

Offered: 4/23/85
Referred: Rules

Original sponsors: Grussendorf, Sund,
Szymanski, et al

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 50 (State Affairs) am S
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to Alaska bidder preference."

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

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

9 Sec. 37.05.225. PURPOSE. The legislature finds that there
10 exists in the state continuing high unemployment, underutilization of
11 resident construction and supply firms, and high costs unfavorable to
12 the welfare of Alaskans and to the economic health of the state. The
13 purpose of bidder preference for resident firms when the state acts as
14 a market participant is to encourage local industry, strengthen and
15 stabilize the economy, decrease unemployment, and strengthen the tax
16 and revenue base of the state.

17 * Sec. 2. AS 37.05.230(1)(A) is amended to read:

18 (A) a bid shall be awarded to an Alaska bidder if the
19 bid is not more than 10 [FIVE] percent higher than the lowest
20 nonresident bidder's; and

21 * Sec. 3. AS 37.05.230(5) is repealed and reenacted to read:

22 (5) in this section, "Alaska bidder" means a person who

23 (A) holds a current Alaska business license;

24 (B) does more than \$1,000,000 worth of annual business
25 in the state or performs more than 20 percent of the person's
26 annual business in the state, whichever is less;

27 (C) certifies under penalty of perjury that the bidder
28 will employ Alaska residents in the performance of the contract
29 unless resident laborers are unqualified or unavailable;

1 (D) has maintained a permanent place of business in
2 the state for a period of six months immediately preceding the
3 date of the bid; and

4 (E) submits a bid for goods or services under the name
5 that appears on the person's current Alaska business license;

6 * Sec. 4. AS 37.05.230(7) is repealed and reenacted to read:

7 (7) the Alaska bidder provisions of this section do not
8 apply to contracts estimated to exceed \$500,000; notwithstanding this
9 section, the commissioner of transportation and public facilities or
10 the commissioner of administration may waive an Alaska bidder prefer-
11 ence when mandatory federal requirements that prohibit an Alaska
12 bidder preference apply to a contract covered by this section;

13 * Sec. 5. AS 37.05.230 is amended by adding a new paragraph to read:

14 (12) if a provision of this section, or the application of
15 this section to a person or circumstance is held invalid, the remain-
16 der of this section and the application to other persons or circum-
17 stances is not affected.

18 * Sec. 6. AS 37.05.315 is amended by adding a new subsection to read:

19 (e) If a contract for a project that is funded in whole or in
20 part by a state grant is competitively bid, the municipality must
21 comply with AS 37.05.230(1)(A).