

BILLS 1981 - 1982

SSHB 536 - HB 546

1529

1529

Funding Information

General Fund \$5,903,300
Other Funds -0-
\$5,903,300

Introduced: 5/5/81
Referred: Transportation and
Finance

1 IN THE HOUSE

BY ROGERS AND ADAMS

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 536

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making appropriations related to the James
7 Dalton Highway; and providing for an effective date."

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

9 * Section 1. The sum of \$547,800 is appropriated from the general fund
10 to the Department of Transportation and Public Facilities, interior region
11 maintenance and operations, for the fiscal year ending June 30, 1982, for
12 costs associated with opening the James Dalton Highway.

13 * Sec. 2. The sum of \$187,000 is appropriated from the general fund to
14 the Department of Transportation and Public Facilities, interior region
15 maintenance and operations for the fiscal year ending June 30, 1982, for
16 costs associated with opening the James Dalton Highway.

17 * Sec. 3. The sum of \$118,000 is appropriated from the general fund to
18 the Department of Transportation and Public Facilities, interior region
19 maintenance and operations, for signs, mileposts, sanitary disposal tanks,
20 and checkpoint equipment for the James Dalton Highway.

21 * Sec. 4. The sum of \$1,090,000 is appropriated from the general fund
22 for payment as a grant to the North Slope Borough for planning, management,
23 and an environmental protection program for the section of the James Dalton
24 Highway from Disaster Creek to the Arctic Ocean.

25 * Sec. 5. The sum of \$2,546,100 is appropriated from the general fund to
26 the Department of Public Safety for capital costs related to increased law
27 enforcement along the James Dalton Highway.

28 * Sec. 6. The sum of \$1,023,300 is appropriated from the general fund to
29 the Department of Public Safety, State Troopers for the fiscal year ending

1 June 30, 1982, for public safety services along the James Dalton Highway.

2 * Sec. 7. The sum of \$151,400 is appropriated from the general fund to
3 the Department of Public Safety, division of fish and wildlife protection
4 for the fiscal year ending June 30, 1982, for enforcement activities along
5 the James Dalton Highway.

6 * Sec. 8. The sum of \$34,500 is appropriated from the general fund to
7 the Department of Environmental Conservation for the fiscal year ending June
8 30, 1982, to monitor and prevent pollution problems along the James Dalton
9 Highway.

10 * Sec. 9. The sum of \$205,200 is appropriated from the general fund to
11 the Department of Fish and Game for the fiscal year ending June 30, 1982,
12 for management and research activities related to public use of the James
13 Dalton Highway.

14 * Sec. 10. The appropriations made by secs. 3 and 5 of this Act are for
15 capital projects and are subject to AS 37.25.020.

16 * Sec. 11. The appropriation made by sec 4 of this Act shall be disbursed
17 in accordance with AS 37.05.315.

18 * Sec. 12. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Sponsor Substitute House Bill 536
 Title "An act relating to... the highway from the Yukon River to Deadhorse".
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected NRMEC, Administration of Justice
 BRU, Program, or Subprogram(s) Affected FHP Enforcement, Detachments and CIB
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|----------------|----------------|----------------|----------------|
| 100 PERSONAL SERVICES | | | 647.7 | 699.5 | 755.5 | 815.9 |
| 200 TRAVEL | | | 107.5 | 120.4 | 134.8 | 151.0 |
| 300 CONTRACTUAL | | | 223.0 | 245.3 | 269.8 | 296.8 |
| 400 COMMODITIES | | | 84.5 | 91.3 | 98.6 | 106.5 |
| 500 EQUIPMENT | | | 25.0 | 60.0 | 30.0 | 70.0 |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | 1,087.7 | 1,216.5 | 1,288.7 | 1,440.2 |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|--|---------|---------|---------|---------|
| GENERAL FUND | | | 1,087.7 | 1,216.5 | 1,288.7 | 1,440.2 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|---|---|---|---|---|
| FULL TIME | | 9 | 9 | 9 | 9 | 9 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

With the opening of the Haul Road to the general public, there will exist an increased need for law enforcement services, including the enforcement of fish and game regulations and search and rescue, in this area. To provide an adequate level of service, 9 PFT State Trooper positions are requested, 2 of which will be assigned to the Division of Fish and Wildlife Protection. The positions will be stationed at Five-Mile, Coldfoot, Sag River and Deadhorse, and included in this fiscal note are the capital costs to provide housing at these four locations, as well as a helicopter (and hangar) to support enforcement activities and allow for search and rescue/medivac capabilities. Further details are provided in the attached schedules.

IV. DATE May 13, 1981 PREPARED BY *Francis C. Allan* Francis Allan
 AGENCY Department of Public Safety
 PHONE 269-5691
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

III Analysis (contintued)
 SSHB 536

This proposed legislation provides for FY'82 operating costs and capital projects as detailed below. The capital funds portion is \$2,546.1 to cover costs for housing and a helicopter plus hangar. The operating budget portion for the Division of Alaska State Troopers in FY'82 would be \$1,023.3 and for the Division of Fish and Wildlife Protection of \$151.4. The total FY'82 operating equipment cost of \$696.0 is high due to the initial acquisition of specialized gear.

FY'82 Funding Requirments
 Included in SSHB 536

| Line Item | Alaska State Troopers | Fish and Wildlife Protection | Alaska State Troopers Capital Request | Department of Public Safety Total |
|-----------|-----------------------|------------------------------|---------------------------------------|-----------------------------------|
| 100 | 478.5 | 121.2 | | 599.7 |
| 200 | 94.0 | 2.0 | | 96.0 |
| 300 | 182.5 | 20.2 | | 202.7 |
| 400 | 76.2 | 2.0 | | 78.2 |
| 500 | 192.1 | 6.0 | 497.9 | 696.00 |
| 600 | | | 2048.2 | 2048.2 |
| TOTAL | 1,023.3 | 151.4 | 2546.1 | 3,720.8 |
| Positions | 7 | 2 | | 9 |
| Months | 91.7 | 24 | | 115.7 |

This fiscal note covers funding requirements for years subsequent to FY'82. Inflation factors have been added at a rate of 8% for Personal Services (100), 12% for Travel (200), 10% for Contractual Services (300) and 8% for Commodities (400).

It should also be noted that the Governor's Capital Budget for the Division of Fish and Wildlife Protection includes \$90.7 for a Cessna 185 aircraft to be used for Search and Rescue and enforcement efforts in the northern portion of Alaska, and would therefore be used in conjunction with the opening of the Haul Road. Should funds not be appropriated for this item in the FY'82 capital budget, this fiscal note will be amended to reflect this need.

Pegues

Funding Information
General Fund \$5,903,300
Other Funds -0-
\$5,903,300

Introduced: 5/5/81
Referred: Transportation and
Finance

1 IN THE HOUSE

BY ROGERS AND ADAMS

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4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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16 * Sec. 11. The appropriation made by sec 4 of this Act shall be disbursed
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19 10.070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session
 SPONSOR SUBSTITUTE FOR
 HOUSE BILL NO. 536
 By ROGERS AND ADAMS

"An Act making appropriations related to the James Dalton Highway; and providing for an effective date."

Appro. James Dalton Highway

Introduced in the House .. 5/5 .., 19.. 81

HISTORY IN THE HOUSE

| | | | | | | | | | | | | |
|--------------------------|----------------|--|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 19 | | Read first time and referred to Committee on | | | | | | | | | | |
| May | 5 | Transportation and Finance Reported back with recommendation that | | | | | | | | | | |
| | | Read second time and | | | | | | | | | | |
| | | Read third time and | | | | | | | | | | |
| | | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS | Effective Date | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | |
| | | Reconsideration | | | | | | | | | | |
| | | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS | Effective Date | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | |
| | | Reported correctly engrossed Signed by Speaker Sent to Senate | | | | | | | | | | |
| CHIEF CLERK OF THE HOUSE | | | | | | | | | | | | |

HISTORY IN THE SENATE

| | | | | | | | | | | | | |
|-------------------------|----------------|--|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 19 | | Read first time and referred to Committee on | | | | | | | | | | |
| | | Reported back with recommendation that | | | | | | | | | | |
| | | Read second time and | | | | | | | | | | |
| | | Read third time and | | | | | | | | | | |
| | | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS | Effective Date | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | |
| | | Reconsideration | | | | | | | | | | |
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| PASS | Effective Date | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | |
| | | Reported correctly engrossed Signed by President Returned to House | | | | | | | | | | |
| SECRETARY OF THE SENATE | | | | | | | | | | | | |

HISTORY IN THE HOUSE

| | | |
|----|--|--|
| 19 | | Received from Senate |
| | | Concurred in Senate amendment thus adopting: VOTE |
| | | Failed to concur in Senate amendment; asked Senate to recede VOTE |
| | | Senate receded from amendment VOTE |
| | | Senate failed to recede from amendment VOTE |
| | | CC appointed by House |
| | | CC appointed by Senate |
| | | CC adopted by House VOTE |
| | | CC adopted by Senate VOTE |
| | | To enrolling Reported correctly enrolled Sent to Governor by Governor |
| | | Filed with Lt. Governor |
| | | Chapter No. |

COMMITTEE REPORT

HOUSE

5/14/81

FURTHER:

(11)

Date: May 16, 1981

Mr. Speaker:

The Committee on FINANCE has had HB 538

"An Act relating to a small-scale agriculture grant program."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for 538 (11/11) same title
 new title
- and recommends do pass
- 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:

[Signature]
[Signature]
[Signature]
[Signature]
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[Signature]
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CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 538

Title Small-scale Agriculture Grant Program

Requested by Rep. Terry Gardiner Date May 15, 1981

II. FISCAL DETAIL

Agency Affected Department of Natural Resources

Program Category Affected Economic Development

BRU, Program, or Subprogram(s) Affected Ag Management

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|--------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 37.8 | 37.8 | | | |
| 200 TRAVEL | | 10.0 | 10.0 | | | |
| 300 CONTRACTUAL | | 4.2 | 4.2 | | | |
| 400 COMMODITIES | | .3 | .3 | | | |
| 500 EQUIPMENT | | 1.7 | 1.7 | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 500.0 | 1000.0 | | | |

TOTAL

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|-------|--------|--|--|--|
| GENERAL FUND | | 564.0 | 1064.0 | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|---|---|--|--|--|
| FULL TIME | | 1 | 1 | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Includes Agronomist (program coordinator) to be added to Division Staff. Position will reduce conflicting and duplicative grants, assist applicants with application and report, and screen applications.

Grant funds would fund already recieved applications and expected requests for FY 82.

IV. DATE May 16, 1981

PREPARED BY *Dorinda Carney*
AGENCY DNR Division of Agriculture

PHONE _____

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 538 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a small-scale agriculture grant
7 program; and providing for an effective date."

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

9 * Section 1. FINDINGS AND PURPOSES. (a) The legislature finds that

10 (1) many communities in the state need to develop a greater
11 degree of self-sufficiency in producing nutritional foods for local and
12 regional use;

13 (2) there is a need to provide greater opportunities for all
14 Alaskans both individually and collectively to produce their own food; and

15 (3) it is in the interests of the state to encourage and assist
16 in the production of nutritional foods for local and regional use by estab-
17 lishing a small-scale agriculture grant program.

