

HOUSE BILL NO. 642

INTRODUCED BY HARPER, STOBIE

IN THE HOUSE

February 8, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 15, 1979	Committee recommend bill do pass. Report adopted.
February 16, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 20, 1979	Introduced and referred to Committee on Labor and Employment Relations.
March 9, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 12, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 16, 1979	Returned from second house. Concurred in as amended.
March 17, 1979	Second reading, amendments adopted.
March 19, 1979	Third reading, amendments adopted. Sent to enrolling. Reported correctly enrolled.

1 HOUSE BILL NO. 642
 2 INTRODUCED BY Stanger Stabini
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A FORMER
 5 STATE EMPLOYEE FROM CONTRACTING OR BEING EMPLOYED BY A
 6 CONTRACTOR WITH THE STATE FOR 6 MONTHS FOLLOWING THE
 7 TERMINATION OF HIS EMPLOYMENT; AND TO REMOVE THE EXCEPTION
 8 FOR PROFESSIONAL SERVICE CONTRACTS; AMENDING SECTION
 9 2-2-201, MCA."
 10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 2-2-201, MCA, is amended to read:
 13 "2-2-201. Public officers ~~and employees, and former~~
 14 ~~employees~~ not to have interest in contracts. Members of the
 15 legislature, state, county, city, town, or township officers
 16 or any deputy or employee thereof must not be interested in
 17 any contract made by them in their official capacity or by
 18 any body, agency, or board of which they are members or
 19 employees. ~~A former employee may not, within 6 months~~
 20 ~~following the termination of his employment, contract or be~~
 21 ~~employed by a contractor with the state or any of its~~
 22 ~~subdivisions involving matters with which he was directly~~
 23 ~~involved during his employment.~~ In this section the term:
 24 (1) "be interested in" does not include holding a
 25 minority interest in a corporation;

- 1 (2) "contract" does not include:
- 2 (a) contracts awarded to the lowest responsible bidder
- 3 based on competitive bidding procedures;
- 4 (b) merchandise sold to the highest bidder at public
- 5 auctions;
- 6 (c) investments or deposits in financial institutions
- 7 which are in the business of loaning or receiving money; ~~or,~~
- 8 ~~(d) contracts for professional services."~~

-End-

-2- *HB 642*
 INTRODUCED BILL

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 2 INTRODUCED BY Hayes Stebbins
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 7 which are in the business of loaning or receiving money; ~~or,~~
 8 ~~{d}--contracts-for-professional-services"~~
 -End-

HOUSE BILL NO. 642

INTRODUCED BY HARPER, STORIE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A FORMER STATE EMPLOYEE FROM CONTRACTING OR BEING EMPLOYED BY A CONTRACTOR WITH THE STATE FOR 6 MONTHS FOLLOWING THE TERMINATION OF HIS EMPLOYMENT; AND TO REMOVE THE EXCEPTION FOR PROFESSIONAL SERVICE CONTRACTS; AMENDING SECTION 2-2-201, MCA."

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

Section 1. Section 2-2-201, MCA, is amended to read:

"2-2-201. Public officers, and employees, and former employees not to have interest in contracts. Members of the legislature, state, county, city, town, or township officers or any deputy or employee thereof must not be interested in any contract made by them in their official capacity or by any body, agency, or board of which they are members or employees. A former employee may not, within 6 months following the termination of his employment, contract or be employed by a contractor AN EMPLOYER WHO CONTRACTS with the state or any of its subdivisions involving matters with which he was directly involved during his employment. In this section the term:

(1) "be interested in" does not include holding a

- minority interest in a corporation;
(2) "contract" does not include:
(a) contracts awarded to the lowest responsible bidder based on competitive bidding procedures;
(b) merchandise sold to the highest bidder at public auctions;
(c) investments or deposits in financial institutions which are in the business of loaning or receiving money; or
(d) --contracts-for-professional-services"

-End-

March 9, 1979

SENATE STANDING COMMITTEE REPORT
(Labor & Employment Relations)

That House Bill No. 642 be amended as follows:

1. Page 1, line 21.

Following: "by"

Strike: "a contractor"

Insert: "an employer who contracts"