

1 H BILL NO. 187  
 2 INTRODUCED BY Rep. Patricia Foster, League Women  
 3 of Council, Helena

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A 60%  
 5 AFFIRMATIVE VOTE BY THE QUALIFIED ELECTORS BEFORE AN  
 6 AUTHORIZED LOCAL GOVERNMENT SERVICE MAY BE PROVIDED BY  
 7 PURCHASING THE SERVICES FROM A PUBLIC OR PRIVATE VENDOR."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Vote required to contract for certain  
 11 services. The local government services of water, sewer,  
 12 garbage collection, fire and police protection may be  
 13 provided by purchasing the services from a private or public  
 14 vendor only when approved by the electors of the local  
 15 government jurisdiction and must receive an affirmative vote  
 16 of approval by 60% of those voting on the issue.

-End-

*HB 187*

Objection Raised to  
Adverse Committee Report

Local Government

1 HOUSE BILL NO. 187  
2 INTRODUCED BY PISTORIA, FRATES  
3 TEAGUE, KENNY, O'CONNELL, RYAN  
4

5 A BILL FOR AN ACT ENTITLED: ~~\*AN ACT TO REQUIRE A 60%~~  
6 ~~AFFIRMATIVE VOTE BY THE QUALIFIED ELECTORS BEFORE AN~~  
7 ~~AUTHORIZED LOCAL GOVERNMENT SERVICE MAY BE PROVIDED BY~~  
8 ~~PURCHASING THE SERVICES FROM A PUBLIC OR PRIVATE VENDOR TO~~  
9 REQUIRE APPROVAL BY A MAJORITY OF THE QUALIFIED ELECTORS  
10 VOTING BEFORE A LOCAL GOVERNMENT MAY CONTRACT WITH A PRIVATE  
11 VENDOR FOR CERTAIN SERVICES.\*

12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Refer to Introduced Bill

15 (Strike everything after the enacting clause and insert:)

16 Section 1. Vote required to contract for certain  
17 services. (1) Except as provided in subsection (2), a local  
18 government may contract with a private vendor to provide  
19 water, sewer, garbage collection, parking, or fire  
20 protection services only if the contract is voted upon and  
21 approved by a majority of the qualified electors of the  
22 local government voting on the question.

23 (2) (a) If a local government is providing a service  
24 listed in subsection (1) by means of a contract with a  
25 private vendor on (the effective date of this act), the

1 local government may continue to provide that service by  
2 means of contracting with private vendors without submitting  
3 any future contracts to voter approval as required by  
4 subsection (1). This exemption includes new or renewal  
5 contracts for the same service with the same vendor or  
6 different vendors. The exemption is lost if the local  
7 government ceases to provide the service by means of a  
8 private vendor.

9 (b) In an emergency situation, a local government may  
10 enter a contract with a private vendor to provide any  
11 service listed in subsection (1). The contract may only  
12 cover the period of time during which the emergency exists.

-End-