18 (b) It is the purpose of this Act to establish a small-scale agricul-
19 ture grant program that encourages and assists the production of nutritional
20 foods in communities of the state so as to promote self-sufficiency in those
21 communities and decrease their dependency on imported foods.

22 * Sec. 2. AS 03 is amended by adding a new chapter to read:

23 CHAPTER 08. ALASKA SMALL-SCALE AGRICULTURE GRANT PROGRAM.

24 Sec. 03.08.010. ESTABLISHMENT OF PROGRAM. There is established
25 in the Department of Natural Resources a small-scale agriculture grant
26 program which shall offer financial assistance for education, technical
27 training, supplies, equipment, and the administrative and operating
28 costs of developing and implementing small-scale agricultural projects
29 or programs which produce food for local consumption.

1 Sec. 03.08.020. SMALL-SCALE AGRICULTURE GRANT FUND. There is
2 created the small-scale agriculture grant fund as an account in the
3 general fund. The department shall make small-scale agriculture grants
4 from the fund in accordance with this chapter.

5 Sec. 03.08.030. POWERS AND DUTIES OF THE DEPARTMENT. (a) The
6 department shall

7 (1) review grant proposals and award grants under this
8 chapter;

9 (2) coordinate with the efforts of the University of Alaska
10 and various federal, state, municipal, and private agencies or corpora-
11 tions to promote small-scale agriculture;

12 (3) prepare and submit to the legislature by January 15 each
13 year a report containing a description of the projects or programs
14 which received grants under this chapter during the preceding calendar
15 year and recommendations for financing new or continuing projects
16 during the next calendar year.

17 (b) The department may adopt regulations necessary to carry out
18 the purposes of this chapter.

19 Sec. 03.08.040. ELIGIBILITY AND CONDITIONS. (a) The recipient
20 of a grant may be a municipality, village, school district, regional
21 educational attendance area or nonprofit corporation.

22 (b) The criteria which the department shall use in determining
23 eligibility for a grant under this chapter for a small-scale agricul-
24 tural project or program include

25 (1) local needs including community needs for locally
26 produced foods;

27 (2) the technical feasibility of the project or program;

28 (3) whether the project or program uses sound soil conserva-
29 tion techniques in accordance with general standards established by the

1 Soil Conservation Service, United States Department of Agriculture;

2 (4) the degree of community interest and participation in
3 the project or program;

4 (5) possible educational benefits to residents of the
5 community and to the state.

6 (c) The recipient of a grant shall consult with the Cooperative
7 Extension Service of the University of Alaska for technical assistance
8 in implementing an agricultural project or program.

9 (d) Nothing in this chapter prohibits a small-scale agriculture
10 program from assisting individual food production efforts.

11 Sec. 03.08.050. APPLICATION. An applicant for a grant shall
12 apply to the department on a form prescribed by the department and
13 shall include in the application a plan detailing the goals and the
14 general approach of the agricultural project or program.

15 Sec. 03.08.060. LIMITATIONS ON GRANTS. (a) Total grants for a
16 single village or municipality for agricultural projects or programs
17 may not exceed \$25,000 for a calendar year. However, the commissioner
18 may award a grant in excess of \$25,000 for an agricultural project or
19 program servicing two or more villages or municipalities.

20 (b) A grant may not be awarded if the amount proposed to be
21 allocated for the cost of administration of the grant exceeds 20
22 percent of the total grant requested.

23 (c) The recipient of a grant shall agree, as a condition to
24 receiving the grant, that all educational materials produced, data
25 collected, and facilities constructed with the grant money shall be
26 available to the public for use for public purposes.

27 Sec. 03.08.070. USE OF GRANT MONEY. The recipient of a grant may
28 use the grant for supplies, equipment, education, technical training,
29 and operating and administrative costs associated with developing and

1 implementing the small-scale agricultural project or program.

2 Sec. 03.08.080. ACCOUNTING. The recipient of a grant shall
3 submit to the department a report describing the progress of the agri-
4 cultural project or program financed by the grant not less than 60 days
5 before the end of the calendar year for which the grant was made. The
6 report shall include a description of the type and amount of food
7 produced, the problems encountered in the implementation of the project
8 or program, and prospects for the continuation and self-sufficiency of
9 the project or program. The report shall also include a detailed
10 accounting of the grant money spent by the recipient.

11 Sec. 03.08.090. REPAYMENT. If the recipient of a grant fails to
12 complete the agricultural project or program in accordance with the
13 grant proposal, fails to comply with any conditions agreed to, or does
14 not disburse all of the grant money received before the end of the
15 calendar year for which the grant was made, he shall return the un-
16 expended portion of the grant to the department within 60 days after
17 the end of the next calendar year. However, the department may permit
18 the recipient to retain unexpended grant money for use during the next
19 calendar year if the agricultural project or program is to continue.

20 Sec. 03.08.100. DEFINITIONS. In this chapter

21 (1) "calendar year" means January 1 to December 31;

22 (2) "grant" means money available under this chapter for use
23 in small-scale agriculture projects and programs;

24 (3) "recipient" means a municipality, village, school
25 district, regional educational attendance area, or nonprofit corpora-
26 tion which qualifies for a grant under this chapter;

27 (4) "small-scale agriculture" means the growing of food in
28 the state for local consumption;

29 (5) "village" means an unincorporated community of 25 or

1 more residents.

2 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
3 070(c).



Alaska State Legislature

House of Representatives

Committee on Resources

Terry Gardiner, Co-Chairman
Fred F. Zharoff, Co-Chairman
465-3715

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Sam Cotten, Chairman
House Finance

FROM: Terry Gardiner, Co-Chairman
Fred Zharoff, Co-Chairman
House Resources

DATE: 14/May/1981

RE: CS HB ~~538~~
538

Please amend CS HB 538 (an Act relating to a small-scale agriculture grant program) to include school districts & REAA's in list of eligible recipients.

The groups were removed from the list of eligible recipients in the House Resources committee substitute. However, it is now felt that school districts and REAA's could utilize these grants to provide needed agricultural educational services at the local level, and that they ought to be included in the list of eligible recipients.

The specific amendments required:

Page 2, line 20- after "village", add "school district, regional educational attendance area,".

Page 4, line 23- after "village", add "school district, regional educational attendance area,".

Corrections Page 2, L. 20
Page 4, L. 23
Page 4, new sec. 3

Original sponsor: Resources Committee

Offered: 5/14/81
Referred: Finance

1 IN THE HOUSE

Finance
BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 538 (~~Resources~~)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to a small-scale agriculture grant program."

7

8

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

9

* Section 1. FINDINGS AND PURPOSES. (a) The legislature finds that

10

(1) many communities in the state need to develop a greater degree of self-sufficiency in producing nutritional foods for local and regional use;

11

12

13

(2) there is a need to provide greater opportunities for all Alaskans both individually and collectively to produce their own food; and

14

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16

(3) it is in the interests of the state to encourage and assist in the production of nutritional foods for local and regional use by establishing a small-scale agriculture grant program.

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(b) It is the purpose of this Act to establish a small-scale agriculture grant program that encourages and assists the production of nutritional foods in communities of the state so as to promote self-sufficiency in those communities and decrease their dependency on imported foods.

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22

* Sec. 2. AS 03 is amended by adding a new chapter to read:

23

CHAPTER 08. ALASKA SMALL-SCALE AGRICULTURE GRANT PROGRAM.

24

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Sec. 03.08.010. ESTABLISHMENT OF PROGRAM. There is established in the Department of Natural Resources a small-scale agriculture grant program which shall offer financial assistance for education, technical training, supplies, equipment, and the administrative and operating costs of developing and implementing small-scale agricultural projects or programs which produce food for local consumption.

1 Sec. 03.08.020. SMALL-SCALE AGRICULTURE GRANT FUND. There is
2 created the small-scale agriculture grant fund as an account in the
3 general fund. The department shall make small-scale agriculture grants
4 from the fund in accordance with this chapter.

5 Sec. 03.08.030. POWERS AND DUTIES OF THE DEPARTMENT. (a) The
6 department shall

7 (1) review grant proposals and award grants under this
8 chapter;

9 (2) coordinate with the efforts of the University of Alaska
10 and various federal, state, municipal, and private agencies or corpora-
11 tions to promote small-scale agriculture;

12 (3) prepare and submit to the legislature by January 15 each
13 year a report containing a description of the projects or programs
14 which received grants under this chapter during the preceding calendar
15 year and recommendations for financing new or continuing projects
16 during the next calendar year.

17 (b) The department may adopt regulations necessary to carry out
18 the purposes of this chapter.

19 Sec. 03.08.040. ELIGIBILITY AND CONDITIONS. (a) The recipient
20 of a grant may be a municipality, village, ^{school district, regional educational attendance} or nonprofit corporation. ^{are}

21 (b) The criteria which the department shall use in determining
22 eligibility for a grant under this chapter for a small-scale agricul-
23 tural project or program include

24 (1) local needs including community needs for locally
25 produced foods;

26 (2) the technical feasibility of the project or program;

27 (3) whether the project or program uses sound soil conserva-
28 tion techniques in accordance with general standards established by the
29 Soil Conservation Service, United States Department of Agriculture;

1 (4) the degree of community interest and participation in
2 the project or program;

3 (5) possible educational benefits to residents of the
4 community and to the state.

5 (c) The recipient of a grant shall consult with the Cooperative
6 Extension Service of the University of Alaska for technical assistance
7 in implementing an agricultural project or program.

8 (d) Nothing in this chapter prohibits a small-scale agriculture
9 program from assisting individual food production efforts.

10 Sec. 03.08.050. APPLICATION. An applicant for a grant shall
11 apply to the department on a form prescribed by the department and
12 shall include in the application a plan detailing the goals and the
13 general approach of the agricultural project or program.

14 Sec. 03.08.060. LIMITATIONS ON GRANTS. (a) Total grants for a
15 single village or municipality for agricultural projects or programs
16 may not exceed \$25,000 for a calendar year. However, the commissioner
17 may award a grant in excess of \$25,000 or an agricultural project or
18 program servicing two or more villages or municipalities.

19 (b) A grant may not be awarded if the amount proposed to be
20 allocated for the cost of administration of the grant exceeds 20
21 percent of the total grant requested.

22 (c) The recipient of a grant shall agree, as a condition to
23 receiving the grant, that all educational materials produced, data
24 collected, and facilities constructed with the grant money shall be
25 available to the public for use for public purposes.

26 Sec. 03.08.070. USE OF GRANT MONEY. The recipient of a grant may
27 use the grant for supplies, equipment, education, technical training,
28 and operating and administrative costs associated with developing and
29 implementing the small-scale agricultural project or program.

1 Sec. 03.08.080. ACCOUNTING. The recipient of a grant shall
2 submit to the department a report describing the progress of the agri-
3 cultural project or program financed by the grant not less than 60 days
4 before the end of the calendar year for which the grant was made. The
5 report shall include a description of the type and amount of food
6 produced, the problems encountered in the implementation of the project
7 or program, and prospects for the continuation and self-sufficiency of
8 the project or program. The report shall also include a detailed
9 accounting of the grant money spent by the recipient.

