaska 99801-1182

Fax: (907) 465-3799

RE: House Bill No. 212

Dear Representative Kubina:

I have reviewed HB 212, a bill you introduced on March 25, 1997 relating to determination of an established village for purposes of enforcing local option alcohol restrictions in the unorganized borough.

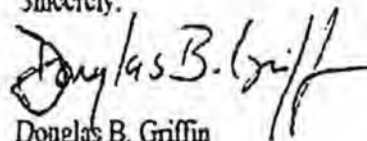
This bill is in response to a very real situation that exists relating to the ban on sale, importation, and possession of alcohol in the village of Gulkana. Gulkana is the first community adjacent to a major Alaska highway to enact such a ban by public vote. In the process of working to establish enforcement jurisdiction for this community it became clear that statutory and regulatory direction which has worked well in rural Alaskan communities off the road system does not adapt itself as well to regulate alcohol possession and use in road system villages.

HB 212 gives the Alcoholic Beverage Control Board discretion to take into account facts and situations that are unique in defining the enforcement area of and around a village that approves local option alcohol restrictions. I support this flexibility because it allows the ABC Board to consider local opinions, geography, impacts on tourism related activities, established land uses, land ownership, access, and settlement and residency patterns in and around a village when it establishes a perimeter other than the five-mile radius standard.

This role of balancing the right of citizens and communities to protect themselves from alcohol abuse with the privilege of conditionally selling and responsibly enjoying alcoholic beverages is one the ABC Board is accustomed to performing. I believe the ABC Board and its staff have the experience and judgement to fairly use the authority delegated to it in HB 212 and make the regulation of alcoholic beverages even more responsive to local concerns. While the ABC Board has not taken a formal position on this legislation, I believe it would concur that the approach of HB 212 to resolve conflicts is sound.

I will be available to speak in support of HB 212 at the April 4 hearing before the House Community and Regional Affairs Committee. I will also be happy to respond to any questions you may have on this issue.

Sincerely,



Douglas B. Griffin
Director

cc: ABC Board Members
Bob Bartholomew, Legislative Liaison, Dept. of Revenue

HB

230

Alaska State House of Representatives
House District 39



Session

Alaska State Capitol
Juneau, Alaska 99801-1182
Phone: (907) 465-4942
1-800-323-4942
Fax: (907) 465-4589
www.akrepublicans.org/Ivan.htm

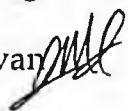
Interim

P.O. Box 157
Akiak, Alaska 99552
Phone: (907) 765-7526

Representative Ivan M. Ivan

MEMORANDUM

TO: Senator Jerry Mackie, Chair
Senate Community and Regional Affairs Committee

FROM: Representative Ivan M. Ivan 

DATE: May 4, 1998

RE: Request for Hearing - Committee Substitute for House Bill 230 (FIN)

Please consider this request to schedule House Bill 230: *"An Act amending the definition of 'small community' for purposes of housing programs involving the Alaska Housing Finance Corporation,"* for a hearing at your earliest possible convenience.

The committee substitute amends the population caps in the rural loan program within AHFC. There are communities that are approaching the cap or have exceeded the cap, most notably Bethel and Haines. Haines has exceeded the 1,400 cap while Bethel is rapidly approaching the current statutory population cap of 5,500. By amending the population caps, these two communities will be able to continue their participation in AHFC's rural loan program.

Thank you for your consideration of my request. Please do not hesitate to contact me if I can provide further information or answer any questions.

IMI:tw

Attachment

Alaska State House of Representatives
House District 39



Session

Alaska State Capitol
Juneau, Alaska 99801-1182
Phone: (907) 465-4942
1-800-323-4942
Fax: (907) 465-4589
www.akrepublicans.org/Ivan.htm

Interim

P.O. Box 137
Akiak, Alaska 99552
Phone: (907) 765-7526

Representative Ivan M. Ivan

SPONSOR STATEMENT-CSHB 230 (FIN)

Committee Substitute for House Bill 230 amends the population caps in the rural loan program within AHFC. There are communities that are approaching the cap or have exceeded the cap, most notably Bethel and Haines. Haines has exceeded the 1,400 cap while Bethel is rapidly approaching the current statutory population cap of 5,500. By amending the population caps, these two communities will be able to continue their participation in AHFC's rural loan program.

Revision Date: _____ Dept. Affected: Revenue
 Title: AHFC Housing Funds & Programs BRU: Alaska Housing, Operations
 Component: Alaska Housing, Operations
 Sponsor: Representative Ivan
 Requestor: (H) FIN COMPONENT SERIAL NO. 110

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

This legislation keeps the status quo for all the communities that currently qualify for this program. The population caps are being increased to continue to allow the communities of Bethel and Haines to qualify for the rural mortgage program. This will have no addition fiscal impact on the Alaska Housing Finance Corporation.

Prepared by: John Bitney Phone: 330-8445
 Division: Alaska Housing Finance Corporation Date: April 28, 1998
 Approved by Commissioner: Wilson L. Condon Date: April 28, 1998
 Agency: Revenue

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Sec. 18.56.600. Definitions.

In AS 18.56.400 - 18.56.600,

(1) "housing" means owner-occupied, single-family housing and owner-occupied duplexes in which not more than 25 percent of the gross floor area is or will be devoted to commercial use;

(2) "small community" means a community with a population of 5,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,400 or less that is connected by road or rail to Anchorage or Fairbanks; in this paragraph,

"connected by road" does not include a connection by the Alaska marine highway system.

History -

(sec. 100 ch 4 FSSLA 1992)

HB

471

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. CSHB 471 (CRA)

Revision Date: April 8, 1998
Title: Regional Native Housing Authorities

Department: Commerce and Economic Development
BRU: Banking, Securities and Corporations
Component: Banking, Securities and Corporations

Sponsor: COMMUNITY AND REGIONAL AFFAIRS
Requestor: COMMUNITY AND REGIONAL AFFAIRS COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 98	FY 00	FY 01	FY 02	FY 03	FY 04
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	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ 0.0

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Willis F. Kirkpatrick, Director Phone: 465-2521
 Division: Banking, Securities and Corporations Date: 4-8-98
 Approved by Commissioner: Debby Sedwick Date: 4-8-98
 Agency: Commerce and Economic Development

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Revision Date: _____ Dept. Affected: Revenue
 Title: Regional Native Housing Authorities BRU: Alaska Housing Finance Corporation
 Component: Alaska Housing Finance Corporation
 Sponsor: (H) CRA
 Requestor: (H) CRA COMPONENT SERIAL NO. 1938

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HB 471 would allow Regional Native Housing Authorities to increase their number of board commissioners above 5 members. This will have no direct impact on state expenditures.

