

1 House BILL NO. 788  
 2 INTRODUCED BY Wesley Fager, Kibele Palmer  
 3 Cooney

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE  
 5 FINAL SELECTION OF STATE ARCHITECTS AND CONSULTING ENGINEERS  
 6 BY A SELECTION COMMITTEE; ESTABLISHING THE COMPOSITION OF  
 7 THE SELECTION COMMITTEE; REQUIRING CRITERIA FOR SELECTION TO  
 8 BE DEVELOPED AND NOTIFICATION TO BE SENT TO ARCHITECTS AND  
 9 CONSULTING ENGINEERS LICENSED IN THE STATE OF MONTANA; AND  
 10 AMENDING SECTION 82-3319, R.C.M. 1947."

11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 82-3319, R.C.M. 1947, is amended to  
 14 read as follows:

15 "82-3319. Appointment of architects and consulting  
 16 engineers. The department of administration shall appoint  
 17 any architect or consulting engineer retained for work on  
 18 any building to be constructed, remodeled or renovated by  
 19 the state of Montana, its boards, institutions and agencies,  
 20 from a list of three (3) architects or consulting engineers  
 21 proposed by the state board, institution or agency where the  
 22 work is to be done. Such appointment shall be subject to the  
 23 approval of ~~the state board of examiners~~ a six-member  
 24 selection committee composed of:

25 (1) two members of the long-range building committee;

1 (a) one member from the house of representatives; and  
 2 (b) one member from the senate;  
 3 (2) two members from the state board, institution, or  
 4 agency where the work is to be done;  
 5 (3) one member from the Montana arts council; and  
 6 (4) the state architect as an ex officio, nonvoting  
 7 advisory member."

8 Section 2. There is a new R.C.M. section numbered  
 9 82-3319.1 that reads as follows:

10 82-3319.1. Criteria for selection established and  
 11 disseminated. (1) The selection committee provided for in  
 12 82-3319 shall set forth the criteria for selection of an  
 13 architect or consulting engineer.

14 (2) A copy of the criteria for selection shall be sent  
 15 to each architect and consulting engineer licensed to  
 16 practice in the state of Montana.

-End-

HB 788

STATE OF MONTANA

REQUEST NO. 551-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, 19 77, there is hereby submitted a Fiscal Note for House Bill 788 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide for the final selection of state architects and consulting engineers by a selection committee; establishing the composition of the selection committee; requiring criteria for selection to be developed and notification to be sent to architects and consulting engineers licensed in the state of Montana.

ASSUMPTIONS:

1. That three members of the proposed six-member committee would have to travel for the meetings and receive expenses.
2. That state employees would be reimbursed from their own travel budgets.
3. Committee would be required to meet at least six (6) times per biennium.
4. Assume an average round trip of 500 miles requiring an overnight stay.
5. That no additional personnel would be needed by the Department of Administration.

FISCAL IMPACT:

	<u>FY78</u>	<u>FY79</u>
Estimated Increase in Expenditures	<u>\$2,500</u>	<u>\$2,500</u>

In addition, this legislation could add to the delay of the A&E selection process. Any delay can have a costly affect on the construction budget through inflation which is currently running at 3/4 of 1 percent per month. On a proposed \$15,000,000 building program, the delay of one month may add \$112,500 to the cost.

TECHNICAL NOTE:

A six member board is created but not attached to any agency. Additionally, no funding source is identified for payment of board's expenses.

*Richard L. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-26-77

Approved by Committee  
on State Administration

HOUSE BILL NO. 788

INTRODUCED BY DUSSAULT, FAGG,

KIMBLE, PALMER, COONEY

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE FINAL SELECTION OF STATE ARCHITECTS AND CONSULTING ENGINEERS BY A SELECTION COMMITTEE; ESTABLISHING THE COMPOSITION OF THE SELECTION COMMITTEE; REQUIRING CRITERIA FOR SELECTION TO BE DEVELOPED AND NOTIFICATION TO BE SENT TO ARCHITECTS AND CONSULTING ENGINEERS LICENSED IN THE STATE OF MONTANA; AND AMENDING SECTION 82-3319, R.C.M. 1947; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 82-3319, R.C.M. 1947, is amended to read as follows:

"82-3319. Appointment of architects and consulting engineers. The department of administration shall appoint any architect or consulting engineer retained for work on any building to be constructed, remodeled or renovated by the state of Montana, its boards, institutions and agencies, ~~from a list of three (3) architects or consulting engineers proposed by the state board, institution or agency where the work is to be done. Such appointment shall be subject to the approval of the state board of examiners.~~

SECOND READING

~~six-member selection committee composed of~~ THE ARCHITECT OR ENGINEER WOULD BE CHOSEN BY THE SELECTION COMMITTEE COMPRISED OF THE FOLLOWING MEMBERS:

- (1) two members of the long-range building committee:
  - (a) one member from the house of representatives; and
  - (b) one member from the senate, APPOINTED BY THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE;

(2) two members from the state board, institution, or agency where the work is to be done, SELECTED BY THE RESPECTIVE INSTITUTION OR AGENCY;

(3) one member from the Montana arts council, SELECTED BY THE DIRECTORS OF THE MONTANA ARTS COUNCIL; and

(4) the state architect as an ex officio, nonvoting, advisory member."