10 Sec. 03.08.090. REPAYMENT. If the recipient of a grant fails to
11 complete the agricultural project or program in accordance with the
12 grant proposal, fails to comply with any conditions agreed to, or does
13 not disburse all of the grant money received before the end of the
14 calendar year for which the grant was made, he shall return the un-
15 expended portion of the grant to the department within 60 days after
16 the end of the next calendar year. However, the department may permit
17 the recipient to retain unexpended grant money for use during the next
18 calendar year if the agricultural project or program is to continue.

19 Sec. 03.08.100. DEFINITIONS. In this chapter

20 (1) "calendar year" means January 1 to December 31;

21 (2) "grant" means money available under this chapter for use
22 in small-scale agriculture projects and programs;

23 (3) "recipient" means a municipality, village, ^{school district, regional} or nonprofit
24 corporation which qualifies for a grant under this chapter;

25 (4) "small-scale agriculture" means the growing of food in
26 the state for local consumption;

27 (5) "village" means an unincorporated community of 25 or
28 more residents.

29 * Sec. 3. This Act takes effect immediately in
accordance with AS 01.10.070(c).
-4- CSHB 538(Res)

educational
attendances
are

Amendment by Cotten

P. 4, line 29, add a new section to read:

Sec. 3. This Act takes effect immediatly in accordance with AS 01.10.070(c).

Original sponsor: Resources Committee

Offered: 5/14/81
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 538 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a small-scale agriculture grant
7 program."

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

9 * Section 1. FINDINGS AND PURPOSES. (a) The legislature finds that

10 (1) many communities in the state need to develop a greater
11 degree of self-sufficiency in producing nutritional foods for local and
12 regional use;

13 (2) there is a need to provide greater opportunities for all
14 Alaskans both individually and collectively to produce their own food; and

15 (3) it is in the interests of the state to encourage and assist
16 in the production of nutritional foods for local and regional use by estab-
17 lishing a small-scale agriculture grant program.

18 (b) It is the purpose of this Act to establish a small-scale agricul-
19 ture grant program that encourages and assists the production of nutritional
20 foods in communities of the state so as to promote self-sufficiency in those
21 communities and decrease their dependency on imported foods.

22 * Sec. 2. AS 03 is amended by adding a new chapter to read:

23 CHAPTER 08. ALASKA SMALL-SCALE AGRICULTURE GRANT PROGRAM.

24 Sec. 03.08.010. ESTABLISHMENT OF PROGRAM. There is established
25 in the Department of Natural Resources a small-scale agriculture grant
26 program which shall offer financial assistance for education, technical
27 training, supplies, equipment, and the administrative and operating
28 costs of developing and implementing small-scale agricultural projects
29 or programs which produce food for local consumption.

1 (4) the degree of community interest and participation in
2 the project or program;

3 (5) possible educational benefits to residents of the
4 community and to the state.

5 (c) The recipient of a grant shall consult with the Cooperative
6 Extension Service of the University of Alaska for technical assistance
7 in implementing an agricultural project or program.

8 (d) Nothing in this chapter prohibits a small-scale agriculture
9 program from assisting individual food production efforts.

10 Sec. 03.08.050. APPLICATION. An applicant for a grant shall
11 apply to the department on a form prescribed by the department and
12 shall include in the application a plan detailing the goals and the
13 general approach of the agricultural project or program.

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15 single village or municipality for agricultural projects or programs
16 may not exceed \$25,000 for a calendar year. However, the commissioner
17 may award a grant in excess of \$25,000 for an agricultural project or
18 program servicing two or more villages or municipalities.

19 (b) A grant may not be awarded if the amount proposed to be
20 allocated for the cost of administration of the grant exceeds 20
21 percent of the total grant requested.

22 (c) The recipient of a grant shall agree, as a condition to
23 receiving the grant, that all educational materials produced, data
24 collected, and facilities constructed with the grant money shall be
25 available to the public for use for public purposes.

26 Sec. 03.08.070. USE OF GRANT MONEY. The recipient of a grant may
27 use the grant for supplies, equipment, education, technical training,
28 and operating and administrative costs associated with developing and
29 implementing the small-scale agricultural project or program.

Introduced: 4/28/81
Referred: Resources and Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 538

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

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14 Alaskans both individually and collectively to produce their own food; and

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16 in the production of nutritional foods for local and regional use by estab-
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26 in the Department of Natural Resources a small-scale agriculture grant
27 program which shall offer financial assistance for education, technical
28 training, supplies, equipment, and the administrative and operating
29 costs of developing and implementing small-scale agricultural projects

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Original sponsor: Resources Committee

Offered: 5/14/81
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 538 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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29 or programs which produce food for local consumption.

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6 department shall

7 (1) review grant proposals and award grants under this
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9 (2) coordinate with the efforts of the University of Alaska
10 and various federal, state, municipal, and private agencies or corpora-
11 tions to promote small-scale agriculture;

12 (3) prepare and submit to the legislature by January 15 each
13 year a report containing a description of the projects or programs
14 which received grants under this chapter during the preceding calendar
15 year and recommendations for financing new or continuing projects
16 during the next calendar year.

17 (b) The department may adopt regulations necessary to carry out
18 the purposes of this chapter.

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20 of a grant may be a municipality, village, or nonprofit corporation.

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22 eligibility for a grant under this chapter for a small-scale agricul-
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25 produced foods;

26 (2) the technical feasibility of the project or program;

27 (3) whether the project or program uses sound soil conserva-
28 tion techniques in accordance with general standards established by the
29 Soil Conservation Service, United States Department of Agriculture;

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6 Extension Service of the University of Alaska for technical assistance
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14 calendar year for which the grant was made, he shall return the un-
15 expended portion of the grant to the department within 60 days after
16 the end of the next calendar year. However, the department may permit
17 the recipient to retain unexpended grant money for use during the next
18 calendar year if the agricultural project or program is to continue.

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20 (1) "calendar year" means January 1 to December 31;

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22 in small-scale agriculture projects and programs;

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24 corporation which qualifies for a grant under this chapter;

25 (4) "small-scale agriculture" means the growing of food in
26 the state for local consumption;

27 (5) "village" means an unincorporated community of 25 or
28 more residents.

29

Introduced: 4/28/81
Referred: Resources and Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 538

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a small-scale agriculture grant
7 program."

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11 a greater degree of self-sufficiency in producing nutritional foods for
12 local and regional use;

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14 Alaskans both individually and collectively to produce their own food; and

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16 in the production of nutritional foods for local and regional use by estab-
17 lishing a small-scale agriculture grant program.

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1 or programs which produce food for local consumption.

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8 (1) review grant proposals and award grants under this
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14 year a report containing a description of the projects or programs
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16 year and recommendations for financing new or continuing projects
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19 the purposes of this chapter.

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21 of a grant may be a municipality, village, school district, regional
22 educational attendance area, or nonprofit corporation.

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24 eligibility for a grant under this chapter for a small-scale agricul-
25 tural project or program include

26 (1) the technical feasibility of the project or program;

27 (2) whether the project or program uses sound soil conserva-
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29 States Department of Agriculture;

1 (3) the degree of community interest and participation in
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6 community and to the state.

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11 program from assisting individual food production efforts.

12 Sec. 03.08.050. APPLICATION. An applicant for a grant shall
13 apply to the department on a form prescribed by the department at least
14 60 days preceding the beginning of the calendar year for which the
15 grant is requested. The grant application shall include a plan detail-
16 ing the goals and the general approach of the project or program.

17 Sec. 03.08.060. LIMITATIONS ON GRANTS. (a) A single grant may
18 not exceed \$25,000 for a calendar year. However, similar proposals for
19 small-scale agricultural projects or programs which would serve the
20 same group of recipients may, in the discretion of the commissioner, be
21 combined into a block grant in excess of \$25,000.

22 (b) A grant may not be awarded if the amount proposed to be
23 allocated for the cost of administration of the grant exceeds 20 percent
24 of the total grant requested.

25 (c) The recipient of a grant shall agree, as a condition to
26 receiving the grant, that all educational materials produced, data
27 collected, and facilities constructed with the grant money shall be
28 available to the public for use for public purposes.

29 Sec. 03.08.070. USE OF GRANT MONEY. The recipient of a grant

1 may use the grant for buildings and improvements, supplies, equipment,
2 necessary land acquisition or rental, education, technical training,
3 and operating and administrative costs associated with developing and
4 implementing the small-scale agricultural project or program.

5 Sec. 03.08.080. ACCOUNTING. The recipient of a grant shall
6 submit to the department a report describing the progress of the agri-
7 cultural project or program financed by the grant not less than 60 days
8 before the end of the calendar year for which the grant was made. The
9 report shall include a description of the type and amount of food
10 produced, the problems encountered in the implementation of the project
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13 accounting of the grant money spent by the recipient.

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15 complete the project or program in accordance with the grant proposal,
16 fails to comply with any conditions agreed to, or does not disburse all
17 of the grant money received before the end of the calendar year for
18 which the grant was made, he shall return the unexpended portion of the
19 grant to the department within 60 days after the end of the next calen-
20 dar year. However, the department may permit the recipient to retain
21 unexpended grant money for use during the next calendar year if the
22 agricultural project or program is to continue.

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28 trict, regional educational attendance area, or nonprofit corporation
29 which qualifies for a grant under this chapter;

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(4) "small-scale agriculture" means the growing of food in the state for local consumption.



Alaska State Legislature

House of Representatives

Committee on Resources

Terry Gardiner, Co-Chairman
Fred F. Zharoff, Co-Chairman
465-3715

Pouch V
State Capitol
Juneau, Alaska 99811

To: Sam Cotten, Chairman
House Finance

From: Rep. Terry Gardiner, Co-chairman *T.G.*
House Resources

Date: May 15, 1981

Re: CS HB 583- 538

The House Resources Committee has devoted a great deal of time and energy examining the agriculture industry in Alaska.

The Resource Committee has developed legislation to provide funds for small-scale agriculture projects. At present the approach of many smaller communities throughout the State to obtain funding for agriculture projects is through the capital and operating budget process. Last year the legislature appropriated \$2,147,000 for village agriculture projects. This sum was dispersed through Department of Natural Resources Division of Agriculture to approximately 7 non-profit native corporations.

CS HB 583 addresses the need for a more coherent funding approach to village and rural agricultural efforts. The intent of the bill is to provide assistance to villages and communities in efforts to provide nutritional, locally produced foods for residents, particularly in rural Alaska where food costs are extremely high. The bill does allow all municipalities or villages in the State to apply for funding of small-scale agricultural programs, with a maximum set at \$25,000 per community.

The funding level for the grant program is projected to be \$1,000,000. Since this grant program will not be operational until 1982, and it is assumed that the Governor will allocate continuation level funding in FY 83, the request for grant monies for FY 82 is \$500,000.

Funding Information
General Fund \$350,000,000
Other Funds -0-
\$350,000,000

Introduced: 4/30/81
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Reserve
7 for Emergency Operating Expenses Account; and providing
8 for an effective date."