Regional Native Housing Authorities are created under AS 18.55.995 - 998. They are neither political subdivisions of the state nor state agencies. Funding for the operations of the regional housing authorities does not come from the state or AHFC. It is directly received from allowable administrative expenses charged against federal Indian Housing programs and rental income from housing tenants. AHFC does provide matching funds to regional housing authorities through the Supplemental Housing Development Program (SHDP) in order that they can leverage federal housing program funds. However, by law (AS 18.55.998(c)), SHDP dollars may not be used for administrative costs.

Prepared by: John Bitney Phone: 907.330.8445
 Division: Alaska Housing Finance Corporation Date: March 19, 1998
 Approved by Commissioner: Wilson L. Condon *Paul A. Kinnear* Date: March 19, 1998
 Agency: Revenue

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

Revision Date: _____ Dept. Affected: Revenue
 Title: Regional Native Housing Authorities BRU: Alaska Housing Finance Corporation
 Component: Alaska Housing Finance Corporation
 Sponsor: (S) CRA
 Requestor: (S) CRA COMPONENT SERIAL NO. 1938

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

SB 343 would allow Regional Native Housing Authorities to increase their number of board commissioners above 5 members. This will have no direct impact on state expenditures.

Regional Native Housing Authorities are created under AS 18.55.995 - 998. They are neither political subdivisions of the state nor state agencies. Funding for the operations of the regional housing authorities does not come from the state or AHFC. It is directly received from allowable administrative expenses charged against federal Indian Housing programs and rental income from housing tenants. AHFC does provide matching funds to regional housing authorities through the Supplemental Housing Development Program (SHDP) in order that they can leverage federal housing program funds. However, by law (AS 18.55.998(c)), SHDP dollars may not be used for administrative costs.

Prepared by: John Bitney
 Division: Alaska Housing Finance Corporation
 Approved by Commissioner: Wilson L. Condon
 Agency: Revenue

Phone: 907.330.8445
 Date: March 19, 1998
 Date: March 19, 1998

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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SENATE CS FOR CS FOR HOUSE BILL NO. 471(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the reinstatement of Native corporations; and providing for
2 an 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, 1998 [WITHIN ONE YEAR
10 AFTER AUGUST 7, 1996]. The reinstated corporation and its shareholders have all
11 of the rights, privileges, liabilities, and obligations that would have applied to them if
12 the corporation had not been dissolved, and all corporate and shareholder actions taken
13 during the period of dissolution are considered to be as valid as if dissolution had not
14 occurred. If a corporation elects to reinstate under this subsection and if the

1 corporation's previously used corporate name is no longer available for use by the
2 corporation, then, notwithstanding AS 10.06.502 - 10.06.510, an amendment to the
3 articles of incorporation changing the previously used corporate name may be
4 adopted by action of the corporation's board of directors alone.

5 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

0-LS1686\K
Bannister
4/27/98

SENATE CS FOR CS FOR HOUSE BILL NO. 471(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): **HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the boards of commissioners of regional Native housing
2 authorities; relating to the reinstatement of Native corporations; and providing for
3 an effective date."

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

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

6 (k) Notwithstanding (i) of this section and AS 10.06.633(e), a corporation that
7 is organized as a Native village corporation under the act, that has been involuntarily
8 dissolved by the commissioner under AS 10.06.633, and that has failed to apply for
9 reinstatement during the period established under AS 10.06.633(e) may be reinstated
10 under AS 10.06.633(e) on or before December 31, 1998 [WITHIN ONE YEAR
11 AFTER AUGUST 7, 1996]. The reinstated corporation and its shareholders have all
12 of the rights, privileges, liabilities, and obligations that would have applied to them if
13 the corporation had not been dissolved, and all corporate and shareholder actions taken
14 during the period of dissolution are considered to be as valid as if dissolution had not

1 occurred. If a corporation elects to reinstate under this subsection and if the
2 corporation's previously used corporate name is no longer available for use by the
3 corporation, then, notwithstanding AS 10.06.502 - 10.06.510, an amendment to the
4 articles of incorporation changing the previously used corporate name may be
5 adopted by action of the corporation's board of directors alone.

6 * Sec. 2. AS 18.55.996(d) is amended to read:

7 (d) The governing body of the association in question shall, after determining
8 that it wishes to have a regional native housing authority, appoint not fewer than five
9 and not more than nine persons to serve as the board of commissioners of the
10 authority. The term of office of each member is for three years except that, of the
11 commissioners first appointed, one shall serve for a term of one year and two shall
12 serve for a term of two years. Vacancies shall be filled by the governing body of the
13 association in question.

14 * Sec. 3. Section 1 of this Act takes effect immediately under AS 01.10.070(c).



2600 Cordova Street, Suite 201 • Anchorage, Alaska 99503 • (907) 276-8822 • Fax: (907) 258-4957

Honorable Jerry Mackie
Alaska State Capitol
Juneau, Alaska 99801-1182

April 28, 1998

Re: HB 471

Dear Senator Mackie:

Cook Inlet Housing Authority is in support of the proposed legislation allowing regional housing authorities to expand their Board size up to nine (9) members.

When the original legislation formed housing authorities in Alaska, HUD had regulations that limited the number of Board of Commissioners to five (5). That regulation was eliminated in 1992. We are in a "new era" with the passage of NAHASDA that has an emphasis on community building and cooperation. Cook Inlet Housing Authority encourages greater involvement and participation from our constituents and welcomes this proposed legislation.

HB 471 is permissive legislation, not a requirement. It allows different regions within Alaska to address their own needs for representation and involvement. Some regions may choose to use this option and others may not. Having this flexibility should not place a huge financial burden on housing authorities or create political instability. We feel it is an improvement on original legislation that was mandated by federal regulations in the past.

Please feel free to contact our office or our appointing organization, Cook Inlet Tribal Council, if we could lend any further support.

Sincerely,

Cook Inlet Housing Authority


Frank Peratrovich Jr.
Executive Director



Official Business

Alaska State Legislature

SENATE

State Capitol
Juneau, AK 99801-1182

Senate Community & Regional Affairs Committee

SPONSOR STATEMENT for SB 343, Regional Housing Authorities

The intent of SB 343 is to provide more flexibility in determining the membership on the board of commissioners of a regional Native housing authority. Under current statute, AS 18.55.996(d), the board is limited to five persons. The proposed change will allow the authorities to better adapt their organization to fit recent changes in federal funding requirements.

