

**HOUSE BILL NO. 46**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE TARR**

**Introduced: 1/18/17**

**Referred: State Affairs, Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the state and municipal procurement preferences for agricultural**  
2 **products harvested in the state and fisheries products harvested or processed in the**  
3 **state; relating to the sale of milk, milk products, raw milk, and raw milk products; and**  
4 **providing for an effective date."**

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

6 \* **Section 1.** AS 17.20.005 is amended to read:

7 **Sec. 17.20.005. Powers and duties of commissioner.** To carry out the  
8 requirements of this chapter, the commissioner may issue orders, regulations, permits,  
9 quarantines, and embargoes relating to

10 (1) food offered to the public or sold, including

11 (A) inspection of meat, fish, poultry, and other food products;

12 (B) standards of sanitation and handling methods for all phases  
13 of slaughtering, processing, storing, transporting, displaying, and selling;

14 (C) labeling; and

1 (D) the training, testing, and certification requirements for  
 2 individuals who handle or prepare food, their supervisors, and their employers  
 3 to ensure their knowledge of food safety and sanitation principles and  
 4 requirements;

5 (2) control and eradication of pests;

6 (3) enforcement of hazard analysis critical control point programs for  
 7 seafood processing that are developed in cooperation with appropriate industry  
 8 representatives or, to the extent not inconsistent with this chapter or regulations  
 9 adopted under the authority of this chapter, that are established by regulations of the  
 10 United States Food and Drug Administration as they may periodically be revised;

11 (4) labeling, subject to AS 17.20.013 **and 17.20.015**, and grading of  
 12 milk and milk products and standards of sanitation for dairies offering to the public or  
 13 selling **pasteurized** milk or milk products to at least the minimum of current  
 14 recommendations of the United States Public Health Service pasteurized milk  
 15 ordinance as it may periodically be revised, **subject to AS 17.20.015**;

16 (5) standards and conditions for the operation and siting of aquatic  
 17 farms and related hatcheries, including

18 (A) restrictions on the use of chemicals; and

19 (B) requirements to protect the public from contaminated  
 20 aquatic farm products that pose a risk to health;

21 (6) monitoring aquatic farms and aquatic farm products to ensure  
 22 compliance with this chapter and, to the extent not inconsistent with this chapter or  
 23 regulations adopted under the authority of this chapter, with the requirements of the  
 24 national shellfish sanitation program manual of operations published by the United  
 25 States Food and Drug Administration as it may periodically be revised;

26 (7) tests and analyses that may be made and hearings that may be held  
 27 to determine whether the commissioner will issue a stop order or quarantine;

28 (8) transportation of, use of, disposal of, recalls of, or warnings  
 29 concerning quarantined or embargoed items;

30 (9) cooperation with federal and other state agencies.

31 \* **Sec. 2.** AS 17.20 is amended by adding a new section to read:

1           **Sec. 17.20.015. Sale of raw milk products.** (a) A person may sell a raw milk  
 2 product to a final consumer if the principal display panel on the raw milk product  
 3 prominently states that the raw milk product is not pasteurized and may cause health  
 4 concerns, and if the person complies with any state requirements for the sale of raw  
 5 milk that do not conflict with this section.

6           (b) This section does not apply to a sale that is governed by federal law.

7           (c) In this section,

8                   (1) "raw milk" means milk that is not pasteurized;

9                   (2) "raw milk product" means raw milk or a product or byproduct of  
 10 raw milk.

11 \* **Sec. 3.** AS 29.71.040(a) is amended to read:

12           (a) When agricultural products are purchased by a municipality that receives  
 13 state money, only agricultural products harvested in the state shall be purchased  
 14 whenever priced not [NO] more than 15 [SEVEN] percent above products harvested  
 15 outside the state, available, and of like quality compared with agricultural products  
 16 harvested outside the state.

17 \* **Sec. 4.** AS 29.71.040(b) is amended to read:

18           (b) When fisheries products are purchased by a municipality that receives state  
 19 money, only fisheries products harvested or processed within the jurisdiction of the  
 20 state shall be purchased whenever priced not [NO] more than 15 [SEVEN] percent  
 21 above products harvested or processed outside the jurisdiction of the state, available,  
 22 and of like quality compared with fisheries products harvested or processed outside  
 23 the jurisdiction of the state.

24 \* **Sec. 5.** AS 36.15.050(a) is amended to read:

25           (a) When agricultural products are purchased by the state or by a school  
 26 district that receives state money, a 15 [SEVEN] percent preference shall be applied to  
 27 the price of the products harvested in the state.

28 \* **Sec. 6.** AS 36.15.050(b) is amended to read:

29           (b) When fisheries products are purchased by the state or by a school district  
 30 that receives state money, a 15 [SEVEN] percent preference shall be applied to the  
 31 price of the products harvested or processed within the jurisdiction of the state.

1 \* **Sec. 7.** This Act takes effect July 1, 2018.