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

10 * Section 1. (a) All right, title, and interest in loans of the type
11 described in (b) of this section, in an amount not to exceed \$300,000,000 in
12 unpaid principal as of July 1, 1981, and all right, title, and interest in
13 all mortgages, notes, and other instruments of security made in connection
14 with those loans, purchased or acquired by the Department of Revenue from
15 private lending institutions in Alaska or from the Department of Commerce
16 and Economic Development and held in the general fund on July 1, 1981, are
17 transferred and appropriated to the Reserve for Emergency Operating Expenses
18 Account (AS 37.05.139).

19 (b) This section transfers and appropriates

20 (1) conventional loans for owner-occupied single-family resi-
21 dences and duplexes acquired or made under AS 37.10.070; and

22 (2) veterans loans acquired or made under AS 26.15 as of July 1,
23 1981, for owner-occupied single-family residences and duplexes.

24 (c) All right, title, and interest in the then unpaid principal bal-
25 ance of the loans transferred and appropriated to the Reserve for Emergency
26 Operating Expenses Account under this section which are not used by July 1,
27 1985, shall be transferred from that account to the general fund.

28 * Sec. 2. The sum of \$350,000,000 is appropriated from the general fund
29 to the Reserve for Emergency Operating Expenses Account.

1 * Sec. 3. AS 37.25.010 does not apply to the appropriations made in this
2 Act.

3 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
4 10.070(c).

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HB 544

April 29, 1981

The Honorable Jim Duncan
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting companion bills to cover the possibility, no matter how slight, of an adverse judgment in ARCO v. State Civ. No. 3 AN 79-1903 (filed March 31, 1979), the oil and gas income tax litigation. These bills do not accord validity to the plaintiffs' claims. Rather, these bills should be viewed as acts of prudent financial husbandry made necessary because of the unpredictable nature of litigation.

One bill makes a special appropriation to the Reserve for Emergency Operating Expenses Account (the so-called Rainy Day Fund) of \$300,000,000 worth of assets and \$350,000,000 in cash for a total of \$650,000,000.

The second bill amends AS 37.05.159 (Reserve for Emergency Operating Expenses Account) to authorize expenditures to pay a judgment which could not otherwise be paid.

These bills must be viewed as insurance. The money in the account is available for investment, and therefore, the appropriation will not be expended unless the plaintiffs prevail in the tax litigation.

Sincerely,

S/JS/H

Jay S. Hammond
Governor

Gov

| | |
|----------------------------|----------------------|
| <u>Funding Information</u> | |
| General Fund | \$350,000,000 |
| Other Funds | -0- |
| | <u>\$350,000,000</u> |

Introduced: 4/30/81
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 543

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Reserve
7 for Emergency Operating Expenses Account; and providing
8 for an effective date."

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

10 * Section 1. (a) All right, title, and interest in loans of the type
11 described in (b) of this section, in an amount not to exceed \$300,000,000 in
12 unpaid principal as of July 1, 1981, and all right, title, and interest in
13 all mortgages, notes, and other instruments of security made in connection
14 with those loans, purchased or acquired by the Department of Revenue from
15 private lending institutions in Alaska or from the Department of Commerce
16 and Economic Development and held in the general fund on July 1, 1981, are
17 transferred and appropriated to the Reserve for Emergency Operating Expenses
18 Account (AS 37.05.139).

19 (b) This section transfers and appropriates

20 (1) conventional loans for owner-occupied single-family resi-
21 dences and duplexes acquired or made under AS 37.10.070; and

22 (2) veterans loans acquired or made under AS 26.15 as of July 1,
23 1981, for owner-occupied single-family residences and duplexes.

24 (c) All right, title, and interest in the then unpaid principal bal-
25 ance of the loans transferred and appropriated to the Reserve for Emergency
26 Operating Expenses Account under this section which are not used by July 1,
27 1985, shall be transferred from that account to the general fund.

28 * Sec. 2. The sum of \$350,000,000 is appropriated from the general fund
29 to the Reserve for Emergency Operating Expenses Account.

COMMITTEE COPY

Gov Letter 4/30

1 * Sec. 3. AS 37.25.010 does not apply to the appropriations made in this
2 Act.

3 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
4 10.070(c).
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April 29, 1981

The Honorable Jim Duncan
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting companion bills to cover the possibility, no matter how slight, of an adverse judgment in ARCO v. State Civ. No. 3 AN 79-1903 (filed March 31, 1979), the oil and gas income tax litigation. These bills do not accord validity to the plaintiffs' claims. Rather, these bills should be viewed as acts of prudent financial husbandry made necessary because of the unpredictable nature of litigation.

One bill makes a special appropriation to the Reserve for Emergency Operating Expenses Account (the so-called Rainy Day Fund) of \$300,000,000 worth of assets and \$350,000,000 in cash for a total of \$650,000,000.

The second bill amends AS 37.05.159 (Reserve for Emergency Operating Expenses Account) to authorize expenditures to pay a judgment which could not otherwise be paid.

These bills must be viewed as insurance. The money in the account is available for investment, and therefore, the appropriation will not be expended unless the plaintiffs prevail in the tax litigation.

Sincerely,

S/JS/H

Jay S. Hammond
Governor

| |
|---|
| ALASKA STATE LEGISLATURE |
| TWELFTH Legislature FIRST Session |
| HOUSE ... BILL NO. ... 544 |
| By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR |
| "An Act making a special appropriation to the Reserve for Emergency Operating Expenses Account; and providing for an effective date." |
| Spec. appro, to Reserve/ for Emergency Operating Expenses |
| Introduced in the House ... 4/30 .., 19..81 |

| HISTORY IN THE HOUSE | | | | | | | | | | | | | |
|----------------------|---|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 81 | Read first time and referred to Committee on Finance | | | | | | | | | | | | |
| Apr 30 | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table style="width: 100%; border: none;"> <tr><td style="text-align: center;">PASS</td><td style="text-align: center;">Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | <table style="width: 100%; border: none;"> <tr><td colspan="2" style="text-align: center;">Reconsideration</td></tr> <tr><td style="text-align: center;">PASS</td><td style="text-align: center;">Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | Reconsideration | | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| Reconsideration | | | | | | | | | | | | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed Signed by Speaker Sent to Senate | | | | | | | | | | | | |
| | CHIEF CLERK OF THE HOUSE | | | | | | | | | | | | |

| HISTORY IN THE SENATE | | | | | | | | | | | | | |
|-----------------------|---|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 | Read first time and referred to Committee on | | | | | | | | | | | | |
| | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
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| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
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| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed Signed by President Returned to House | | | | | | | | | | | | |
| | SECRETARY OF THE SENATE | | | | | | | | | | | | |

| HISTORY IN THE HOUSE | |
|----------------------|--|
| 19 | Received from Senate |
| | Concurred in Senate amendment thus adopting: VOTE |
| | Failed to concur in Senate amendment; asked Senate to recede VOTE |
| | Senate receded from amendment VOTE |
| | Senate failed to recede from amendment VOTE |
| | CC appointed by House |
| | CC appointed by Senate |
| | CC adopted by House VOTE |
| | CC adopted by Senate VOTE |
| | To enrolling Reported correctly enrolled Sent to Governor by Governor |
| | Filed with Lt. Governor |
| | Chapter No. |

Introduced: 4/30/81.
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 545

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Reserve for Emergency Operat-
7 ing Expenses Account; and providing for an effective
8 date."

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

10 * Section 1. AS 37.05.159(b)(1) is amended to read:

11 (1) the governor by proclamation determines that there is a
12 final judgment in excess of \$500,000,000 by a court of competent juris-
13 isdiction against the state or one of its officers in an official capacity
14 which the state is unable to pay or an impairment of the flow of state
15 revenues which will result in imminent danger that the state will be un-
16 able to meet its operating budget obligations and the governor orders
17 that money from the account be used to pay the judgment or for the
18 operating expenses of state government in the amount set out in the
19 proclamation; and

20 * Sec. 2. AS 37.05.159(b)(2) is amended to read:

21 (2) the governor calls a special session of the legislature
22 to consider all subjects relating to the judgment or impairment of the
23 flow of state revenues.

24 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
25 10.070(c).

Gov

Introduced: 4/30/81
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 545

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

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25 10.070(c).

26
27
28
29 COMMITTEE COPY

HB 545

Gov Letter

14B 545

April 29, 1981

The Honorable Jim Duncan
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. Speaker:

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Sincerely,

S/JS/H

Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 545

By THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

"An Act relating to the Reserve for Emergency Operating Expenses Account; and providing for an effective date."

Reserve for Emergency operating expenses acct.

Introduced in the House ... 4/30 ... 19 81

HISTORY IN THE HOUSE

| | | | | | | | | | | | |
|--------------------------|--|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 1981 | Read first time and referred to Committee on Finance' | | | | | | | | | | |
| Apr 30 | Reported back with recommendation that | | | | | | | | | | |
| | Read second time and | | | | | | | | | | |
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| Nays | Nays | | | | | | | | | | |
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| Absent | Absent | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | |
| | Reported correctly engrossed | | | | | | | | | | |
| | Signed by Speaker | | | | | | | | | | |
| | Sent to Senate | | | | | | | | | | |
| CHIEF CLERK OF THE HOUSE | | | | | | | | | | | |

HISTORY IN THE SENATE

| | | | | | | | | | | | |
|-------------------------|--|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 19 | Read first time and referred to Committee on | | | | | | | | | | |
| | Reported back with recommendation that | | | | | | | | | | |
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| Nays | Nays | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | |
| | Reconsideration | | | | | | | | | | |
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| PASS | Effective Date | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | |
| | Reported correctly engrossed | | | | | | | | | | |
| | Signed by President | | | | | | | | | | |
| | Returned to House | | | | | | | | | | |
| SECRETARY OF THE SENATE | | | | | | | | | | | |

HISTORY IN THE HOUSE

| | |
|----|--|
| 19 | Received from Senate |
| | Concurred in Senate amendment thus adopting: VOTE |
| | Failed to concur in Senate amendment; asked Senate to recede VOTE |
| | Senate receded from amendment VOTE |
| | Senate failed to recede from amendment VOTE |
| | CC appointed by House |
| | CC appointed by Senate |
| | CC adopted by House VOTE |
| | CC adopted by Senate VOTE |
| | To enrolling Reported correctly enrolled Sent to Governor by Governor |
| | Filed with Lt. Governor |
| | Chapter No. |

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 546
Title STATE CONTRACTS FOR PROFESSIONAL SERVICES
Requested by A. STURGELEWSKI Date 5/6/82

II. FISCAL DETAIL

Agency Affected DEPT OF TRANSPORTATION & PUBLIC FACILITIES
Program Category Affected TRANSPORTATION
BRU, Program, Or Subprogram(s) Affected ALL
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| 200 TRAVEL | 0 | 0 | 0 | 0 | 0 | 0 |
| 300 CONTRACTUAL | 0 | 0 | 0 | 0 | 0 | 0 |
| 400 COMMODITIES | 0 | 0 | 0 | 0 | 0 | 0 |
| 500 EQUIPMENT | 0 | 0 | 0 | 0 | 0 | 0 |
| 600 LAND & STRUCTURES | 0 | 0 | 0 | 0 | 0 | 0 |
| 700 GRANTS, CLAIMS, ETC. | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|---|--|--|--|--|--|
| GENERAL FUND | 0 | | | | | |
| FEDERAL FUNDS | 0 | | | | | |
| OTHER (Specify Source) | 0 | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|---|--|--|--|--|--|
| FULL TIME | 0 | | | | | |
| PART TIME | 0 | | | | | |
| TEMPORARY | 0 | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The intent of this bill is to invoke legal guidelines for the selection of and negotiation of Professional Services agreements. We are advised that the bill is intended to allow the use of DOT/PF Contracting Policies and Procedures as they now exist. Provided that the final bill reflects existing procedures, there will be no financial impact.