Congress passed a new Indian housing act, the Native American Housing Assistance and Self Determination Act of 1996, which converted Indian housing funding to block grants. These grants are available to federally recognized Alaska Native villages and their designated housing entities. However, many village councils wish to continue using a regional housing authority to operate this program for its members. In order to provide increased representation, especially for those housing authorities that cover large parts of the state, the regional housing authorities have requested that the five member limit be changed.

Originally, the five member limit for the regional authorities was adopted to comply with a federal HUD rule for the housing program. This rule is no longer applicable to Indian housing programs.



Jermain Dunnagan & Owens, P.C.
LAW OFFICES

3000 A STREET, SUITE 300
ANCHORAGE, ALASKA 99503-4097
TELEPHONE (907) 583-8844
FAX (907) 583-7322

WILLIAM K. JERMAIN
CHARLES A. DUNNAGAN
BRADLEY D. OWENS
RANDALL G. SIMPSON
HOWARD S. TRICKEY
GREGORY C. TAYLOR

GARY C. SLEEPER
JAMES A. GASPER
W. MICHAEL STEPHENSON
MARK P. MELCHERT
DIANE F. VALLENTINE

ANDRENA L. STONE
EUGENIA G. RICHARDSON
MIKE L. DISHMAN
SAUL R. FRIEDMAN, OF COUNSEL

March 2, 1998

VIA FACSIMILE
FAX 279-8836

Carl Marrs, President & CEO
Cook Inlet Region, Inc.
P.O. Box 93330
Anchorage, AK 99509-3330

**Re: Increasing the Number of Commissioners for Regional
Native Housing Authorities**

Dear Carl:

You have asked for language that would allow the Cook Inlet Housing Authority, and other regional housing authorities, to appoint more than five persons to serve as commissioners. The objective can be accomplished through a minor amendment to Alaska Statute 18.55.996(d) as follows:

(d) The governing body of the association in question shall, after determining that it wishes to have a regional native housing authority, appoint not less than five persons to serve as the Board of Commissioners of the housing authority. The term of office of each member is for three years except that, of the Board of Commissioners first appointed, one shall serve for a term of one year and two shall serve for a term of two years. Vacancies shall be filled by the governing body of the association in question. (Proposed language underlined.)

A complete copy of AS 18.55.996 is attached for reference. In your discussions with state legislators, a few of the reasons why this change should be non-controversial and may be safely supported are:

1. Fiscal Impact. None. Not only does this change have no fiscal impact for the State of Alaska, it also has no fiscal affect on Alaska Natives. From the vantage point of the state, the tribes, and the federal government, this change is fiscally neutral.

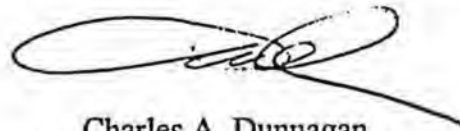
2. Possible Areas of Controversy. None. This does not change the way commissioners are appointed. It does not require associations which have the authority to appoint housing authority commissioners to do anything. It merely gives them the opportunity to expand the housing authority board of commissioners if they want to.

3. Responds to Fundamental Changes in Funding. Regional housing authorities were originally created so that rural Alaska Natives would be eligible for HUD housing funds. Those funds were only dispensed through housing authorities. That law has been replaced. With the passage of the Native American Housing and Self-Determination Act, HUD housing funds are now dispersed to Indian tribes. Many regional housing authorities may wish to expand their boards of commissioners to provide greater tribal representation. While the proposed change allows them to do so, it does not require it.

This office represents six regional housing authorities and I am general counsel for the Association of Alaska Housing Authorities. Also, Frank Peratrovich, Jr., the Executive Director of Cook Inlet Housing Authority is the President of the Association of Alaska Housing Authorities. I do not believe it would be a problem to get a show of support if you need one. If I can be of any additional assistance to you or your staff, please call.

Sincerely,

JERMAIN, DUNNAGAN & OWENS, P.C.



Charles A. Dunnagan

Enclosure

cc: Frank Peratrovich, Jr., Executive Director, CIHA
Bob Woodhead, CIHA Chairman of the Board

Sec. 18.55.995. Purpose and intent. The legislature finds that an acute shortage of housing and related facilities exists in the villages of the state and that adequate housing cannot be provided by the private sector due to the economic depression that exists in most villages of the state. It is the purpose and intent of the legislature to provide a means for certain Native associations to form public corporations with the powers and duties comparable to those provided in AS 18.55.100 — 18.55.960. (§ 1 ch 123 SLA 1971; am § 2 ch 151 SLA 1975; am § 74 ch 4 FSSLA 1992)

Effect of amendments. — The 1992 amendment, effective July 1, 1992, made section reference substitutions and stylistic changes.

Sec. 18.55.996. Creation of authorities. (a) The following associations are given the authority specified in (b) of this section:

- (1) Arctic Slope Native Association (Barrow and Point Hope);
- (2) Bering Straits Association (Seward Peninsula, Unalakleet, St. Lawrence Island);
- (3) Northwest Alaska Native Association (Kotzebue);
- (4) Association of Village Council Presidents (southwest coast of Alaska including all villages in the Bethel area and all villages on the Lower Yukon River and Lower Kuskokwim River);
- (5) Tanana Chiefs Conference (Koyukuk, the middle and upper Yukon River villages and the upper Kuskokwim and Tanana River villages);
- (6) Cook Inlet Tribal Council (Kenai, Tyonek, Eklutna and Seldovia);
- (7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula);
- (8) Aleut League (Aleutian Islands, Pribilof Islands and that part of the Alaska Peninsula that is in the Aleut League);
- (9) North Pacific Rim Native Corp. (Cordova, Tatitlek, Port Graham, English Bay, Valdez, Seward, Eyak and Chenega);
- (10) Tlingit-Haida Central Council or Alaska Native Brotherhood (Southeastern Alaska);
- (11) Kodiak Area Native Association (all villages on and around Kodiak Island);
- (12) Copper River Native Association (Copper Center, Glennallen, Chitina and Mentasta);
- (13) Alaska Federation of Natives, Inc.;
- (14) Sitka Community Association (Baranof and Japonski Island);
- (15) Metlakatla Indian Community (Metlakatla).

