

1 IN THE HOUSE

BY GRUSSENDORF

2

HOUSE BILL NO. 310

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to payment under public construction
7 contracts."

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

9 * Section 1. AS 36.90.010(a) is amended to read:

10 (a) The state shall initiate procedures to pay the contractor
11 under a public construction or public work contract within 15 days
12 after the contractor submits to the state a bill for materials pro-
13 vided or services performed, [AND] a sworn statement that all employ-
14 ees employed on the project by the contractor and all subcontractors
15 have been paid not less than the established prevailing rate of pay as
16 determined and published by the Department of Labor, and, if applica-
17 ble, the sworn statement required under (f) of this section.

18 * Sec. 2. AS 36.90.010(b) is amended to read:

19 (b) If the state fails to make a payment due the contractor
20 under this section within 30 days after receiving a contractor's
21 billing and after satisfaction, if applicable, of (f) of this section,
22 the state shall pay interest to the contractor under AS 45.45.010(a)
23 on the amount due.

24 * Sec. 3. AS 36.90.010 is amended by adding a new subsection to read:

25 (f) The state or a political subdivision of the state may not
26 make a second or subsequent progress payment under a construction con-
27 tract until the contractor provides a sworn statement that the subcon-
28 tractors of the contractor have been paid for the subcontractors' work
29 under the contract and that the work performed by the contractor under

1 the contract has been inspected and approved for compliance with the
2 contract.