

HOUSE BILL NO. 23

2nd Special Session

Introduced and Referred to Committee on State Administration:

6/25/82

Died in Committee

Special Session #2

BILL NO. 23

HB
INTRODUCED BY Don Cook

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO
5 THE DEPARTMENT OF INSTITUTIONS FOR PURPOSES OF CONTRACTING
6 WITH PRIVATE ENTITIES FOR THE ESTABLISHMENT AND OPERATION OF
7 THREE PRERELEASE CENTERS; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE."

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

11 Section 1. Expenditure limit. Expenditures under this
12 act may not exceed appropriations.

13 Section 2. Access to records. No funds appropriated by
14 this act may be expended for any contract, written or oral,
15 with a nonstate entity for services to be provided by the
16 nonstate entity to members of the public on behalf of the
17 state unless the contract contains a provision allowing
18 access to such records of the nonstate entity as may be
19 necessary for legislative audit and analysis purposes in
20 determining compliance with the terms of the contract. Each
21 such contract may be unilaterally terminated by the state,
22 and each contract shall provide for unilateral termination
23 by the state upon refusal of the nonstate entity to allow
24 access to records necessary to carry out the legislative
25 audit and analysis functions set out in Title 5, chapters 12

1 and 13.
2 Section 3. Severability. If a part of this act is
3 invalid, all valid parts that are severable from the invalid
4 part remain in effect. If a part of this act is invalid in
5 one or more of its applications, the part remains in effect
6 in all valid applications that are severable from the
7 invalid applications.

8 Section 4. Other funds to offset general fund. The
9 governor shall decrease the general fund appropriation of
10 the department of institutions by the amount of funds
11 received from other sources in excess of any non-general
12 fund appropriation unless such action is expressly contrary
13 to state or federal law, rule, or contract or the governor
14 certifies that the services to be funded by the additional
15 funds are significantly different from those for which the
16 department has received an appropriation.

17 Section 5. Appropriation. There is appropriated from
18 the general fund to the department of institutions for
19 fiscal year 1983 \$593,000 for purposes of contracting with
20 private entities for the establishment and operation of
21 three prerelease centers for inmates of correctional
22 facilities who are approaching parole eligibility or
23 discharge.

24 Section 6. Effective date. This act is effective on
25 passage and approval.