(b) There is created with respect to each of the associations named in (a) of this section a public body corporate and politic to function in the operating area of the individual associations to be known as the regional housing authority of the associations possessing all powers, rights, and functions now or subsequently specified under AS 18.55.100 — 18.55.290, except those specified with respect to the construction and acquisition of public buildings for lease to the state or any authority that is inconsistent with AS 18.55.995. A regional housing authority may enter into agreements with local government, other political subdivisions of the state, the state or the federal government for the exercise of a function or power relating to construction, operation, and maintenance of public facilities or public utilities. Upon execution of an agreement and for the period of the agreement the regional housing authority shall have the same powers and functions relating to the subject matter of the agreement as those that may legally be exercised by the governmental unit with whom the agreement is made including the authority to separately or together with the other unit borrow money and issue notes, bonds, or other evidence of indebtedness to finance a project within the scope of the agreement subject to the express limitations, if any, contained in the agreement. All obligations or liabilities of the regional housing authority shall remain their own and are not obligations or liabilities of the state.

(c) A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declared that there is a need for the authority to function, gives it the authority to function and has named its commissioners as provided under (d) of this section.

(d) The governing body of the association in question shall, after determining that it wishes to have a regional native housing authority, appoint five persons to serve as the board of commissioners of the authority. The term of office of each member is for three years except that, of the commissioners first appointed, one shall serve for a term of one year and two shall serve for a term of two years. Vacancies shall be filled by the governing body of the association in question.

(e) Questions arising as to jurisdiction and boundary disputes as a result of the jurisdictional lines set out by (a) of this section shall be resolved by the governing board of the Alaska Federation of Natives.

(f) The authority shall have the power to acquire, construct, operate, and maintain group homes, multipurpose community centers, child care centers, and other community facilities.

(g) If an activity associated with the planning, financing, construction, or operation of a project by a regional housing authority established in this section and authorized under AS 18.55.100 — 18.55.290 conflicts with an activity of the Alaska Housing Finance Corporation, the governing body of the municipality in which the project is located shall resolve the conflict.

(h) Before a contract for the construction, alteration, or repair of a housing unit constructed under a federal or state funded housing program is awarded, the regional housing authority shall require the contractors to comply with the bond provisions specified in AS 36.25.010 (a) and (b).

(i) A housing authority created under this section shall have its financial records audited annually by an independent certified public accountant. The legislative auditor may prescribe the form and content of the financial records of the housing authority and shall have access to these records at any time. (§ 1 ch 123 SLA 1971; am §§ 3, 6 ch 151 SLA 1975; am § 1 ch 274 SLA 1976; am § 1 ch 12 SLA 1977; § 6 ch 86 SLA 1981; am § 1 ch 102 SLA 1983; am § 1 ch 128 SLA 1984; am § 1 ch 100 SLA 1985; am § 1 ch 51 SLA 1986; am §§ 75, 76 ch 4 FSSLA 1992)

Effect of amendments. — The 1992 amendment, effective July 1, 1992, in subsection (b), rewrote the first sentence and, in the second and third sentences, inserted "regional housing"; and, in subsection (g), inserted "and authorized under AS 18.55.100 — 18.55.290" and substituted "Alaska Housing Finance Corporation" for "Alaska State Housing Authority."

Opinions of attorney general. — Regional housing authorities created under this section are neither political subdivisions of the state nor state agencies. June 8, 1982 Op. Att'y Gen.

While various specified Native associations are given authority to establish regional housing authorities under this section, and may receive donations of land from municipalities, the programs administered by those associations must be racially neutral. May 6, 1981 Op. Att'y Gen.

It seems clear that the Department of Community and Regional Affairs is not charged with enforcing the audit requirement of subsection (i); and it is not clear who, if anyone, is so charged. August 2, 1982 Op. Att'y Gen.

The Department of Community and Regional Affairs can, under AS 18.55.998, condition its grants to the regional authorities on the authorities' compliance with subsection (i). August 2, 1982 Op. Att'y Gen.

It is quite clear that the annual audits of regional housing authorities mandated by subsection (i) cannot be funded by the Department of Community and Regional Affairs with the housing supplemental development fund moneys; and it must be concluded that department fund should not be used for post-project cost certification. August 2, 1982 Op. Att'y Gen.

The Pacific Rim Housing Authority appropriately may be considered a political subdivision of the state or other "related public entity" for purposes of Subpart F (15 CFR § 930.90) for the limited purpose of its receipt of federal grants for housing projects; and, thus, Pacific Rim is subject to the coastal management consistency review required by Subpart F for federal assistance programs to the extent that grants are used to fund housing and related programs which affect the coastal zone. April 30, 1981 Op. Att'y Gen.

Sec. 18.55.997. Residential loans. (a) In addition to the powers authorized to a regional housing authority under AS 18.55.996, a regional housing authority may, in



Official Business

Alaska State Legislature

State Capitol

Juneau, Alaska 99801-1182

HOUSE COMMITTEE ON COMMUNITY AND REGIONAL AFFAIRS

MEMORANDUM

TO: Senator Jerry Mackie, Chair
Senate Community and Regional Affairs Committee

FROM: Representative Ivan M. Ivan, Chair *IMI*
House Community and Regional Affairs Committee

DATE: April 20, 1998

RE: Request for Scheduling of CSHB 471 (CRA)

Please consider this request to schedule CSHB 471 (CRA): Regional Housing Authorities and Village Native Corporations for the floor at your earliest possible convenience.

This bill allows housing authorities to expand their board of commissioners from five to no more than nine members and also extends the date dissolved Native village corporations may reinstate their corporations.

Please do not hesitate to contact me if I can provide further information or answer any questions.

Quyana.

IMI:tw

CS FOR HOUSE BILL NO. 471(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the boards of commissioners of regional Native housing
2 authorities; relating to the reinstatement of Native corporations; and providing for
3 an effective date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

6 (k) Notwithstanding (i) of this section and AS 10.06.633(e), a corporation that
7 is organized as a Native village corporation under the act, that has been involuntarily
8 dissolved by the commissioner under AS 10.06.633, and that has failed to apply for
9 reinstatement during the period established under AS 10.06.633(e) may be reinstated
10 under AS 10.06.633(e) on or before December 31, 1998 [WITHIN ONE YEAR
11 AFTER AUGUST 7, 1996]. The reinstated corporation and its shareholders have all
12 of the rights, privileges, liabilities, and obligations that would have applied to them if
13 the corporation had not been dissolved, and all corporate and shareholder actions taken
14 during the period of dissolution are considered to be as valid as if dissolution had not

1 occurred. If a corporation elects to reinstate under this subsection and if the
2 corporation's previously used corporate name is no longer available for use by the
3 corporation, then, notwithstanding AS 10.06.502 - 10.06.510, an amendment to the
4 articles of incorporation changing the previously used corporate name may be
5 adopted by action of the corporation's board of directors alone.