IV. DATE 5/5/82 PREPARED BY R. S. Armstrong
AGENCY Dept. of Transportation & Public Facilities
Original: Legislative Finance PHONE 465-3900
cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill 546 (Judiciary)
 Title Relating to contracts for professional services
 Requested by State Affairs Date 4-05-82

II. FISCAL DETAIL

Agency Affected All
 Program Category Affected All
 BRU, Program, Or Subprogram(s) Affected All
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | F 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|---------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | 700.0 | 756.0 | 816.5 | 881.8 | 952.3 | 1,028.5 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 700.0 | 756.0 | 816.5 | 881.8 | 952.3 | 1,028.5 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | F 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|---------|
| GENERAL FUND | 700.0 | 756.0 | 816.5 | 881.8 | 952.3 | 1,028.5 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER (Specify Source) | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | F 86 | FY 87 |
|-----------|-------|-------|-------|-------|------|-------|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

(\$50 per ad) x (3 ads) x (3 papers - Juneau, Anchorage, Fairbanks)
 2,000 contracts less - (\$100,000 spent in FY 81) less \$100,000 for
 Sole Source Contracts.

\$700,000

This is not a request for funds. This analysis indicates the estimated fiscal impact which will have to be absorbed by all State agencies.

IV. DATE 4-09-82 PREPARED BY George Elgee *Smith*
 AGENCY Administration
 Original: Legislative Finance PHONE 465-2250
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

COMMITTEE REPORT

HOUSE

4/5

FURTHER:

Rules

(7)

3/5/82

Date:

Apr. 5, 1982

Mr. Speaker:

The Committee on JUDICIARY has had HB 546

"An Act relating to state contracts for professional services and establishing a penalty for violation of provisions of law relating to professional service contracts; and providing for an effective 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)

[X] replace with CS for HB 546 (Jud) [X] same title new title and recommends

[] AND attaches a "Letter of Intent" [3] New Fiscal Note

1. zero
2. with dollar for suppl

[X] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING DO PASS

Barnes, ch.

MEMBERS HAVING OTHER RECOMMENDATIONS:

Buchholtz No Rec
Patrick O'Connell No Rec
Mullins

Dorona Barnes
CHAIRMAN

COMMITTEE REPORT

3/5

HOUSE

Judiciary

FURTHER: (added 3/5)

(5)

4/30/81

Date: 3/4/82

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 546

"An Act relating to state contracts for professional services and establishing a penalty for violation of provisions of law relating to professional service contracts; and providing for an effective 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)

[X] replace with CS for HB 546 (SA) [X] same title [] new title

and recommends

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[X] reports it back without ^{individual} recommendation or "as follows"

[] referred to the Judiciary by Speaker Committee

MEMBERS SIGNING DO PASS

Ray M. Petroski
[Signature]
[Signature]
[Signature]

MEMBERS HAVING OTHER RECOMMENDATIONS:

[Signature] NO REC.
[Signature] NO REC.

Ray M. Petroski CHAIRMAN

Info

Original sponsor: State Affairs Committee
by request

Offered: 4/5/82
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 546 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state contracts for professional
7 services; and providing for an effective date."

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

9 * Section 1. AS 19.10.170(a) is amended to read:

10 (a) Except as provided in AS 36.98 and AS 44.33.300, it shall be
11 the general policy of the department to require the construction of all
12 highways under bid contract. However, subject to the provisions of (b)
13 of this section, when the estimated cost of a construction project is
14 less than \$100,000 or when it appears to be in the best interests of the
15 state, the department may perform the work notwithstanding any other
16 provisions of law.

17 * Sec. 2. AS 35.15.010(a) is amended to read:

18 (a) Except as provided in AS 36.98 and AS 44.33.300, it shall be
19 the general policy of the department to require the construction of all
20 public works under bid contract. However, when the estimated cost of a
21 construction project is less than \$100,000, or when it appears to be in
22 the best interests of the state, the department may perform the work,
23 notwithstanding any other provisions of law. A complete record shall be
24 kept by the commissioner or his designee of all transactions entered
25 into under this section including names of employees involved in the
26 transactions.

27 * Sec. 3. AS 36 is amended by adding a new chapter to read:

28 CHAPTER 98. PROFESSIONAL SERVICES CONTRACTS.

29 Sec. 36.98.010. APPLICATION. Except as provided in AS 36.98.080,

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Notes

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1 this chapter applies to contracts for professional services provided to
2 a state agency unless

3 (1) the total amount of a contract does not exceed \$5,000;

4 (2) the contract is an employment contract for services to be
5 performed under direct supervision regardless of the existence of an
6 employer-employee relationship and a written justification signed by the
7 person responsible for awarding the contract is filed with the commis-
8 sioner;

9 (3) the contract is for construction, repair, or maintenance
10 of a public work and the total amount of a contract does not exceed
11 \$100,000;

12 (4) the contract is awarded based on competitive bids ob-
13 tained under the procedure provided in AS 37.05.230.

14 Sec. 36.98.020. PROFESSIONAL SERVICES CONTRACTORS REGISTER. The
15 commissioner shall establish and maintain a register of all persons or
16 firms interested in providing professional services to the state.

17 Sec. 36.98.030. SOLICITATION OF SERVICES. (a) When a state
18 agency proposes to enter into a contract for professional services, the
19 agency shall give public notice soliciting proposals for the profes-
20 sional services contract by publication at least three times in one or
21 more newspapers in general circulation in the state. The first notice
22 shall be published not less than 30 days before the date on which the
23 agency expects to enter into the contract and each subsequent notice
24 shall be published at intervals of no more than three days thereafter.
25 The notice shall include

26 (1) a general description of the proposed project for which
27 the agency is seeking professional services; and

28 (2) the procedure by which a person or firm interested in the
29 professional services contract may make its proposal to the agency for

1 consideration for the contract.

2 (b) In addition to complying with the publication requirements of
3 (a) of this section, when a state agency proposes to enter into a con-
4 tract for professional services it shall

5 (1) review the register of professional services contractors
6 maintained by the commissioner under AS 36.98.020; and

7 (2) provide a request for proposals for the proposed profes-
8 sional services contract to each prospective contractor who, after
9 review of the register of professional services contractors under (1) of
10 this subsection, the agency finds is qualified for consideration for the
11 contract.

12 (c) A request for proposals must be extended to a sufficient
13 number of prospective providers of the required services to assure that
14 public interest in competition is adequately served. Proposals from at
15 least six persons or firms shall be solicited for contracts equal to or
16 greater than \$100,000 if the expertise required is available. Proposals
17 from at least three persons or firms shall be solicited for contracts of
18 less than \$100,000 if the expertise required is available. If the
19 expertise required is not available to enable an agency to solicit the
20 number of proposals otherwise required under this subsection, the agency
21 shall

22 (1) solicit proposals from each person or firm listed on the
23 professional services contractors register maintained under AS 36.98.020
24 who appears to possess the required expertise;

25 (2) publish notice soliciting proposals as required under (a)
26 of this section; and

27 (3) solicit proposals from each other person or firm possess-
28 ing the required expertise of which the agency is aware.

29 (d) The provisions of this section do not apply if

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1 (1) the contracting agency demonstrates that there is a
2 single source of the expertise or knowledge required or that one person
3 or firm can clearly perform the required tasks more satisfactorily
4 because of the person's or firm's prior work and the head of the state
5 agency submits a written request to the commissioner of administration
6 detailing the reasons for an exemption and the commissioner of adminis-
7 tration or his designee authorizes the state agency to enter contract
8 negotiations with the single source;

9 (2) the commissioner determines that public necessity will
10 not permit delay incident to the procedures otherwise required by this
11 chapter; or

12 (3) the service is to be provided by another state agency, a
13 federal agency, or a political subdivision of the state.

14 (e) A request for proposals must contain a description of the work
15 to be performed under the contract and the terms under which the work is
16 to be performed. A request for proposals must contain that information
17 necessary for a prospective contractor to submit a response or contain
18 references to any information that cannot reasonably be included with
19 the request. The request for proposals must provide a description of
20 the factors that will be considered by the state agency when it evalu-
21 ates the proposals received.

22 (f) Nothing in this section limits the authority of an agency to
23 use additional means that it may consider appropriate to notify prospec-
24 tive contractors that it proposes to enter into a contract for profes-
25 sional services.

26 Sec. 36.98.040. AWARD OF CONTRACT. (a) After the responses are
27 submitted, the state agency shall evaluate them. The evaluation shall
28 consist of assigning point values to factors considered by the agency in
29 evaluating each proposal. All proposals received must be evaluated

1 using the same factors as those set out in the request for proposal.

2 (b) The contract must be executed by the contractor and the pro-
3 ject director for the contracting agency and be approved by the head of
4 the contracting agency or his designee. If a contract is made by a
5 board or commission, execution of the contract on behalf of the board or
6 commission must be authorized by the board or commission.

7 (c) A contract subject to this chapter must be submitted to the
8 commissioner for review and approval and, if approved, is effective
9 from the date of the approval. A state agency must clearly provide
10 in the request for proposal that the state is not obligated to perform
11 under the contract until the approval required by this subsection is
12 granted.

13 (d) A contract awarded under this chapter shall contain:

- 14 (1) the amount of the contract stated on its first page;
15 (2) the date for the work to begin;
16 (3) the date by which the work must be completed; and
17 (4) a certification under penalty of perjury by the project
18 director for the contracting agency, the head of the contracting agency,
19 or his designee that sufficient funds are available in an appropriation
20 to be encumbered for the amount of the contract.

21 (e) If the contract contains terms that are not provided in a
22 state standard form contract or if the standard terms are deleted or
23 modified by other terms that are not standard, the contract must be
24 reviewed by the Department of Law and approved as to form. The review
25 and approval required by this subsection must be completed before award
26 of the contract to the successful contractor.

27 Sec. 36.98.050. CONTRACT ADMINISTRATION. (a) When a state agency
28 has entered into a professional services contract, the agency is respon-
29 sible for the diligent administration and monitoring of the performance

1 of the provisions of the contract.

2 (b) When a professional services contract has been completed, the
3 state agency shall evaluate the performance of the contractor under the
4 contract and shall report on and evaluate the use of the final product
5 of the professional services contract. A copy of the report and evalua-
6 tion prepared under this subsection shall be transmitted to the commis-
7 sioner and shall be retained by the commissioner for as long as he is
8 required to maintain copies of completed contracts.

9 Sec. 36.98.060. FILING. A copy of each contract and the response
10 to the request for proposal upon which the contract was awarded must be
11 filed with both the Department of Administration and the contracting
12 agency and is open for public inspection. The request for proposal and
13 the name and address of each person who submitted a response to it must
14 also accompany the filed copies.

