

115TH CONGRESS
1ST SESSION

S. 1495

To amend the Alaska Native Claims Settlement Act regarding the treatment of fractional shares of stock by Regional Corporations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2017

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska Native Claims Settlement Act regarding the treatment of fractional shares of stock by Regional Corporations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “ANCSA Fractional
5 Shares Consolidation Act of 2017”.

6 **SEC. 2. FRACTIONAL SHARES.**

7 (a) IN GENERAL.—Section 7(h) of the Alaska Native
8 Claims Settlement Act (43 U.S.C. 1606(h)) is amended—

1 (1) in paragraph (2)(A), by inserting “, subject
2 to paragraph (4)” after “pursuant to applicable laws
3 of intestate succession”;

4 (2) by redesignating paragraph (4) as para-
5 graph (5); and

6 (3) by inserting after paragraph (3) the fol-
7 lowing:

8 “(4) FRACTIONAL SHARES.—

9 “(A) IN GENERAL.—Notwithstanding any
10 State law regarding fractional shares, a Re-
11 gional Corporation is authorized to issue a full
12 share of any class of stock, for no consider-
13 ation, in exchange for a fractional share of the
14 same class of stock, held by any shareholder, as
15 long as the Regional Corporation exchanges all
16 fractional shares of a class of stock for full
17 shares of the same class of stock at the same
18 time.

19 “(B) ELIMINATION OF FRACTIONAL
20 SHARES.—A Regional Corporation shall be au-
21 thorized, after taking the action specified in
22 subparagraph (A) for any class of stock, to
23 adopt, by resolution of the board of directors of
24 the Regional Corporation, a policy that provides
25 for the elimination of fractional shares that

1 would result by will or the laws of intestate suc-
2 cession by—

3 “(i) issuing a full share in lieu of any
4 fractional share that would otherwise re-
5 sult from the application of a will or the
6 intestacy laws; or

7 “(ii) issuing the maximum number of
8 full shares possible to each devisee or bene-
9 ficiary in the manner specified in a will or
10 under the applicable intestacy laws, and, if
11 any shares remain unissued, then issuing
12 any such remaining shares as full shares
13 only, in accordance with a process specified
14 in the resolution that may reflect, in the
15 discretion of the board of directors, local
16 customs, traditions, and laws.

17 “(C) NO LEGAL CAUSE OF ACTION.—No
18 action taken by a Regional Corporation under
19 subparagraph (A) or (B) shall provide a legal
20 cause of action to any shareholder of the Re-
21 gional Corporation against either the Regional
22 Corporation or its board of directors.

23 “(D) PREEMPTION OF STATE LAW.—The
24 provisions of this paragraph shall preempt

1 State law with respect to fractional shares of
2 Regional Corporations.”.

3 (b) CONFORMING AMENDMENT.—Section 8(c) of the
4 Alaska Native Claims Settlement Act (43 U.S.C. 1607(c))
5 is amended by striking “paragraph (4)” and inserting
6 “paragraph (5)”.

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