6 * Sec. 2. AS 18.55.996(d) is amended to read:

7 (d) The governing body of the association in question shall, after determining
8 that it wishes to have a regional native housing authority, appoint not fewer than five
9 and not more than nine persons to serve as the board of commissioners of the
10 authority. The term of office of each member is for three years except that, of the
11 commissioners first appointed, one shall serve for a term of one year and two shall
12 serve for a term of two years. Vacancies shall be filled by the governing body of the
13 association in question. The board of commissioners may designate from among
14 its members a committee to whom the board may delegate board duties.

15 * Sec. 3. Section 1 of this Act takes effect immediately under AS 01.10.070(c).



Official Business

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HOUSE COMMITTEE ON COMMUNITY AND REGIONAL AFFAIRS

SPONSOR STATEMENT COMMITTEE SUBSTITUTE for HOUSE BILL 471 (CRA)

The intent of CSHB 471 (CRA) is to allow a regional nonprofit association to increase the number of board of commissioners on a regional native housing authority to more than five members with no more than nine members. The other purpose of CSHB 471 (CRA) is to allow an involuntarily dissolved Native village to reinstate the corporation through December 31, 1998. These dissolved corporations had until August 7, 1997, to reincorporate by state statute.

Congress, in 1996, passed a new Indian housing act, the Native American Housing Assistance and Self Determination Act of 1996, which converts Indian housing funding to block grants. These grants are available to federally recognized Alaska Native villages and their designated housing entities. Many village councils wish to continue using the umbrella housing authority model created by state law which authorizes a regional housing authority to operate the program for its members. In order to provide fairer representation for their regions and to receive more input from their constituents, the Cook Inlet Tribal Council and the Association of Village Council Presidents have requested a change in statute. This change is optional and will allow the expansion of the number of board of commissioners from not less than five to no more than nine. The limit of five board members was adopted under HUD rules that are no longer applicable to Indian housing.

The reinstatement extension for dissolved village corporations found in section one is necessary to allow the Newtok Corporation to reinstate its native village corporation. Newtok is in the process of discussing a land exchange with the U.S. Fish and Wildlife Service which would allow the village to relocate to a more suitable and

stable area. The land where the village is now located is threatened by erosion from the Ninglick River.

In the course of working on the land exchange, it was discovered that the Newtok Corporation had been involuntarily dissolved on October 4, 1991, for failure to file its biannual report. The corporation has not been reinstated since that date. Since the time period to reinstate native village corporations ended on August 7, 1997, Newtok requires an extension.

In addition, another party has incorporated using the name Newtok Corporation. Newtok is thus required to change the name of its corporation. This name change will have to be implemented by an amendment to the corporation's Articles of Incorporation. The language found at the end of section one allows this name change, by the Board's action, to take place.

ASSOCIATION OF ALASKA HOUSING AUTHORITIES

4300 Boniface Parkway • Anchorage, AK 99504

Phone (907) 338-3970 • Fax (907) 338-4904

e-mail: aaha@alaska.net Home Page: <http://www.alaska.net/~aaha>

April 7, 1998

Representative Ivan Ivan, Chairman
Community and Regional Affairs Committee
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

*Alaska Housing
Finance Corporation*

*Alutian
Housing Authority*

*Association of Village
Council Presidents Regional
Housing Authority*

Re: HB 471 - Regional Housing Authorities

*Baranof Island
Housing Authority*

Dear Representative Ivan,

*Bering Straits Regional
Housing Authority*

Alaska's Regional Housing Authorities have taken the opportunity afforded by the committee to review the proposed legislation and to consult with many of their governing boards and the Regional Non-Profits and Associations which appoint their Boards. We have polled the Housing Authorities to be able to advise your committee of the outcome of these consultations - some of which are ongoing. The results of the poll:

*Bristol Bay
Housing Authority*

*Cook Inlet
Housing Authority*

Of the fourteen housing authorities

*Copper River Basin
Regional Housing Authority*

*Interior Regional
Housing Authority*

In favor or in favor of with
a limited number of Board
members. (Cap at 7, 9, or 11)

*Kodiak Island
Housing Authority*

No Position Yet 4

*Metlakatla
Housing Authority*

Opposed 1

*North Pacific Rim
Housing Authority*

No Response to Poll 2

*Northwest Inupiat
Housing Authority*

*Taguqmiullu
Nanaimiullu (TNNA)*

Five of the Housing Authorities in favor of the bill recommend adding language which puts a cap on the number of commissioners which could be appointed. The recommended cap ranged from 7 to 9 to 11 persons. The amended language in AS 18.65.996 (d) could read

*Tungu Haida Regional
Housing Authority*

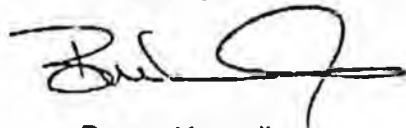
appoint not fewer than five and not more than nine persons to serve as the board of commissioners of the authority.

HB 471
April 7, 1998

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We appreciate the opportunity to provide this information and the efforts of your committee on behalf of Alaska's Regional Housing Authorities. If I can be of any assistance or if you require additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Kovarik", with a stylized flourish at the end.

Bruce Kovarik
Executive Director

pc: Reps. Dyson, Ogan, Ryan, Sanders, Joule & Kookesh
Executive Directors, Regional Housing Authorities
Chron

Bristol Bay Housing Authority

P.O. Box 50 Dillingham, Alaska 99576 Phone (907) 842-5956 FAX (907) 842-2784

March 31, 1998

Rep. Ivan Ivan
Room 418
House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Ivan:

REF: HB471/SB 343 Relating to Boards of Commissioners of RHA's

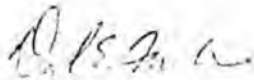
I am aware that you have requested feedback from the Regional Housing Authorities as soon as possible on the above issue. BBHA has a regular Board of Commissioners meeting scheduled on April 10th, at which time this issue will be discussed. I will relay the wishes of the Board to you at that time.

I can, however, tell you that based upon a regional NAHASDA meeting that was held in Dillingham last November, representatives from the Village Councils of Bristol Bay indicated their interest in having a "Full Board" comprised of one representative from each village that would meet no less than annually to discuss housing issues. The existing Board of Commissioners would act as an Executive Committee. This would function much like the other regional non-profits in Bristol Bay - the Bristol Bay Area Health Corporation and the Bristol Bay Native Association.

I don't believe anyone anticipates a fully functional 32 member Board of Commissioners meeting on a monthly basis. Aside from the costs involved, a monthly Board meeting of that size would be cumbersome and impractical. The language of each bill should allow for a Full Board with limited meetings and an Executive Committee which would function much as does the existing Board of Commissioners.