15 Sec. 36.98.070. CONTRACT PROCEDURES. The commissioner shall, by
16 regulation adopted in accordance with the Administrative Procedure Act
17 (AS 44.62), establish the manner and form by which state professional
18 services contracts shall be prepared and processed, including, but not
19 limited to, a review process for persons aggrieved under this chapter.

20 Sec. 36.98.080. CONTRACTS FOR ARCHITECTURAL, ENGINEERING, AND LAND
21 SURVEYING SERVICES. (a) A state agency shall select persons or firms
22 for the performance of architectural, engineering, or land surveying
23 services and award contracts for those services on the basis of compe-
24 tence and qualification for the type of professional services required.

25 (b) The state agency shall attempt to negotiate a contract for the
26 services with the best qualified person or firm at a price that is fair
27 and reasonable.

28 (c) Before selection of and negotiation with the best qualified
29 person or firm, a state agency may not request or consider a statement,

1 bid, or estimate of fees, hourly charges, estimated hours of professional
2 time, or other estimate of charges for architectural, engineering, or
3 land surveying services for the proposed project or request any other
4 submission or action that would constitute a violation of AS 08.48 or a
5 regulation adopted under AS 08.48. A request for proposals or other
6 solicitation for services of an architect, engineer, or land surveyor
7 issued by a state agency may not contain a requirement or request for a
8 statement, bid, estimate, or other information concerning fees or charges
9 prohibited under this section.

10 (d) This section does not require a particular procedure for the
11 selection of architects, engineers, or land surveyors or for the award
12 of contracts except as provided in (b) and (c) of this section. A state
13 agency may rank proposals or offers received.

14 (e) The provisions of AS 36.98.040(a) do not apply to contracts
15 awarded under this section.

16 (f) This section does not apply to a contract for the performance
17 of architectural, engineering, or land surveying services if the commis-
18 sioner determines that public necessity will not permit delay incident
19 to the procedures otherwise required by this section.

20 Sec. 36.98.090. DEFINITIONS. In this chapter

21 (1) "architectural, engineering, or land surveying services"
22 means professional services involving the practice of architecture,
23 engineering, or land surveying as defined under AS 08.48.341;

24 (2) "commissioner" means the commissioner of administration;
25 however, in the case of contracts issued by the Department of Transpor-
26 tation and Public Facilities, it means the commissioner of transporta-
27 tion and public facilities;

28 (3) "professional services contract" means a contract for
29 professional, technical, or consultant's services that are predominantly

1 intellectual in character and that

2 (A) include analysis, evaluation, prediction, planning,
3 or recommendation; and

4 (B) result in the production of a report or the comple-
5 tion of a task;

6 (4) "public necessity" means an urgent public need that could
7 not have been anticipated or foreseen; the term also includes emergency
8 situations when work is necessary to protect life or property;

9 (5) "request for proposals" means a written solicitation for
10 contract proposals by prospective contractors that sets out the nature
11 of the services to be performed or product to be secured with sufficient
12 information for a qualified prospective contractor to prepare a contract
13 proposal for consideration and evaluation by the state agency;

14 (6) "state agency" means a department, institution, board,
15 commission, division, or other administrative unit of the executive or
16 judicial branch of state government, and the University of Alaska.

17 * Sec. 4. AS 37.05.230 is amended by adding a new paragraph to read:

18 (9) requests for and acceptance of bids or other proposals
19 for professional services shall comply with AS 36.98.

20 * Sec. 5. AS 37.05.240 is amended by adding a new subsection to read:

21 (b) A contract for professional services shall be awarded in
22 accordance with AS 36.98.

23 * Sec. 6. This Act applies to requests for bids or proposals for profes-
24 sional services issued after the effective date of this Act.

25 * Sec. 7. This Act takes effect July 1, 1982.

Burrier

Original sponsor: State Affairs Committee
by request

Offered: 3/5/82
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 546 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state contracts for professional
7 services and establishing a penalty for violation of
8 provisions of law relating to professional service
9 contracts; and providing for an effective date."

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

11 * Section 1. AS 19.10.170(a) is amended to read:

12 (a) Except as provided in AS 36.98 and AS 44.33.300, it shall be
13 the general policy of the department to require the construction of all
14 highways under bid contract. However, subject to the provisions of (b)
15 of this section, when the estimated cost of a construction project is
16 less than \$100,000 or when it appears to be in the best interests of the
17 state, the department may perform the work notwithstanding any other
18 provisions of law.

19 * Sec. 2. AS 35.15.010(a) is amended to read:

20 (a) Except as provided in AS 36.98 and AS 44.33.300, it shall be
21 the general policy of the department to require the construction of all
22 public works under bid contract. However, when the estimated cost of a
23 construction project is less than \$100,000, or when it appears to be in
24 the best interests of the state, the department may perform the work,
25 notwithstanding any other provisions of law. A complete record shall be
26 kept by the commissioner or his designee of all transactions entered
27 into under this section including names of employees involved in the
28 transactions.

29 * Sec. 3. AS 36 is amended by adding a new chapter to read:

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1 CHAPTER 98. PROFESSIONAL SERVICES CONTRACTS.

2 Sec. 36.98.010. APPLICATION. (a) Except as provided in AS 36.98.-
3 080, this chapter applies to contracts for professional services provided
4 to a state agency unless

5 (1) the total amount of a contract does not exceed \$25,000;

6 (2) the contract is an employment contract for services to be
7 performed under direct supervision regardless of the existence of an
8 employer-employee relationship and a written justification signed by the
9 person responsible for awarding the contract is filed with the commis-
10 sioner;

11 (3) the contract is for construction, repair, or maintenance
12 of a public work and the total amount of a contract does not exceed
13 \$50,000;

14 (4) the contract is awarded based on competitive bids ob-
15 tained under the procedure provided in AS 37.05.231.

16 (b) The commissioner may by regulation adjust the dollar limita-
17 tions set out in (a) of this section to reflect changes in the consumer
18 price index for Anchorage since July 1, 1982. However, the commissioner
19 may not make this adjustment more frequently than every other year.

20 Sec. 36.98.020. PROFESSIONAL SERVICES CONTRACTORS REGISTER. (a)
21 A person or firm who desires to provide professional services to a state
22 agency shall submit to the commissioner a statement of qualifications
23 and performance data, and any other information that the commissioner,
24 by regulation, may require.

25 (b) The commissioner may at any time require the person or firm to
26 revise the statement of qualifications and performance data or any other
27 information submitted by the person or firm if the commissioner believes
28 that the credentials or record of experience of the person have materi-
29 ally changed since the last filing by the person or firm.

1 Sec. 36.98.030. SOLICITATION OF SERVICES. (a) When a state
2 agency proposes to enter into a contract for professional services, the
3 agency shall give public notice soliciting proposals for the profes-
4 sional services contract by publication at least three times in one or
5 more newspapers in general circulation in the state. The first notice
6 shall be published not less than 30 days before the date on which the
7 agency expects to enter into the contract and each subsequent notice
8 shall be published at intervals of no more than three days thereafter.
9 The notice shall include

10 (1) a general description of the proposed project for which
11 the agency is seeking professional services; and

12 (2) the procedure by which a person or firm interested in the
13 professional services contract may make its proposal to the agency for
14 consideration for the contract.

15 (b) In addition to complying with the publication requirements of
16 (a) of this section, when a state agency proposes to enter into a con-
17 tract for professional services it shall

18 (1) review the register of professional services contractors
19 maintained by the commissioner under AS 36.98.020; and

20 (2) provide a request for proposals for the proposed profes-
21 sional services contract to each prospective contractor who, after
22 review of the register of professional services contractors under (1) of
23 this subsection, the agency finds is qualified for consideration for the
24 contract.

25 (c) A request for proposals must be extended to a sufficient
26 number of prospective providers of the required services to assure that
27 public interest in competition is adequately served. Proposals from at
28 least six persons or firms shall be solicited for contracts equal to or
29 greater than \$100,000 if the expertise required is available. Proposals

1 from at least three persons or firms shall be solicited for contracts of
2 less than \$100,000 if the expertise required is available. If the exper-
3 tise required is not available to enable an agency to solicit the number
4 of proposals otherwise required under this subsection, the agency shall

5 (1) solicit proposals from each person or firm listed on the
6 professional services contractors register maintained under AS 36.98.020
7 who appears to possess the required expertise;

8 (2) publish notice soliciting proposals as required under (a)
9 of this section; and

10 (3) solicit proposals from each other person or firm possess-
11 ing the required expertise of which the agency is aware.

12 (d) The provisions of this section do not apply if

13 (1) the contracting agency demonstrates that there is a
14 single source of the expertise or knowledge required or that one person
15 or firm can clearly perform the required tasks more satisfactorily
16 because of the person's or firm's prior work; however, this exemption
17 applies only when the head of the state agency has submitted a written
18 request to the commissioner that details the reasons for the exemption
19 and the commissioner or his designee has authorized the state agency to
20 enter contract negotiations with the single source;

21 (2) the commissioner determines that public necessity will
22 not permit delay incident to the procedures otherwise required by this
23 chapter; or

24 (3) the service is to be provided by another state agency, a
25 federal agency, the University of Alaska, or a political subdivision of
26 the state.

27 (e) A request for proposals must contain a description of the work
28 to be performed under the contract and the terms under which the work is
29 to be performed. A request for proposals must contain that information

1 necessary for a prospective contractor to submit a response or contain
2 references to any information that cannot reasonably be included with
3 the request. The request for proposals must provide a description of
4 the factors that will be considered by the state agency when it evaluates
5 the proposals received.

6 (f) Nothing in this section limits the authority of an agency to
7 use additional means that it may consider appropriate to notify prospec-
8 tive contractors that it proposes to enter into a contract for profes-
9 sional services.

10 Sec. 36.98.040. AWARD OF CONTRACT. (a) After the responses are
11 submitted, the state agency shall evaluate them. The evaluation shall
12 consist of assigning point values to factors considered by the agency in
13 evaluating each proposal. All proposals received must be evaluated
14 using the same factors as those set out in the request for proposal.

15 (b) The contract must be executed by the contractor and the pro-
16 ject director for the contracting agency and be approved by the head of
17 the contracting agency or his designee. If a contract is made by a
18 board or commission, execution of the contract on behalf of the board or
19 commission must be authorized by the board or commission.

20 (c) A contract subject to this chapter must be submitted to the
21 commissioner for review and approval and, if approved, is effective from
22 the date of the approval. A state agency must clearly provide in the
23 request for proposal that the state is not obligated to perform under
24 the contract until the approval required by this subsection is granted.

25 (d) A contract awarded under this chapter shall contain:

- 26 (1) the amount of the contract stated on its first page;
27 (2) the date for the work to begin;
28 (3) the date by which the work must be completed; and
29 (4) a certification under penalty of perjury by the project

1 director for the contracting agency, the head of the contracting agency,
2 or his designee that sufficient funds are available in an appropriation
3 to be encumbered for the amount of the contract.

4 (e) If the contract contains terms that are not provided in a
5 state standard form contract or if the standard terms are deleted or
6 modified by other terms that are not standard, the contract must be
7 reviewed by the Department of Law and approved as to form. The review
8 and approval required by this subsection must be completed before award
9 of the contract to the successful contractor.

