

Offered: 5/14/87
Referred: Finance

5-0876L

Original sponsors: Josephson, Szymanski,
Fahrenkamp, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 201 (State Affairs)
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 the local agricultural and fish-
7 eries product preference; and providing for an effec-
8 tive date."

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

10 * Section 1. AS 36.15.050 is amended to read:

11 Sec. 36.15.050. USE OF LOCAL AGRICULTURAL AND FISHERIES PRODUCTS
12 REQUIRED IN PURCHASES WITH STATE MONEY. (a) When agricultural prod-
13 ucts are purchased using state money, only agricultural products
14 harvested in this state shall be purchased whenever [COMPETITIVELY]
15 priced no more than seven percent above products harvested outside the
16 state, available, and of like quality compared with agricultural
17 products harvested outside the state.

18 (b) When fisheries products are purchased using state money,
19 only fisheries products harvested or processed within the jurisdiction
20 of the state shall be purchased whenever [COMPETITIVELY] priced no
21 more than seven percent above products harvested or processed outside
22 the jurisdiction of the state, available, and of like quality compared
23 with fisheries products harvested or processed outside the jurisdic-
24 tion of the state.

25 (c) In [AS USED IN] this section,

26 (1) "agricultural products" includes, but is not limited
27 to, dairy products, timber and lumber harvested in the state and
28 products manufactured in the state from timber and lumber that has
29 been harvested in the state;

1 (2) "state money" includes state reimbursement to municipi-
2 palities and school districts for school or related construction,
3 foundation funding for education, municipal assistance, revenue shar-
4 ing, and state funds for capital projects.

5 * Sec. 2. AS 36.15.050 is amended by adding new subsections to read:

6 (d) A solicitation for the purchase of agricultural or fisheries
7 products shall specify the requirement that products harvested in the
8 state shall be used where possible. If state money is used to pur-
9 chase agricultural or fisheries products harvested outside the state,
10 the officer responsible for the purchase shall certify in writing the
11 reasons that products harvested in the state were not purchased.

12 (e) If a contractor fails to comply with this section, the
13 purchasing agency shall withhold the state money until the contractor
14 complies. If a municipality or a school district fails to comply with
15 this section, the department responsible for disbursing the state
16 money to the municipality or school district shall withhold the money
17 until the municipality or school district complies.

18 (f) An interested party, as defined in AS 36.30.699, may seek
19 administrative or judicial review of the award of a contract in vio-
20 lation of this section.

21 (g) Compliance with this section is not required if an exception
22 to this section is mandated for participation in a federal program.

23 * Sec. 3. AS 36.30.336 is amended to read:

24 Sec. 36.30.336. APPLICATION. Notwithstanding other provisions
25 of this chapter, AS 36.30.322 - 36.30.338 apply to all procurements
26 subject to this chapter [AS 36.30], except as provided in AS 36.15.050
27 [AS 36.30.170(b) AND 36.30.322(b)].

28 * Sec. 4. Section 3 of this Act takes effect on the effective date of
29 sec. 2, ch. 106, SLA 1986.