Please call me for any additional information you may require.

Sincerely,



Dave McClure
Executive Director

CC: Senator Jerry Mackie, Chairman, Community & Regional Affairs Committee
Representative Carl Moses
Senator Lyman Hoffman
BBHA Board of Commissioners - William Tennyson, Luki Akelkok, Joe Clark
Boris Kosbruk, Mark Angasan
Donald Nielsen, President, Bristol Bay Native Association Board of Directors
Terry Hoefflerle, Chief Operating Officer, BBNA
Bruce Kovarik, Exec. Dir., Association of Alaska Housing Authorities



The Association of
Village Council Presidents
Regional Housing Authority

Box 767
Bethel, Alaska 99559

March 25, 1998

VIA FACSIMILE & U.S. MAIL

Representative Ivan M. Ivan, Chairman
Community and Regional Affairs Committee
State Capital
Juneau, Alaska 99801-1182

Re: HB 471/ SB 343. Regional Native Housing Authority Board of Commissioners

Dear Representative Ivan;

Thank you for your support of HB471. I have discussed this issue with our Board of Commissioners and they fully support the concept of providing our Regional Non-profit organizations the latitude to determine the most appropriate form of representation they deem necessary for their particular region(s). This is in particular respect to the number of board members and their areas of representation.

As you know, the AVCP RHA as established by State statute, is the largest Native Housing Authority in Alaska and representing 56 villages is 5 Commissioners. As you also know, at the AVCP, Inc. Convention last fall the delegation passed a resolution to encourage the Alaska State Legislature to amend AS 18.55.996(d) whereby the 13 Regional Non-Profit Organizations that appoint their Housing Authority Commissioners could determine what the most appropriate number of board members and their areas of representation should be.

We believe if more of our villages feel their voices are being heard in a way that addresses their local housing needs then they will all be better served. This would also help address the intent of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), passed by Congress. As its title asserts, local village governments want more meaningful input in how their housing programs are developed, operated, and managed.

Adoption of HB471 and SB343 would be a step in the right direction where the State and our villages can cooperate in a meaningful way that not only benefits everyone, but also fosters a better working relationship between the two. We also understand and support the proposed language in these bills which is permissive and does not require any policy or administrative changes; but leaves such decisions up to the discretion of each respective body.

Representative Ivan M. Ivan

March 25, 1998

Page 2

If we can offer further support for this issue please don't hesitate to contact us.

Very truly yours,
AVCP RHA



Don Fancher
Executive Director

cc: AVCP RHA Board of Commissioners
Association of Alaska Housing Authorities
Myron Naneng, President/AVCP, Inc.

Sec. 10.06.960. Corporations organized under Alaska Native Claims Settlement Act.

(a) A corporation organized under 43 U.S.C. 1601 - 1629e as amended (Alaska Native Claims Settlement Act) shall be incorporated under and is subject to this chapter except

(1) each corporation shall issue without further consideration the number of shares of common stock that may be necessary to comply with the requirements of the act and all stock so issued is considered fully paid and nonassessable when issued;

(2) unless otherwise provided in the articles of incorporation, the capital

(A) is considered the consideration for the initial issuance of shares; and

(B) of a corporation organized under the act includes the

(i) land or interests in it conveyed to the corporation by the United States under the act, except that which is required to be conveyed under 43 U.S.C. 1613(c)(1), (3), and (4), entered at its fair value to the corporation upon receiving the conveyance of it; and

(ii) money, when received under 43 U.S.C. 1605 and 43 U.S.C. 1608, that is retained by the corporation and that is not immediately distributed or required to be distributed under 43 U.S.C. 1606(j).

(b) Notwithstanding the provision of AS 10.06.305 - 10.06.390, payment from the money of a corporation organized under the act that is required by the language of the act to be distributed to shareholders or to other corporations so organized is not a distribution to its shareholders as defined in AS 10.06.990.

(c) Notwithstanding the provisions of AS 10.06.546, a plan of merger, consolidation, or exchange in which each participating corporation either (1) was organized under the act, within the same one of the 12 regions of Alaska established under the act, or (2) resulted from the prior merger, consolidation, or exchange of other similarly organized corporations within the same region, is approved if it receives the affirmative vote of the holders of at least a majority of the outstanding shares of each corporation. If a class of shares of a corporation specified in this subsection is entitled to vote as a class, the plan of merger, consolidation, or exchange is approved if it receives the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote as a class and of the total outstanding shares. Notwithstanding AS 10.06.574 - 10.06.582, a plan of merger, consolidation, or exchange approved under this section before December 19, 1991, may not include a right of shareholders to dissent.

(d) [Repealed, Sec. 21 ch 6 SLA 1993].

(e) Notwithstanding the provision of AS 10.06.502 - 10.06.510, a corporation organized under the act may amend its articles by a vote of the board of directors in order for the corporation to comply with the mandatory requirements of the act.

(f) Notwithstanding the other provisions of this chapter, a corporation organized under the act is governed by the act to the extent the act is inconsistent with this chapter, and the corporation may take any action, including amendment of its articles, authorized by the act, and the action is considered to be approved and adopted if approved under the act. An amendment approved under the act and delivered to the commissioner under AS 10.06.512 shall be filed by the commissioner under AS 10.06.910, and a certificate of amendment shall be issued.

(g) Notwithstanding AS 10.06.358, if there are no retained earnings, the directors of a corporation organized under the act may declare and pay distributions in cash or property out of its net profits for the fiscal year in which the distribution is declared and for the preceding fiscal year, except when the corporation is insolvent under AS 10.06.360. For the purposes of this

subsection, a corporation's debts include the amounts it is required to distribute under 43 U.S.C. 1606(i) and 43 U.S.C. 1606(j). The directors may determine the net profits derived from the exploitation or liquidation of wasting assets without consideration of the depletion of those assets resulting from lapse of time, consumption, liquidation, or exploitation, of the assets, and a distribution declared from those net profits shall be described, concurrently with distribution of the net profits to shareholders, as a distribution from wasting assets without consideration of the depletion of the assets. In this subsection, "wasting assets" means timber resources and subsurface estates.

(h) Notwithstanding AS 10.06.358, the directors of a corporation organized under the act may, from time to time, distribute to its shareholders in partial liquidation a portion of the corporation's assets out of capital, in cash or property, except that a distribution

(1) may not be made at a time when the corporation is insolvent under AS 10.06.360;

(2) may not be made unless the articles of incorporation authorize the board to make the distribution or the distribution is authorized by the affirmative vote of the holders of at least two-thirds of the outstanding shares;

(3) when made, shall be identified as a distribution in partial liquidation and the amount per share shall be disclosed to the shareholders concurrently with the distribution.