10 Sec. 36.98.050. CONTRACT ADMINISTRATION. (a) When a state agency
11 has entered into a professional services contract, the agency is respon-
12 sible for the diligent administration and monitoring of the performance
13 of the provisions of the contract.

14 (b) When a professional services contract has been completed, the
15 state agency shall evaluate the performance of the contractor under the
16 contract and shall report on and evaluate the use of the final product
17 of the professional services contract. A copy of the report and evalua-
18 tion prepared under this subsection shall be transmitted to the commis-
19 sioner and shall be retained by the commissioner for as long as he is
20 required to maintain copies of completed contracts.

21 Sec. 36.98.060. FILING. A copy of each contract and the response
22 to the request for proposal upon which the contract was awarded must be
23 filed with both the Department of Administration and the contracting
24 agency and is open for public inspection. The request for proposal and
25 the name and address of each person who submitted a response to it must
26 also accompany the filed copies.

27 Sec. 36.98.070. CONTRACT PROCEDURES. The commissioner shall, by
28 regulation adopted in accordance with the Administrative Procedure Act
29 (AS 44.62), establish the manner and form by which state professional

1 services contracts shall be prepared and processed, including, but not
2 limited to, a review process for persons aggrieved under this chapter.

3 Sec. 36.98.080. CONTRACTS FOR ARCHITECTURAL, ENGINEERING, AND LAND
4 SURVEYING SERVICES. (a) The state shall select persons or firms and
5 award contracts for the performance of architectural, engineering, or
6 land surveying services on the basis of competence and qualification for
7 the type of professional services required. The amount of the contract
8 shall be determined by negotiation for those services at fair and rea-
9 sonable prices or by the competitive bidding procedures provided under
10 AS 37.05.230. Before negotiations or competitive bidding procedures
11 under this section, the state may not request or consider any statement,
12 bid or estimate of fees or charges for architectural, engineering, or
13 land surveying services for the proposed project or request any other
14 submission or action that would violate AS 08.48 or a regulation adopted
15 under AS 08.48.

16 (b) In awarding a contract by negotiation for the services of an
17 architect, engineer, or land surveyor registered under AS 08.48, the
18 state shall negotiate with the three best qualified persons or firms to
19 perform the desired work on the basis of competence and professional
20 qualifications. The state may reject all or part of a proposal.

21 (c) The provisions of AS 36.98.040(a) do not apply to contracts
22 awarded under this section.

23 (d) This section does not apply to a contract for the performance
24 of architectural, engineering, or land surveying services if the commis-
25 sioner determines that public necessity will not permit delay incident
26 to the procedures otherwise required by this section.

27 Sec. 36.98.090. DEFINITIONS. In this chapter

28 (1) "commissioner" means the commissioner of administration;
29 however, in the case of contracts issued by the Department of Transpor-

1 tation and Public Facilities, it means the commissioner of transporta-
2 tion and public facilities;

3 (2) "professional services contract" means a contract for
4 professional, technical, or consultant's services that are predominantly
5 intellectual in character and that

6 (A) include analysis, evaluation, prediction, planning,
7 or recommendation; and

8 (B) result in the production of a report or the comple-
9 tion of a task;

10 (3) "public necessity" means an urgent public need that could
11 not have been anticipated or foreseen; the term also includes emergency
12 situations when work is necessary to protect life or property;

13 (4) "request for proposals" means a written solicitation for
14 contract proposals by prospective contractors that sets out the nature
15 of the services to be performed or product to be secured with sufficient
16 information for a qualified prospective contractor to prepare a contract
17 proposal for consideration and evaluation by the state agency;

18 (5) "state agency" means a department, institution, board,
19 commission, division, or other administrative unit of the executive
20 branch of state government, and the University of Alaska.

21 * Sec. 4. AS 37.05.230 is amended by adding a new paragraph to read:

22 (9) requests for and acceptance of bids or other proposals
23 for professional services shall comply with AS 36.98.

24 * Sec. 5. AS 37.05.240 is amended by adding a new subsection to read:

25 (b) A contract for professional services shall be awarded in
26 accordance with AS 36.98.

27 * Sec. 6. This Act applies to requests for bids or proposals for profes-
28 sional services issued after the effective date of this Act.

29 * Sec. 7. This Act takes effect July 1, 1982.

Chenoweth
12-1589

Introduced: 4/30/81
Referred: State Affairs

BY THE STATE AFFAIRS
COMMITTEE BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 546

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state contracts for professional
7 services and establishing a penalty for violation of
8 provisions of law relating to professional service
9 contracts; and providing for an effective date."

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

11 * Section 1. AS 36 is amended by adding a new chapter to read:

12 CHAPTER 98. PROFESSIONAL SERVICES CONTRACTS.

13 ARTICLE 1. CONTRACTORS' REGISTER.

14 Sec. 36.98.010. PROFESSIONAL SERVICES CONTRACTORS REGISTER. (a)

15 A person who desires to provide professional services to a state
16 agency, the judicial branch of state government, or the University of
17 Alaska shall annually, by a date determined by the commissioner of
18 administration by regulation, submit to the commissioner a statement of
19 qualifications and performance data, and any other information which
20 the commissioner, by regulation, may require.

21 (b) The commissioner may at any time require the person to revise
22 the statement of qualifications and performance data, or any other
23 information, submitted by the person before the annual filing date
24 established by the commissioner under (a) of this section if the com-
25 missioner believes that the credentials or record of experience of the
26 person have materially changed since the last filing by the person.

27 ARTICLE 2. STATE AGENCY CONTRACTS.

28 Sec. 36.98.100. PRELIMINARY REQUIREMENTS. (a) When a state
29 agency proposes to enter into a contract for professional services, the

1 agency shall give public notice of the professional services contract.
2 At least 30 days before the date on which the agency expects to enter
3 into the contract for professional services it shall give notice by
4 publication at least three times in one or more newspapers in general
5 circulation in the state of

6 (1) a general description of the proposed project for which
7 the agency is seeking professional services; and

8 (2) the procedure by which a person interested in the pro-
9 fessional services contract may apply to the agency for consideration
10 for the contract.

11 (b) In addition to complying with the publication requirements of
12 (a) of this section, when a state agency proposes to enter into a
13 contract for professional services it shall

14 (1) review the register of professional services contractors
15 maintained by the commissioner under AS 36.98.010; and

16 (2) provide a request for proposals for the proposed pro-
17 fessional services contract to each prospective contractor which, after
18 review of the register of professional services contractors under (1)
19 of this subsection, the agency finds is qualified for consideration for
20 the contract.

21 Sec. 36.98.110. DUTIES OF STATE AGENCY. A state agency may not
22 enter into a contract for professional services unless the head of the
23 agency or a certifying officer of the agency certifies to the commis-
24 sioner that

25 (1) there are no state employees who are competent or avail-
26 able to perform the services required by the contract;

27 (2) competitive bid provisions are not adequate to secure
28 the professional services needed to perform the services required by
29 the contract;

1 (3) the professional services required by the contract are
2 original in character and not available as a product of a prior con-
3 sultant;

4 (4) the agency has complied with the provisions of AS 36.98.-
5 100;

6 (5) the agency has received, reviewed, and accepted a de-
7 tailed work plan from the contractor for performance of professional
8 services by the contractor; and

9 (6) the agency has developed and will implement a written
10 plan by which the agency will

11 (A) assign personnel of the agency to monitor the
12 performance of the contract;

13 (B) periodically review and make written reports on
14 partial performance of the contract by the contractor; and

15 (C) use the final product of the contract for profes-
16 sional services.

17 Sec. 36.98.120. DUTIES OF THE COMMISSIONER. (a) The commis-
18 sioner shall provide all contract management and review functions for
19 state agency professional services contracts except those management
20 and review functions which are assigned by AS 36.98.100 - 36.98.110 to
21 the state agency. A state agency may not enter into a professional
22 services contract unless the contract has been approved in writing by
23 the commissioner.

24 (b) The commissioner shall, by regulation adopted in accordance
25 with the Administrative Procedure Act (AS 44.62), establish the manner
26 and form by which state professional services contracts shall be pre-
27 pared and processed, and shall examine and approve or disapprove pro-
28 posed professional services contracts based on review of the purpose
29 and content, propriety, and financial effect of the proposed contract.

1 (c) The commissioner may not approve a proposed professional
2 services contract unless he first finds that

3 (1) all provisions of AS 36.98.110 have been verified or
4 complied with by the state agency and that the plan developed by the
5 agency under AS 36.98.110(6) is satisfactory;

6 (2) the work to be performed under the contract is necessary
7 for the agency to fulfill a responsibility assigned to it by statute;

8 (3) there is authority in statute for the agency to enter
9 into the contract;

10 (4) the contract will not establish an employer-employee
11 relationship between the agency and the contractor or any persons per-
12 forming under the proposed contract;

13 (5) a state employee will not perform the contract or any
14 portion of it; and

15 (6) a state agency has not previously performed or con-
16 tracted for the performance of tasks which would be substantially
17 duplicated under the proposed professional services contract.

18 Sec. 36.98.130. CONTRACT TERMS AND CONDITIONS. A professional
19 services contract with a state agency is not valid unless

20 (1) the contract includes a provision by which the agency
21 may unilaterally terminate the contract, upon payment of just compensa-
22 tion for professional services rendered under the contract, if the
23 agency determines that further performance under the contract would not
24 serve the purposes of the agency or the best interests of the state;

25 (2) the contract contains a termination date; and

26 (3) the contract is executed by the state by

27 (A) the head of the agency which is a party to the
28 contract; and

29 (B) the commissioner or his designee.

1 Sec. 36.98.140. CONTRACT ADMINISTRATION. (a) When a state
2 agency has entered into a professional services contract, the agency is
3 responsible for the diligent administration and monitoring of the
4 performance of the provisions of the contract.

5 (b) The commissioner may require a state agency to report to him
6 at any time on the current status of a professional services contract
7 to which the agency is a party.

8 (c) When a professional services contract has been completed, the
9 state agency shall evaluate the performance of the contractor under the
10 contract and shall report on and evaluate the use of the final product
11 of the professional services contract. A copy of the report and
12 evaluations prepared under this subsection shall be transmitted to the
13 commissioner, and shall be retained by the commissioner for as long as
14 he is required to maintain copies of completed contracts.

15 Sec. 36.98.150. EXCEPTIONS. The provisions of AS 36.98.100 -
16 36.98.150 do not apply to a professional services contract for which
17 the estimated cost of the professional services to be provided is
18 \$2,500 or less.

19 ARTICLE 3. GENERAL PROVISIONS.

20 Sec. 36.98.200. DEFINITIONS. In this chapter

21 (1) "commissioner" means the commissioner of administration;

22 (2) "professional services contract" means a contract for
23 professional, technical, or consultant's services which are predomi-
24 nantly intellectual in character and which

25 (A) include analysis, evaluation, prediction, planning
26 or recommendation; and

27 (B) result in the production of a report or the comple-
28 tion of a task;

29 (3) "state agency" means a department, institution, board,

1 commission, division, or other administrative unit of the executive
2 branch of state government; the term does not include the University of
3 Alaska.

