

Original sponsor: Finance Committee

Offered: 5/2/80

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 578 am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state grants; and providing for an
7 effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

10 Sec. 37.05.315. GRANTS. (a) When an appropriation is made as a
11 grant to a municipality, the Department of Administration shall promptly
12 notify the municipality of the availability of the grant. When the
13 Department of Administration receives an agreement executed by the
14 municipality which provides that the municipality (1) will spend the
15 grant for the purposes specified in the appropriation; (2) will allow,
16 on request, an audit by the state of the uses made of the grant; and (3)
17 assures that, to the extent consistent with the purpose of the appro-
18 priation, the facilities and services provided with the grant will be
19 available for the use of the general public, the Department of Adminis-
20 tration shall pay the grant directly to the municipality. The agreement
21 executed by a municipality under this section shall be on a form fur-
22 nished by the Department of Administration.

23 (b) Not less than 20 percent of the grant shall be paid to the
24 municipality within 10 days of the effective date of the agreement.
25 The remainder of the grant shall be paid in installments equal to the
26 amount of grant money the municipality expended in the previous month.

27 (c) When an appropriation is made to a department as a grant for a
28 named recipient which is not a municipality, the department to which the
29 appropriation is made shall promptly notify the named recipient of the

1 availability of the grant and request the named recipient to submit a
2 proposal to provide the goods or services, or both, for which the appro-
3 priation is made. At the same time, the department shall issue a re-
4 quest for proposals from other qualified persons located and acting in
5 the same geographic area to provide the same goods or services, or both.
6 The department shall contract with the named recipient unless the Office
7 of the Governor determines that an award of the contract to a different
8 party would better serve the public interest. If the contract is awarde
9 to another party than that named by the legislature, the basis of that
10 action shall be stated in writing at the time the grant is issued. The
11 purchase of the goods or services, or both, shall be in accordance with
12 AS 37.05.230(1)(C).

13 (d) A grant to a municipality must be made within 60 days after
14 the effective date of the appropriation. A contract under (c) of this
15 section must be executed within 60 days after the effective date of the
16 appropriation.

17 (e) Notwithstanding the Administrative Procedure Act (AS 44.62),
18 the Fiscal Procedures Act (AS 37.05), and the Executive Budget Act
19 (AS 37.07), a department may not adopt regulations or impose additional
20 requirements or procedures to implement, interpret, make specific or
21 otherwise carry out the provisions of this section unless required by
22 the federal government for participation in federal programs.

23 (f) A grant to an unincorporated community made under this section
24 shall be disbursed as follows:

25 (1) Within 45 days after the effective date of the appropria-
26 tion, the Department of Community and Regional Affairs shall notify the
27 governing body of the unincorporated community, if any, that a grant is
28 available.

29 (2) The Department of Community and Regional Affairs shall

1 determine whether there is a qualified incorporated entity in the com-
2 munity area which will agree to receive the grant and administer it,
3 subject to terms generally applicable to private grantees. If there is
4 more than one such entity, the Department of Community and Regional
5 Affairs shall select the most qualified and the grant shall be awarded
6 to that incorporated entity for the purposes of the appropriation:
7 however, the Department of Community and Regional Affairs shall give
8 preference to a nonprofit corporation organized by a community for
9 receipt of the grant.

10 (3) If there is no incorporated entity qualified to receive
11 the grant, the Department of Community and Regional Affairs shall ad-
12 minister the program directly or through agents or contractors with whom
13 it may contract in the community area.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).