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Referred: Community & Regional
Affairs, Health, Education &
Social Services and Finance

6-0553A

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

HOUSE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to payments for purchases by school
7 districts and municipalities; and providing for an
8 effective date."

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

10 * Section 1. PURPOSE. The purpose of this bill is to require munic-
11 ipalities and school districts to pay for their purchases of goods and
12 services in a timely manner.

13 * Sec. 2. AS 14.03 is amended by adding a new section to read:

14 Sec. 14.03.087. PAYMENTS FOR PURCHASES. Payments for purchases
15 by a school district are subject to the requirements applicable to
16 state agencies under AS 37.05.285(a) - (d) and 37.05.285(f)(1) - (2).
17 When applying AS 37.05.285(a) - (d) and 37.05.285(f)(1) - (2) to a
18 school district, "state" and "state agency" are read as "school dis-
19 trict", and "state official" is read as "school district official".
20 In this section, "school district" means a borough school district, a
21 city school district, or a regional educational attendance area.

22 * Sec. 3. AS 14.08.101 is amended to read:

23 Sec. 14.08.101. POWERS. A regional school board may

24 (1) sue and be sued;

25 (2) contract with the department, the Bureau of Indian
26 Affairs, or another [ANY OTHER] school district, agency, or regional
27 board for the provision of services, facilities, supplies or utili-
28 ties;

29 (3) determine its own fiscal procedures including but not

1 limited to policies and procedures for the purchase of supplies and
2 equipment; except as provided by AS 14.03.087, the regional school
3 boards are exempt from AS 37.05 (Fiscal Procedures Act) and AS 36.30
4 (State Procurement Code);

5 (4) appoint, compensate and otherwise control all school
6 employees in accordance with this title; these employees are not
7 subject to AS 39.25 (State Personnel Act);

8 (5) adopt regulations governing organization, policies and
9 procedures for the operation of the schools;

10 (6) establish, maintain, operate, discontinue and combine
11 schools subject to the approval of the commissioner;

12 (7) recommend to the department projects for construction,
13 rehabilitation, and improvement of schools and education-related
14 facilities as specified in AS 14.11.010(a), and plan, design, and
15 construct the project when the responsibility for it is assumed under
16 AS 14.11.020;

17 (8) by resolution adopted by a majority of all the members
18 of the board and provided to the commissioner of the department,
19 assume ownership of all land and buildings used in relation to the
20 schools in the regional educational attendance area;

21 (9) provide housing for rental to teachers, by leasing
22 existing housing from a local agency or individual, or by entering
23 into contractual arrangements with a local agency or individual to
24 lease housing that will be constructed by the local agency or indi-
25 vidual for that purpose;

26 (10) exercise those other functions that may be necessary
27 for the proper performance of its responsibilities.

28 * Sec. 4. AS 29.10.200 is amended by adding a new paragraph to read:

29 (51) AS 29.71.060 (payments for purchases).

1 * Sec. 5. AS 29.71 is amended by adding a new section to read:

2 Sec. 29.71.060. PAYMENTS FOR PURCHASES. Payments for purchases
3 by a municipality are subject to the requirements applicable to state
4 agencies under AS 37.05.285(a) - (d) and 37.05.285(f)(1) - (2). This
5 section applies to home rule and general law municipalities. When
6 applying AS 37.05.285(a) - (d) and 37.05.285(f)(1) - (2) to a munici-
7 pality, "state" and "state agency" are read as "municipality", and
8 "state official" is read as "municipal official".

9 * Sec. 6. This Act does not apply to contracts entered into before
10 July 1, 1989.

11 * Sec. 7. This Act takes effect July 1, 1989.