4 * Sec. 2. AS 14.40 is amended by adding a new section to article 3 to
5 read:

6 Sec. 14.40.455. PROFESSIONAL SERVICES CONTRACTS. (a) When the
7 University of Alaska proposes to enter into a contract for professional
8 services, it shall give public notice of the professional services
9 contract. At least 30 days before the date on which the University of
10 Alaska expects to enter into the contract for professional services it
11 shall give notice by publication at least three times in one or more
12 newspapers in general circulation in the state of

13 (1) a general description of the proposed project for which
14 the University of Alaska is seeking professional services; and

15 (2) the procedure by which a person interested in the pro-
16 fessional services contract may apply to the University of Alaska for
17 consideration for the contract.

18 (b) In addition to complying with the publication requirements of
19 (a) of this section, when the University of Alaska proposes to enter
20 into a contract for professional services it shall

21 (1) review the register of professional services contractors
22 maintained by the commissioner of administration under AS 36.98.010;
23 and

24 (2) provide a request for proposals for the proposed pro-
25 fessional services contract to each prospective contractor which, after
26 review of the register of professional services contractors under (1)
27 of this subsection, the University of Alaska finds is qualified for
28 consideration for the contract.

29 (c) A member of the Board of Regents, or an officer or employee

1 of the University of Alaska may not enter into a professional services
2 contract on behalf of the University of Alaska in violation of the
3 provisions of this section. A person who wilfully violates a provision
4 of this section is guilty of a misdemeanor. A person who is convicted
5 of a misdemeanor under this section immediately forfeits his office or
6 position.

7 (d) In this section, "professional services contract" means a
8 contract for professional, technical, or consultant's services which
9 are predominantly intellectual in character and which

10 (1) include analysis, evaluation, prediction, planning or
11 recommendation; and

12 (2) result in the production of a report or the completion
13 of a task.

14 * Sec. 3. AS 22.20 is amended by adding a new section to read:

15 ARTICLE 4. PROFESSIONAL SERVICES CONTRACTS.

16 Sec. 22.20.200. PROFESSIONAL SERVICES CONTRACTS. (a) When a
17 judicial officer or an employee of the judicial system proposes to
18 enter into a contract for professional services, the judicial officer
19 or the employee shall give public notice of the professional services
20 contract. At least 30 days before the date on which the judicial
21 officer or the employee expects to enter into the contract for profes-
22 sional services, the judicial officer or the employee shall give notice
23 by publication at least three times in one or more newspapers in general
24 circulation in the state of

25 (1) a general description of the proposed project for which
26 the judicial officer or the employee is seeking professional services;
27 and

28 (2) the procedure by which a person interested in the pro-
29 fessional services contract may apply to the judicial officer or the

1 employee for consideration for the contract.

2 (b) In addition to complying with the publication requirements of
3 (a) of this section, when a judicial officer or an employee proposes to
4 enter into a contract for professional services, the judicial officer
5 or the employee shall

6 (1) review the register of professional services contractors
7 maintained by the commissioner of administration under AS 36.98.010;
8 and

9 (2) provide a request for proposals for the proposed pro-
10 fessional services contract to each prospective contractor which, after
11 review of the register of professional services contractors under (1)
12 of this subsection, the judicial officer or the employee finds is
13 qualified for consideration for the contract.

14 (c) A judicial officer or an employee of the judicial system may
15 not enter into a professional services contract on behalf of the judi-
16 cial system in violation of the provisions of this section. A judicial
17 officer or an employee who wilfully violates a provision of this section
18 is guilty of a misdemeanor. An employee who is convicted of a mis-
19 demeanor under this section immediately forfeits his position.

20 (d) In this section,

21 (1) "employee" means an employee of the judicial system who
22 is not a judicial officer;

23 (2) "professional services contract" means a contract for
24 professional, technical, or consultant's services which are predomi-
25 nantly intellectual in character and which

26 (A) include analysis, evaluation, prediction, planning
27 or recommendation; and

28 (B) result in the production of a report or the comple-
29 tion of a task.

1 * Sec. 4. AS 39.25.160 is amended by adding a new subsection to read:

2 (i) A person may not enter into a professional services contract
3 on behalf of a state agency in violation of the provisions of AS 36.98.

4 * Sec. 5. This Act takes effect July 1, 1981.
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29 COMMITTEE COPY

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HB 546 No. 1 Page 1 of 2
 Title An Act Relating to State Contracts for Professional Services
 Requested by House State Affairs Date 3/5/82

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected Centralized Administration
 BRU, Program, Or Subprogram(s) Affected Accounting
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 100 PERSONAL SERVICES | 67.5 | 72.9 | 78.7 | 84.9 | 91.6 | 98.9 |
| 200 TRAVEL | - | | | | | |
| 300 CONTRACTUAL | 238.4 | 257.4 | 277.9 | 300.1 | 324.1 | 350.0 |
| 400 COMMODITIES | 1.5 | 1.6 | 1.7 | 1.3 | 1.9 | 2.0 |
| 500 EQUIPMENT | 12.6 | 13.6 | 14.6 | 15.7 | 16.9 | 18.2 |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 320.0 | 345.5 | 372.9 | 402.5 | 434.5 | 469.1 |

FUNDING (Thousands of Dollars)

| | 320.0 | 345.5 | 372.9 | 402.5 | 434.5 | 469.1 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 320.0 | 345.5 | 372.9 | 402.5 | 434.5 | 469.1 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER (Specify Source) | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS

| | 2 | 2 | 2 | 2 | 2 | 2 |
|-----------|---|---|---|---|---|---|
| FULL TIME | 2 | 2 | 2 | 2 | 2 | 2 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Contractual

Computer Program Development:

Register Development
 Evaluation System/Form/Tracking System
 Application form
 On-line Capabilities 160.0
 Printing of Labels 4.0
 Printing of Applications 1.0

IV. DATE March 26, 1982 PREPARED BY George Elgee *Smith*
 AGENCY Administration
 Original: Legislative Finance PHONE 465-2250
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

11B546

Contractual CSHB 546 No. 1 Page 1 of 2

Procedures:

Training in procuring contracts and operating
within new regulations

Re-write of Existing Procedures

Administration Code Drafts

Administration Code Public Hearings 60.0

Advertising:

Professional Listing 5.4

Services associated with required positions --
phone, office space, computer terminal rental, etc. 8.0

\$238.4

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HB 546 No. 2
 Title An Act Relating to State Contracts for Professional Services
 Requested by House State Affairs Date 3/5/82

II. FISCAL DETAIL
 Agency Affected All
 Program Category Affected All
 BRU, Program, Or Subprogram(s) Affected All
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |

FUNDING (Thousands of Dollars)

| | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER (Specify Source) | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS

| | 0 | 0 | 0 | 0 | 0 | 0 |
|-----------|---|---|---|---|---|---|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Advertisements:

\$50 per ad) x (3 ads) x (3 papers--Juneau, Anchorage, Fairbanks) x 700 contracts less (\$100,000 spent in FY 81) \$215,000

RFP Printing and Mailing 35,000
 EST based on Multi-page RFP \$250,000

IV. DATE March 26, 1982 PREPARED BY George Elgee *Elgee*
 AGENCY Administration
 Original: Legislative Finance PHONE 465-2250
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 546 *203*
 Title "An Act relating to state contracts for professional services and
Requested by Repr. Barnes, House Judiciary Date March 21, 1982
 establishing penalties....and providing for an effective date."

II. FISCAL DETAIL

Agency Affected Department of Law
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected Legal Services
 (Note: If more than one budget component is affected, separate line-item
 amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This clarifies and improves the state's procurement practices for professional services. The current bill (offered 3/5/82) provides departments with the flexibility to meet exigent circumstances while, at the same time, assuring that the public interest in competition is properly served. Although some slight expense will be incurred in complying with the bill, no additional resources will be required to carryout its provisions.

IV. DATE March 24, 1982 PREPARED BY Richard I. Pegues, Director, Admin. Svcs.
 AGENCY Department of Law
 Original: Legislative Finance PHONE 465-3672
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

ALASKA STATE LEGISLATURE

TWELFTH. Legislature FIRST.... Session

HOUSEBILL..... NO. ...546.

By THE STATE AFFAIRS COMMITTEE
BY REQUEST

"An Act relating to state contracts for professional services and establishing a penalty for violation of provisions of law relating to professional service contracts; and providing for an effective date."

State contracts/estab. penalty for violation of provisions

Introduced in the House 4/30....., 19..81

HISTORY IN THE HOUSE

| | | | | | | | | | | | | | |
|--------------------------|---|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 1981 | Read first time and referred to Committee on | | | | | | | | | | | | |
| Apr 30 Nov 5 | State Affairs <i>Ordinary added</i> Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | <table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | Reconsideration | | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| Reconsideration | | | | | | | | | | | | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed Signed by Speaker Sent to Senate | | | | | | | | | | | | |
| CHIEF CLERK OF THE HOUSE | | | | | | | | | | | | | |

HISTORY IN THE SENATE

| | | | | | | | | | | | | | |
|-------------------------|---|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 | Read first time and referred to Committee on | | | | | | | | | | | | |
| | Reported back with recommendation that | | | | | | | | | | | | |
| | Read second time and | | | | | | | | | | | | |
| | Read third time and | | | | | | | | | | | | |
| | <table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | <table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table> | Reconsideration | | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| Reconsideration | | | | | | | | | | | | | |
| PASS | Effective Date | | | | | | | | | | | | |
| Yeas | Yeas | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | |
| | Reported correctly engrossed Signed by President Returned to House | | | | | | | | | | | | |
| SECRETARY OF THE SENATE | | | | | | | | | | | | | |

HISTORY IN THE HOUSE

| | |
|----|--|
| 19 | Received from Senate |
| | Concurred in Senate amendment thus adopting: VOTE |
| | Failed to concur in Senate amendment; asked Senate to recede VOTE |
| | Senate receded from amendment VOTE |
| | Senate failed to recede from amendment VOTE |
| | CC appointed by House |
| | CC appointed by Senate |
| | CC adopted by House VOTE |
| | CC adopted by Senate VOTE |
| | To enrolling Reported correctly enrolled Sent to Governor by Governor |
| | Filed with Lt. Governor |
| | Chapter No. |

HB 546

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS HB 546
 Title An Act Relating to State Contracts for Professional Services
 Requested by House State Affairs Date 3/5/82

II. FISCAL DETAIL

Agency Affected All
 Program Category Affected All
 BRU, Program, Or Subprogram(s) Affected All
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |

FUNDING (Thousands of Dollars)

| | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 250.0 | 270.0 | 291.6 | 314.9 | 340.1 | 367.3 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER (Specify Source) | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS

| | 0 | 0 | 0 | 0 | 0 | 0 |
|-----------|---|---|---|---|---|---|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Advertisements:

\$50 per ad) x (3 ads) x (3 papers--Juneau, Anchorage, Fairbanks) x 700 contracts less (\$100,000 spent in FY 81) \$215,000

RFP Printing and Mailing
 EST based on Multi-page RFP 35,000
\$250,000

IV. DATE March 26, 1982 PREPARED BY George Elgee *GE*
 AGENCY Administration
 Original: Legislative Finance PHONE 465-2250
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)