

Introduced: 3/1/85  
Referred: State Affairs  
and Finance

1 IN THE SENATE BY DEVRIES, COGHILL AND P.FISCHER  
2 SENATE BILL NO. 206  
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 payment for purchases by the  
7 state; and providing for an 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. 37.05.275. PAYMENT FOR STATE PURCHASES. (a) Payment for  
11 purchases of goods or services provided a state agency shall be made  
12 on or before a required payment date that is  
13 (1) the date on which payment is due under the terms of a  
14 contract; or  
15 (2) 30 days after receipt of a proper invoice for the  
16 amount of the payment due, if a specific date on which payment is due  
17 is not established by contract and if the invoice contains or is  
18 accompanied by documents required by the contract or purchase order.  
19 (b) If a seller offers a discount from the amount otherwise due  
20 for property or services in exchange for payment within a specified  
21 period of time, the state agency may make payment in an amount equal  
22 to the discounted price only if payment is made within the specified  
23 period of time.  
24 (c) If payment for goods or services purchased by the state is  
25 not made within 30 days of a required payment date under (a)(1) of  
26 this section or by the required payment date specified in (a)(2) of  
27 this section, the state shall pay interest on the unpaid balance from  
28 the date of receipt of the proper invoice for the goods or services at  
29 the rate provided by AS 45.45.010(a) unless an agreement exists

1 between the seller and the state that precludes the charging of inter-  
2 est.

3 (d) This section does not apply

4 (1) if the cost of the goods or services purchased exceeds  
5 \$500,000;

6 (2) to payment for specific goods or services in dispute  
7 after a seller of goods or services receives notice from the state  
8 official responsible for authorizing payment for goods and services  
9 that the amount of the invoice or quality of specific goods or ser-  
10 vices is in dispute and stating the reasons for the dispute; the state  
11 agency shall pay for the specific goods or services in dispute within  
12 30 days after resolution of the dispute; or

13 (3) to a contract covered by AS 36.90.001.

14 (e) Interest paid under (c) of this section shall be charged to  
15 the budget of the state agency that purchased the goods or services.

16 (f) In this section

17 (1) "dispute" means a determination by the state official  
18 responsible for authorizing the payments for the purchase of goods or  
19 services that the performance or price charged is not in compliance  
20 with the terms of the contract or purchase order;

21 (2) payment is considered made on the date when the payment  
22 is personally delivered to the seller or agent of the seller or on the  
23 date the payment is mailed;

24 (3) "state agency" has the meaning given in AS 37.05.400  
25 and also includes the legislative and judicial branches.

26 \* Sec. 2. This Act does not apply to contracts entered into before the  
27 effective date of this Act.

28 \* Sec. 3. This Act takes effect October 1, 1985.