

**HOUSE BILL NO. 294**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE VEZEY**

**Introduced: 4/5/95**

**Referred: Community and Regional Affairs, Labor and Commerce, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the procurement of construction contracts for village safe  
2 water and hygienic sewage disposal facilities and to contributions by the users of  
3 the facilities."

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

5 \* **Section 1.** AS 37.05 is amended by adding a new section to read:

6           Sec. 37.05.323. COMPETITIVE BIDDING REQUIREMENTS FOR CERTAIN  
7           PROJECTS. A recipient of a grant under AS 37.05.316 or 37.05.317 shall comply  
8           with the competitive bidding requirements of AS 46.07.100 if the grant is for the  
9           construction of a safe water or hygienic sewage disposal facility in a village.

10 \* **Sec. 2.** AS 46.07.040(a) is amended to read:

11           (a) The commissioner shall provide for the construction of facilities under this  
12           chapter, and is authorized to provide for the construction by contract or through grants  
13           to public agencies or **other persons** [PRIVATE NONPROFIT ORGANIZATIONS],  
14           or otherwise. [A CONTRIBUTION TOWARD THE COST OF THE

1 CONSTRUCTION OF A FACILITY MAY NOT BE REQUIRED FROM ITS  
2 USERS.] Construction under this section by contract is governed by AS 46.07.100  
3 [AS 36.30 (STATE PROCUREMENT CODE)].

4 \* **Sec. 3.** AS 46.07 is amended by adding a new section to read:

5 ARTICLE 2. PROCUREMENT OF VILLAGE WATER AND SEWER  
6 FACILITY CONSTRUCTION CONTRACTS.

7 Sec. 46.07.100. COMPETITIVE BIDDING REQUIRED. A state agency may  
8 not use a procurement method other than competitive sealed bidding under AS 36.30  
9 to procure a contract for the construction of safe water or hygienic sewage disposal  
10 facilities in villages in the state. If a state agency makes a grant to a person to  
11 construct the facility, the grantee may not use a procurement method other than  
12 competitive sealed bidding under AS 36.30 to procure a contract for the construction  
13 of the facility. In this section,

14 (1) "state agency" means a department, institution, board, commission,  
15 division, authority, public corporation, or other administrative unit of the executive  
16 branch of state government, including the Alaska Housing Finance Corporation, but  
17 not including the University of Alaska, the Alaska Railroad Corporation, or the Alaska  
18 Aerospace Development Corporation;

19 (2) "village" means an unincorporated community that has between 25  
20 and 600 individuals residing within a two-mile radius, or a second class city.