

Introduced: 4/1/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 440

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act directing the commissioner of administration
7 to implement an energy conservation program for certain
8 procurement activities of the state and municipalities
9 of the state; and providing for an effective date."

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

11 * Section 1. AS 44.21.020 is amended by adding a new paragraph to read:

12 (13) adopt regulations to implement the energy conservation
13 procurement policy set out in AS 46.11.070.

14 * Sec. 2. AS 46.11 is amended by adding a new section to read:

15 Sec. 46.11.070. ENERGY CONSERVATION PROCUREMENT POLICY REGULA-
16 TIONS. (a) By January 1, 1982, the commissioner of administration
17 shall adopt regulations to implement a procurement policy applicable to
18 state agencies and municipalities of the state. The regulations
19 adopted shall be reasonably necessary to promote energy conservation in
20 the acquisition and use of equipment, materials, and supplies, and
21 shall include, but are not limited to, adoption of

22 (1) procedures to determine life cycle costs of equipment,
23 based on acquisition costs, the costs of fuel to operate the equipment
24 during its anticipated useful life, maintenance costs of equipment
25 during its anticipated useful life, and the anticipated resale or
26 salvage value of the equipment;

27 (2) minimum standards of energy efficiency of equipment,
28 based on applicable federal energy efficiency standards and average
29 fleet fuel economy for automobiles; and

1 (3) limits on the acquisition of equipment, materials, and
2 supplies until the state agency or municipality proposing to acquire
3 the materials and supplies has considered the availability of recycled
4 equipment, materials, and supplies.

5 (b) The regulations adopted by the commissioner of administration
6 shall include bid procedures applicable to the acquisition of equip-
7 ment, materials and supplies by state agencies and municipalities by
8 which the state agency or municipality may evaluate compliance of a bid
9 with the provisions of (a) of this section before making a bid award.

10 (c) The commissioner of administration may not adopt regulations
11 under this section until the director of the Alaska Energy Center
12 (AS 46.12) and the director of the division of energy and power develop-
13 ment in the Department of Commerce and Economic Development are allowed
14 to review and comment on the regulations.

15 (d) The commissioner of administration may assist state agencies
16 and municipalities in complying with regulations adopted under this
17 section.

18 (e) By the 10th day of each regular session of the legislature,
19 the commissioner of administration shall submit a report to the legis-
20 lature on the regulations adopted under this section, and on compliance
21 with the regulations by state agencies and municipalities. The report
22 shall contain

23 (1) the actual energy costs and the energy conserved as a
24 result of compliance by state agencies and municipalities with the
25 regulations adopted under this section; and

26 (2) the estimated energy costs and estimated energy which
27 may be conserved as a result of compliance by state agencies and
28 municipalities with the regulations adopted under this section.

29 * Sec. 3. AS 37.25.030 is amended by adding a new subsection to read:

1 (b) The commissioner of administration shall

2 (1) require bids submitted under this section to contain the
3 following information:

4 (A) if the bid involves equipment, the life cycle costs
5 and energy efficiency standards of the equipment;

6 (B) if the bid involves materials and supplies, the
7 proposed use of recycled products in the materials and supplies;

8 (2) condition acceptance of a bid submitted under this
9 section on compliance by the bidder with bid regulations adopted under
10 AS 46.11.070.

11 * Sec. 4. AS 29.48 is amended by adding a new section to read:

12 Sec. 29.48.252. LIMITATIONS ON BIDS. (a) When the assembly or
13 council authorizes a purchase under AS 29.48.250, the assembly or
14 council shall

15 (1) require bids submitted under this section to contain the
16 following information:

17 (A) if the bid involves equipment, the life cycle costs
18 and energy efficiency standards of the equipment;

19 (B) if the bid involves materials and supplies, the
20 proposed use of recycled products in the materials and supplies;

21 (2) condition acceptance of a bid submitted under this
22 section on compliance by the bidder with bid regulations adopted under
23 AS 46.11.070, or under (b) of this section.

24 (b) The assembly or council may by ordinance impose requirements
25 on the acceptance of bids which are more restrictive than the require-
26 ments and procedures established by regulation adopted under AS 46.11.-
27 070.

28 * Sec. 5. AS 29.13.100 is amended by adding a new paragraph to read:

29 (48) AS 29.48.252 (limitations on bids).



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* Sec. 6. Sections 1 and 2 of this Act take effect July 1, 1981.

* Sec. 7. Sections 3 - 5 of this Act take effect January 1, 1982.