

House BILL NO. *578*

INTRODUCED BY *Bedeck Rasmussen*

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3
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING TO TEN
5 THOUSAND DOLLARS THE VALUE OF EQUIPMENT WHICH COUNTY
6 COMMISSIONERS MAY PURCHASE WITHOUT CALLING FOR BIDS;
7 AMENDING SECTION 16-1803, R.C.M. 1947."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 16-1803, R.C.M. 1947, is amended to
11 read as follows:

12 "16-1803. Procedure when request for bids is necessary
13 in making contracts for purchases and for construction of
14 buildings exceeding ~~four ten~~ thousand dollars ~~(~~\$4,000~~)~~
15 (\$10,000). (1) No contract shall be entered into between a
16 board of county commissioners for the purchase of any
17 automobile, truck, or other vehicle, or road machinery, or
18 for any other machinery, apparatus, appliances or equipment,
19 or for any materials or supplies of any kind for which must
20 be paid a sum in excess of ~~four ten~~ thousand dollars
21 ~~(~~\$4,000~~)~~ (\$10,000), or for the construction of any building,
22 for which must be paid a sum in excess of ~~four ten~~ thousand
23 dollars ~~(~~\$4,000~~)~~ (\$10,000) without first publishing a notice
24 calling for bids for furnishing the same, which notice must
25 be published at least once a week, for three (3) consecutive

1 weeks before the date fixed therein for receiving bids, in
2 the official newspaper of the county, and every such
3 contract shall be let to the lowest and best responsible
4 bidder; provided that the provisions of this section shall
5 not apply to contracts for public printing entered into in
6 accordance with the provisions of chapter 12 of Title 16 and
7 provided further, that the provisions of this section shall
8 not apply to contracts for purchases, which in the opinion
9 of the board, are made necessary by fires, flood, explosion,
10 storm, earthquake, or other elements, epidemic, riot,
11 insurrection, or for the immediate preservation of order, or
12 of the public health, or for the restoration of a condition
13 of usefulness which has been destroyed by accident, wear,
14 tear, mischief, or for the relief of a stricken community
15 overtaken by calamity.

16 (2) When the amount to be paid as the purchase price
17 for any automobile, truck, or other vehicle, or road
18 machinery of any kind, or for any other machinery,
19 apparatus, appliance or equipment, or for any materials or
20 supplies of any kind, shall exceed one thousand dollars
21 (\$1,000.00) the board of county commissioners may provide
22 for the payment of such purchase price in installments
23 extending over a period of not more than three (3) years;
24 provided that when the purchase price is extended over a
25 term of two (2) years or at least forty (40%) per cent

1 thereof shall be paid the first year and the remainder the
2 second year and when such purchase price is extended over a
3 term of three (3) years at least one-third of such purchase
4 price to be paid each year; provided that, at the time of
5 entering into the agreement for such purchase, there shall
6 be an unexpended balance of appropriation in the budget for
7 the then current fiscal year available and sufficient to
8 meet and take care of such portion of the purchase price as
9 is payable during the then current fiscal year, and the
10 budget for each following year, in which any portion of such
11 purchase price is to be paid, shall contain an appropriation
12 for the purpose of paying the same.

13 (3) Every contract entered into for the rental of
14 machinery, equipment, apparatus, appliances, materials or
15 supplies of any kind, which shall provide for payment of
16 rental, by the county, and that after a certain fixed amount
17 has been paid as rental, the property shall become the
18 property of the county, or any other similar provisions or
19 conditions, shall be deemed and construed to be a contract
20 for sale of such property, and all of the provisions of this
21 section shall apply thereto and govern and control the
22 same."

-End-

SECOND READING

MISSING

House BILL NO. *578*

INTRODUCED BY *Balch* *Rasmussen*

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING TO TEN THOUSAND DOLLARS THE VALUE OF EQUIPMENT WHICH COUNTY COMMISSIONERS MAY PURCHASE WITHOUT CALLING FOR BIDS; AMENDING SECTION 16-1803, R.C.M. 1947."

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

Section 1. Section 16-1803, R.C.M. 1947, is amended to read as follows:

"16-1803. Procedure when request for bids is necessary in making contracts for purchases and for construction of buildings exceeding ~~four~~ ten thousand dollars ~~(~~\$4,000~~)~~ (\$10,000). (1) No contract shall be entered into between a board of county commissioners for the purchase of any automobile, truck, or other vehicle, or road machinery, or for any other machinery, apparatus, appliances or equipment, or for any materials or supplies of any kind for which must be paid a sum in excess of ~~four~~ ten thousand dollars ~~(~~\$4,000~~)~~ (\$10,000), or for the construction of any building, for which must be paid a sum in excess of ~~four~~ ten thousand dollars ~~(~~\$4,000~~)~~ (\$10,000) without first publishing a notice calling for bids for furnishing the same, which notice must be published at least once a week, for three (3) consecutive

weeks before the date fixed therein for receiving bids, in the official newspaper of the county, and every such contract shall be let to the lowest and best responsible bidder; provided that the provisions of this section shall not apply to contracts for public printing entered into in accordance with the provisions of chapter 12 of Title 16 and provided further, that the provisions of this section shall not apply to contracts for purchases, which in the opinion of the board, are made necessary by fires, flood, explosion, storm, earthquake, or other elements, epidemic, riot, insurrection, or for the immediate preservation of order, or of the public health, or for the restoration of a condition of usefulness which has been destroyed by accident, wear, tear, mischief, or for the relief of a stricken community overtaken by calamity.

(2) When the amount to be paid as the purchase price for any automobile, truck, or other vehicle, or road machinery of any kind, or for any other machinery, apparatus, appliance or equipment, or for any materials or supplies of any kind, shall exceed one thousand dollars (\$1,000.00) the board of county commissioners may provide for the payment of such purchase price in installments extending over a period of not more than three (3) years; provided that when the purchase price is extended over a term of two (2) years or at least forty (40%) per cent

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18 property of the county, or any other similar provisions or
19 conditions, shall be deemed and construed to be a contract
20 for sale of such property, and all of the provisions of this
21 section shall apply thereto and govern and control the
22 same."

-End-