

HOUSE CS FOR CS FOR SENATE BILL NO. 220(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/19/00

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the requirements for partnerships and limited liability
2 companies to qualify for the Alaska bidder preference and a certain disability
3 preference under the State Procurement Code; and providing for an effective
4 date."

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

6 * **Section 1.** AS 36.30.170(b) is amended to read:

7 (b) The procurement officer shall award a contract based on solicited bids to
8 the lowest responsive and responsible bidder after an Alaska bidder preference of five
9 percent, an Alaska products preference as described in AS 36.30.322 - 36.30.338, and
10 a recycled products preference under AS 36.30.337 have been applied. In this
11 subsection, "Alaska bidder" means a person who

12 (1) holds a current Alaska business license;
13 (2) submits a bid for goods, services, or construction under the name
14 as appearing on the person's current Alaska business license;

(3) has maintained a place of business within the state staffed by the bidder or an employee of the bidder for a period of six months immediately preceding the date of the bid;

(4) is incorporated or qualified to do business under the laws of the state, is a sole proprietorship and the proprietor is a resident of the state, **is a limited liability company organized under AS 10.50 and all members are residents of the state,** or is a partnership **under AS 32.05 or AS 32.11** and all partners are residents of the state; and

(5) if a joint venture, is composed entirely of ventures that qualify under (1) - (4) of this subsection.

* **Sec. 2.** AS 36.30.170(e) is amended to read:

(e) If a bidder qualifies under (b) of this section as an Alaska bidder, is a qualifying entity, and is the lowest responsible and responsive bidder with a bid that is not more than 10 percent higher than the lowest bid, the procurement officer shall award the contract to that bidder. This subsection does not give a bidder who would otherwise qualify for a preference under this subsection a preference over another bidder who would otherwise qualify for a preference under this subsection or (f) of this section. In this subsection, "qualifying entity" means a

(1) sole proprietorship owned by a person with a disability;

(2) partnership **under AS 32.05 or AS 32.11** if each of the partners is a person with a disability; [OR]

(3) **limited liability company organized under AS 10.50 if each of the members is a person with a disability; or**

(4) corporation that is wholly owned by individuals and each of the individuals is a person with a disability.

* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).