Section 2. There is a new R.C.M. section numbered 82-3319.1 that reads as follows:

Criteria for selection established and disseminated.

(1) The selection committee provided for in 82-3319 shall set forth the criteria for selection of an architect or consulting engineer.

(2) A copy of the criteria for selection shall be sent to each architect and consulting engineer licensed to practice in the state of Montana FOR EACH PROJECT LISTED IN THE LONG-RANGE BUILDING COMMITTEE REPORT.

(3) AFTER RECEIPT OF PROPOSALS OR INTEREST FROM

1 ~~ARCHITECTS AND ENGINEERS, THE BOARD, BY INTERVIEW OR OTHER~~  
2 ~~METHODS, SHALL, IF THEY EXCEED FIVE IN NUMBER, CUT THE LIST~~  
3 ~~TO FIVE FIRMS AND FROM THIS LIST SELECT, AFTER INTERVIEW,~~  
4 ~~THE FIRM OF THEIR CHOICE.~~  
5 ~~SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON~~  
6 ~~PASSAGE AND APPROVAL.~~

-End-

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2 INTRODUCED BY DUSSAULT, FAGG,

3 KIMBLE, PALMER, COONEY

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25 ~~subject to the approval of the state board of examiners a~~

1 ~~six-member selection committee composed of~~ THE ARCHITECT OR  
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7 SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE;

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9 agency where the work is to be done, SELECTED BY THE  
10 RESPECTIVE INSTITUTION OR AGENCY;

11 (3) one member from the Montana arts council, SELECTED  
12 BY THE DIRECTORS OF THE MONTANA ARTS COUNCIL; and

13 (4) the state architect as an ex officio, nonvoting,  
14 advisory member."

15 Section 2. There is a new R.C.M. section numbered  
16 82-3319.1 that reads as follows:

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18 (1) The selection committee provided for in 82-3319 shall  
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20 consulting engineer.

21 (2) A copy of the criteria for selection shall be sent  
22 to each architect and consulting engineer licensed to  
23 practice in the state of Montana FOR EACH PROJECT LISTED IN  
24 THE LONG-RANGE BUILDING COMMITTEE REPORT.

25 (3) AFTER RECEIPT OF PROPOSALS OR INTEREST FROM

1 ARCHITECTS AND ENGINEERS, THE BOARD, BY INTERVIEW OR OTHER  
2 METHODS, SHALL, IF THEY EXCEED FIVE IN NUMBER, CUT THE LIST  
3 TO FIVE FIRMS AND FROM THIS LIST SELECT, AFTER INTERVIEW,  
4 THE FIRM OF THEIR CHOICE.  
5 SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON  
6 PASSAGE AND APPROVAL.

-End-

April 5, 1977

STANDING COMMITTEE REPORT  
Senate Committee on State Administration

That House Bill No. 788 be amended as follows:

1. Amend page 1, section 1, line 18.  
Following: "appoint"  
Insert: "and sign any contracts with"
2. Amend page 2, section 1, line 7.  
Following: "AND THE"  
Strike: "PRESIDENT"  
Insert: "committee on committees"
3. Amend page 2, section 1, line 12.  
Following: "BY THE"  
Strike: "DIRECTORS"  
Insert: "executive committee"
4. Amend page 2, section 1, line 14.  
Following: line 14  
Insert: "(5) The legislative members and Montana arts council member shall serve for a term of 2 years and the members selected by the institution or agency where the work is to be done shall be selected for each project."
5. Amend page 3, section 2, line 1.  
Following: "THE"  
Insert: "state"  
Following: "BOARD,"  
Insert: "institution, or agency where the work is to be done shall"
6. Amend page 3, section 2, line 2.  
Following: "METHODS"  
Strike: ", SHALL, IF THEY EXCEED FIVE IN NUMBER,"
7. Amend page 3, section 2, lines 3 and 4.  
Following: "TO"  
Insert: "not less than three but not more than"  
Following: "AND"  
Strike: "FROM THIS LIST SELECT, AFTER INTERVIEW, THE FIRM OF THEIR CHOICE"  
Insert: "submit them to the committee in order of preference"