

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 192

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act postponing the effective date of the State
7 Procurement Code; and providing for an effective
8 date."

9

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

10

* Section 1. AS 36.30.005(a) is amended to read:

11

(a) Except as otherwise provided, all rights, powers, duties,

12

and authority relating to the procurement of supplies, services, and

13

professional services, and the control over supplies, services, and

14

professional services vested in or exercised by an agency on July 1,

15

1989 [1987], are transferred to the commissioner of administration and

16

to the chief procurement officer. Authority granted under this sub-

17

section shall be exercised in accordance with this chapter.

18

* Sec. 2. AS 36.30.005(b) is amended to read:

19

(b) Except as otherwise provided, all rights, powers, duties,

20

and authority relating to the procurement of construction and procure-

21

ments of equipment or services for the state equipment fleet and the

22

control over construction of state facilities and the state equipment

23

fleet vested in or exercised by an agency on July 1, 1989 [1987], are

24

transferred to the commissioner of transportation and public facil-

25

ities, subject to regulations adopted by the commissioner of adminis-

26

tration. Notwithstanding AS 44.71.010, authority relating to dis-

27

posals from the state equipment fleet is vested in the commissioner of

28

transportation and public facilities, subject to regulations adopted

29

by the commissioner of administration. Authority granted under this

1 subsection shall be exercised in accordance with this chapter.

2 * Sec. 3. AS 36.30.540 is amended to read:

3 Sec. 36.30.540. REPORT TO LEGISLATURE. Beginning with December
4 1, 1991 [1989], the commissioner shall biennially report to the legis-
5 lature concerning procurements by agencies. The report must include

6 (1) the records maintained by the commissioner under
7 AS 36.30.510 and the records maintained under AS 36.30.520(a) for the
8 previous two fiscal years;

9 (2) recommendations for changes in this chapter or other
10 laws based on implementation of this chapter in the previous two
11 fiscal years;

12 (3) a description of any matters that involved litigation
13 concerning this chapter in the previous two fiscal years;

14 (4) a list of procurements made under this chapter from
15 out-of-state sources during the previous two fiscal years together
16 with the total number of procurement contracts entered into during
17 that period with out-of-state contractors and the total value of these
18 contracts; this paragraph does not apply to procurements under AS 36.-
19 30.320; and

20 (5) a list of procurements made under this chapter from
21 state sources during the previous two fiscal years together with the
22 total number of procurement contracts entered into during that period
23 with state contractors and the total value of these contracts; this
24 paragraph does not apply to procurements made under AS 36.30.320.

25 * Sec. 4. AS 36.30.850(a) is amended to read:

26 (a) This chapter applies only to contracts solicited or entered
27 into after July 1, 1989 [1987], unless the parties agree to its appli-
28 cation to a contract solicited or entered into before that date.

29 * Sec. 5. Section 65, ch. 106, SLA 1986 is amended to read:

1 Sec. 65. REPORT. By December 1, 1990 [1988], the commissioner
2 of administration and the commissioner of transportation and public
3 facilities shall report to the legislature concerning procurements by
4 state agencies during fiscal year 1989 [1987]. The report must in-
5 clude

6 (1) the records prepared under AS 36.30.510(4);

7 (2) recommendations for changes in AS 36.30 or other laws
8 based on implementation of AS 36.30 in those 12 months; and

9 (3) a description of any matters that involved litigation
10 concerning AS 36.30 during those 12 months.

11 * Sec. 6. Section 66, ch. 106, SLA 1986 is amended to read:

12 Sec. 66. REGULATIONS DEADLINE. The regulations required under
13 AS 36.30 as added by sec. 2 of this Act, shall be adopted by July 1,
14 1989 [1987] and shall be effective on that date. Regulations adopted
15 under laws repealed in sec. 67 of this Act become ineffective July 1,
16 1989 [1987].

17 * Sec. 7. Section 69, ch. 106, SLA 1986 is amended to read:

18 Sec. 69. Except as provided in sec. 68, this Act takes effect
19 July 1, 1989 [1987].

20 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).