(i) Notwithstanding AS 10.06.633(e), a corporation that is organized as a Native corporation under the act, that has been involuntarily dissolved by the commissioner under AS 10.06.633, and that has failed to apply for reinstatement during the period established under AS 10.06.633(e), may be reinstated under AS 10.06.633(e) within one year of June 29, 1994. The reinstated corporation and its shareholders have all of the rights, privileges, liabilities, and obligations that would have applied to them if the corporation had not been dissolved, and all corporate and shareholder actions taken during the period of dissolution are considered to be as valid as if dissolution had not occurred.

(j) If a corporation is formed before June 29, 1994 to replace a Native corporation that has been involuntarily dissolved under AS 10.06.633, and if the replacing corporation has the same name as the dissolved corporation, the replacing corporation and its shareholders succeed, upon payment of any amounts that would have been required for the reinstatement of the dissolved corporation under AS 10.06.633(e), to all of the rights, privileges, liabilities, and obligations that would have applied to the dissolved corporation and its shareholders if the dissolved corporation had been reinstated under AS 10.06.633(e).

(k) Notwithstanding (i) of this section and AS 10.06.633(e), a corporation that is organized as a Native village corporation under the act, that has been involuntarily dissolved by the commissioner under AS 10.06.633, and that has failed to apply for reinstatement during the period established under AS 10.06.633(e) may be reinstated under AS 10.06.633(e) within one year after August 7, 1996. The reinstated corporation and its shareholders have all of the rights, privileges, liabilities, and obligations that would have applied to them if the corporation had not been dissolved, and all corporate and shareholder actions taken during the period of dissolution are considered to be as valid as if dissolution had not occurred.

(l) [Renumbered as AS 10.06.504(d)].

(m) [Renumbered as AS 10.06.504(e)].

(n) Notwithstanding AS 10.06.504(d), an amendment to the articles of incorporation of a corporation organized under 43 U.S.C. 1601 - 1628 (Alaska Native Claims Settlement Act) and incorporated under former AS 10.05.005 to add a provision eliminating or limiting the personal

liability of a director to the corporation or its stockholders for monetary damages under AS 10.06.210(1)(N) may be adopted by the affirmative vote of a majority of the shares represented at the regular or special meeting at which a quorum is present in person or by proxy.

(o) Notwithstanding AS 10.06.455(b) and 10.06.504(d), an amendment to the articles of incorporation of a village corporation organized under 43 U.S.C. 1601 - 1629e (Alaska Native Claims Settlement Act) and incorporated under former AS 10.05.005 to add a provision authorizing the classification of directors under AS 10.06.455 may be adopted by the affirmative vote of a majority of the shares represented at a regular or special meeting at which a quorum is present in person or by proxy.

(p) In this section,

(1) "act" means 43 U.S.C. 1601 - 1641 (Alaska Native Claims Settlement Act);

(2) "Native corporation" has the meaning given in 43 U.S.C. 1602(m).

History -

(Sec. 1 ch 166 SLA 1988; am Sec. 53, 54 ch 82 SLA 1989; am Sec. 21 ch 6 SLA 1993; am Sec. 1, 2 ch 120 SLA 1994; am Sec. 1, 2 ch 24 SLA 1996)

Revisors Notes -

In 1989, the word "and" was inserted preceding "the corporation may take" in the first sentence of subsection (f).

Subsections (i) and (j) were enacted as (j) and (k) respectively. Relettered in 1994, at which time former (i) was relettered as (k). Subsection (k) was enacted as (l) and relettered in 1996. Former subsections (l) and (m) were enacted as Sec. 10(a) and (b), ch. 166, SLA 1988 and codified in 1996, and were renumbered as AS 10.06.504(d) and (e) in 1997, at which time internal references in subsections (n) and (o) were conformed. Subsection (n) was enacted in Sec. 57, ch. 50, SLA 1989 and codified in 1996, at which time an internal reference was conformed. Subsection (o) was enacted in Sec. 2, ch. 24, SLA 1996 and codified in 1996, at which time an internal reference was conformed, and former subsection (k) was relettered as (p)

Amendment Notes -

The 1989 amendment, effective July 1, 1989, substituted "43 U.S.C. 1601 - 1629e as amended" for "43 U.S.C. 1601 - 1629a" near the beginning of subsection (a); substituted "the act" for "43 U.S.C. 1601 - 1629a" throughout subsections (a) - (d); and added subsections (e) - (i).

The 1993 amendment, effective April 14, 1993, repealed subsection (d).

The 1994 amendment, effective June 29, 1994, added present subsections (i) and (j), added the paragraph (p)(1) (formerly (k)(1)) designation and made a section reference substitution therein, and added paragraph (p)(2) (formerly (k)(2)) and made a related stylistic change.

The 1996 amendment, effective August 7, 1996, added subsections (k) and (o).

Decisions -

Prohibition against discriminatory distributions preempted by federal law. - Disbursement of funds to elder shareholders from a settlement trust established by a Native regional corporation was not illegal as a discriminatory distribution under AS 10.06.305(b) since that provision was preempted by Alaska Native Claims Settlement Act. cert. denied, - U.S. -, 117 S. Ct. 768, 136 L. Ed. 2d 714 (1997). Broad v. Sealaska Corp., 85 F.3d 422 (9th Cir. 1996).

Sec. 18.55.996. Creation of authorities.

- (a) The following associations are given the authority specified in (b) of this section:
- (1) Arctic Slope Native Association (Barrow and Point Hope);
 - (2) Bering Straits Association (Seward Peninsula, Unalakleet, St. Lawrence Island);
 - (3) Northwest Alaska Native Association (Kotzebue);
 - (4) Association of Village Council Presidents (southwest coast of Alaska including all villages in the Bethel area and all villages on the Lower Yukon River and Lower Kuskokwim River);
 - (5) Tanana Chiefs Conference (Koyukuk, the middle and upper Yukon River villages and the upper Kuskokwim and Tanana River villages);
 - (6) Cook Inlet Tribal Council (Kenai, Tyonek, Eklutna and Seldovia);
 - (7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula);
 - (8) Aleut League (Aleutian Islands, Pribilof Islands and that part of the Alaska Peninsula that is in the Aleut League);
 - (9) North Pacific Rim Native Corp. (Cordova, Tatitlek, Port Graham, English Bay, Valdez, Seward, Eyak and Chenega);
 - (10) Tlingit-Haida Central Council or Alaska Native Brotherhood (Southeastern Alaska);
 - (11) Kodiak Area Native Association (all villages on and around Kodiak Island);
 - (12) Copper River Native Association (Copper Center, Glennallen, Chitina and Mentasta);
 - (13) Alaska Federation of Natives, Inc.;
 - (14) Sitka Community Association (Baranof and Japonski Island);
 - (15) Metlakatla Indian Community (Metlakatla).

