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COMMITTEE REPORT

SENATE

3/15/68

FURTHER: NSREAX
FINANCE

Date: 3-23-68

Mr. President:

The Committee on CSBA has had SB 186

Relating to named recipient grants; eff. date

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA

Bill Sheffield, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

March 25, 1983

POSITION PAPER

RE: Senate Bill 186

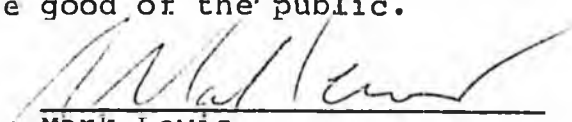
SPONSOR: Senator Sackett

Program Effects

This bill amends AS 37.05.316, deleting the option allowing a Department assigned to administer a grant to a named recipient to issue requests for proposals from qualified persons other than the named recipient to carry out the intent and purpose of the grant.

Comments

This Department withholds comment on its position on this bill pending review by the Department of Law on separation of powers issues that were first raised by the previous Administration. On its face, this bill does appear to infringe the Executive branch's power to execute the implementation of projects, services, and programs by limiting how it selects persons to provide goods and services. The process by which public funding is awarded should be open and accountable. The request for proposal process is important to insure that all qualified persons are free to participate in the awarding of State grants. The RFP process also provides a check to provide some guarantee that projects are awarded on the basis of merit and that the best possible product is delivered to satisfy the intent of the Legislature and the good of the public.



Mark Lewis
Commissioner

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: SB 186
 Title: Named Recipient Grants
 Sponsor: Senator Sackett
 Requestor: Senate C&RA

II. FISCAL DETAIL

Agency Affected: DCRA
 Program Category Affected: Development
 BRU, Program of Subprogram(s) Affected: LGAD

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Richard Rainery

Phone: 465-4703

Division: Commissioner's Office

Date: 3/25/83

Approved by Commissioner: [Signature]

Date: _____

Department: _____

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

Introduced: 3/18/83
Referred: Community and Regional
Affairs and Finance

1 IN THE SENATE

BY SACKETT AND FERGUSON

2 SENATE BILL NO. 186

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to named recipient grants; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 37.05.316 is amended by adding new subsections to read:

10 Sec. 37.05.316. GRANTS TO NAMED RECIPIENTS. (a) When an amount
11 is appropriated or allocated to a department as a grant for a named
12 recipient which is not^{IN} a municipality, the department to which the
13 appropriation or allocation is made shall promptly notify the named
14 recipient of the availability of the grant and request the named
15 recipient to submit a proposal to provide the goods or services speci-
16 fied in the appropriation act, or both, for which the appropriation or
17 allocation is made. [AT THE SAME TIME, THE DEPARTMENT MAY ISSUE A
18 REQUEST FOR PROPOSALS FROM OTHER QUALIFIED PERSONS TO PROVIDE THE SAME
19 GOODS OR SERVICES, OR BOTH, IN THE SAME AREA. THE DEPARTMENT SHALL
20 CONTRACT WITH THE NAMED RECIPIENT UNLESS THE OFFICE OF THE GOVERNOR,
21 WITH DUE REGARD FOR ANY LOCAL EXPERTISE OR EXPERIENCE AMONG THOSE
22 MAKING PROPOSALS, DETERMINES THAT AN AWARD OF THE CONTRACT TO A DIF-
23 FERENT PARTY WOULD BETTER SERVE THE PUBLIC INTEREST. IF THE CONTRACT
24 IS AWARDED TO ANOTHER PARTY THAN THAT NAMED BY THE LEGISLATURE, THE
25 BASIS OF THAT ACTION SHALL BE STATED IN WRITING AT THE TIME THE GRANT
26 IS ISSUED AND A COPY OF THE WRITTEN STATEMENT SHALL BE SENT TO THE
27 LEGISLATIVE BUDGET AND AUDIT COMMITTEE. A CONTRACT SHALL BE EXECUTED
28 WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THE APPROPRIATION OR ALLO-
29 CATION. THE PURCHASE OF THE GOODS OR SERVICES, OR BOTH, SHALL BE IN

COMMITTEE COPY

1 SERVICES, OR BOTH, SHALL BE IN ACCORDANCE WITH AS 37.05.230(1)(c).]

2 (b) The department to which the appropriation or allocation is
3 made shall have the right to audit records of the named recipient for
4 a grant made under this section.

5 (c) The named recipient shall be required to post a bond in the
6 percentage of the amount of the grant which is received from the
7 department.

8 (d) The named recipient shall waive the right of immunity from
9 legal action by the department for purposes of the grant made under
10 this section.

11 (e) The named recipient shall qualify to receive state grants if
12 they are certified under 26 U.S.C. 501(3)(4).

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).