

House Changes

The U.S. House of Representatives July 28 unanimously approved the 1991 legislation.

The bill contained minor changes made by the House Interior and Insular Affairs Committee in June, those changes were:

- The bill now requires that a majority of the shareholders vote to remove the restrictions on stock instead of a majority of at least 50% of the shares as originally proposed. Other shareholder votes allowed in the legislation (adding persons born after 1971, transfer of assets etc.) still requires a majority of at least 50% of the shareholders for passage. The board can raise the amount of votes required but cannot lower it for all votes except removal of restrictions. If one-third of the shareholders can petition the board to remove restrictions, the board must put the issue before the shareholders for a vote.
 - Fifteen percent (15%) of the shareholders are required to sign a petition before any of the other votes provided in the bill can be taken before the shareholders. However, the board may oppose any petition if it doesn't agree with it.
 - There is a new provision which protects Natives who receive stock, land, or other benefits under this legislation or ANCSA from losing eligibility for state and federal programs.
 - IRAs are specifically mentioned as an entity to which corporate assets could be transferred.
 - The inheritance provision was changed to read that if specified in a will, a Native could leave stock to a non-Native but that stock would be nonvoting. If there is no will, the stock can only go to a Native, a decendent of a Native. IF there are no heirs, the stock escheats to the corporations.
- As originally proposed by AFN the legislation would not have allowed stock to be given to non-Natives.
- Another section allows that Cook Inlet Regional Inc., the Aleut Corporation, the Koniag Corporation or their villages others to choose to participate in the Bristol Bay section, which requires a vote to extend restrictions and requires a payment of dissident shareholders.
 - If a corporation goes unrestricted or has stock owned by non-Natives, as long as 50% of its shareholders are Native, it will still be considered a minority corporation for the purposes of Federal minority programs.
 - If the shareholders vote to allow the corporation to repurchase stock, all shareholders must be given an equal opportunity to sell their stock to the corporation.
 - Finally, the section designed to maintain the status quo on the sovereignty issue was changed to read: "No provision of the Alaska Native Claims Settlement Act of 1986 shall be construed as enlarging or diminishing or in any way affecting the scope of governmental powers, if any, of an Alaska Native village entity, including entities organized under the Act of June 18, 1934 or Traditional Councils listed in the Federal Register of February 13, 1985, or such other councils as may be added from time to time."