(b) There is created with respect to each of the associations named in (a) of this section a public body corporate and politic to function in the operating area of the individual associations to be known as the regional housing authority of the associations possessing all powers, rights, and functions now or subsequently specified under AS 18.55.100 - 18.55.290, except those specified with respect to the construction and acquisition of public buildings for lease to the state or any authority that is inconsistent with AS 18.55.995. A regional housing authority may enter into agreements with local government, other political subdivisions of the state, the state or the federal government for the exercise of a function or power relating to construction, operation, and maintenance of public facilities or public utilities. Upon execution of an agreement and for the period of the agreement the regional housing authority shall have the same powers and functions relating to the subject matter of the agreement as those that may legally be exercised by the governmental unit with whom the agreement is made including the authority to separately or together with the other unit borrow money and issue notes, bonds, or other evidence of indebtedness to finance a project within the scope of the agreement subject to the express limitations, if any, contained in the agreement. All obligations or liabilities of the regional housing authority shall remain their own and are not obligations or liabilities of the state.

(c) A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declared that there is a need for the authority to function, gives it the authority to function and has named its commissioners as provided under (d) of this section.

(d) The governing body of the association in question shall, after determining that it

wishes to have a regional native housing authority, appoint five persons to serve as the board of commissioners of the authority. The term of office of each member is for three years except that, of the commissioners first appointed, one shall serve for a term of one year and two shall serve for a term of two years. Vacancies shall be filled by the governing body of the association in question.

(e) Questions arising as to jurisdiction and boundary disputes as a result of the jurisdictional lines set out by (a) of this section shall be resolved by the governing board of the Alaska Federation of Natives.

(f) The authority shall have the power to acquire, construct, operate, and maintain group homes, multipurpose community centers, child care centers, and other community facilities.

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

(h) Before a contract for the construction, alteration, or repair of a housing unit constructed under a federal or state funded housing program is awarded, the regional housing authority shall require the contractors to comply with the bond provisions specified in AS 36.25.010 (a) and (b).

(i) A housing authority created under this section shall have its financial records audited annually by an independent certified public accountant. The legislative auditor may prescribe the form and content of the financial records of the housing authority and shall have access to these records at any time.

History -

(Sec. 1 ch 123 SLA 1971; am Sec. 3, 6 ch 151 SLA 1975; am Sec. 1 ch 274 SLA 1976; am Sec. 1 ch 12 SLA 1977; Sec. 6 ch 86 SLA 1981; am Sec. 1 ch 102 SLA 1983; am Sec. 1 ch 128 SLA 1984; am Sec. 1 ch 100 SLA 1985; am Sec. 1 ch 51 SLA 1986; am Sec. 75, 76 ch 4 FSSLA 1992)
Amendment Notes -

The 1992 amendment, effective July 1, 1992, in subsection (b), rewrote the first sentence and, in the second and third sentences, inserted "regional housing"; and, in subsection (g), inserted "and authorized under AS 18.55.100 - 18.55.290" and substituted "Alaska Housing Finance Corporation" for "Alaska State Housing Authority."

AG Opinions -

Regional housing authorities created under this section are neither political subdivisions of the state nor state agencies. June 8, 1982 Op. Att'y Gen.

While various specified Native associations are given authority to establish regional housing authorities under this section, and may receive donations of land from municipalities, the programs administered by those associations must be racially neutral. May 6, 1981 Op. Att'y Gen.

It seems clear that the Department of Community and Regional Affairs is not charged with enforcing the audit requirement of subsection (i); and it is not clear who, if anyone, is so charged. August 2, 1982 Op. Att'y Gen.

The Department of Community and Regional Affairs can, under AS 18.55.998, condition its grants to the regional authorities on the authorities' compliance with subsection (i). August 2, 1982 Op. Att'y Gen.

It is quite clear that the annual audits of regional housing authorities mandated by subsection (i) cannot be funded by the Department of Community and Regional Affairs with the

housing supplemental development fund moneys; and it must be concluded that department fund should not be used for post-project cost certification. August 2, 1982 Op. Att'y Gen.

The Pacific Rim Housing Authority appropriately may be considered a political subdivision of the state or other "related public entity" for purposes of Subpart F (15 CFR Sec. 930.90) for the limited purpose of its receipt of federal grants for housing projects; and, thus, Pacific Rim is subject to the coastal management consistency review required by Subpart F for federal assistance programs to the extent that grants are used to fund housing and related programs which affect the coastal zone. April 30, 1981 Op. Att'y Gen.

ASSOCIATION OF ALASKA HOUSING AUTHORITIES

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April 27, 1998

*Alaska Housing
Finance Corporation*Senator Jerry Mackie, Chairman
Community and Regional Affairs Committee*Alutian
Housing Authority*Alaska State Legislature
State Capitol (MS 3100)*Association of Village
Council Presidents Regional
Housing Authority*

Juneau, AK 99801-1182

Re: HB 471 - Regional Housing Authorities*Bronof Island
Housing Authority*

Dear Senator Mackie,

*Bering Straits Regional
Housing Authority*

The Association of Alaska Housing Authorities has taken the time afforded by the Senate and House CRA Committees to consider the issue of HB 471 which allows for the increase in the number of Commissioners which govern the Regional Housing Authorities. At a regular meeting of the Association's Board of Directors on April 23 in Juneau, HB 471 was carefully considered and the following motion was adopted by a 6 yeas, 3 nays, 2 abstain vote:

*Bristol Bay
Housing Authority**Cook Inlet
Housing Authority**Copper River Basin
Regional Housing Authority*

To recommend to the Senate Committee to postpone action on HB 471 until the next legislative session.

*Interior Regional
Housing Authority**Kodiak Island
Housing Authority*

We appreciate the efforts you and the staff are making on our behalf, and if you have any questions or require additional information about the Association's position on this bill, please know you will have our full cooperation.

*Metlakatla
Housing Authority**North Pacific Rim
Housing Authority*

Sincerely,

*Northwest Inupiat
Housing Authority**Togiġġmiġġ
Nunamiatla (FNHA)*

Bruce Kovarik
Executive Director
*Tlingit-Haida Regional
Housing Authority*

pc: AAHA Board of Directors
Legislative File
Chron