

HOUSE BILL NO. 256

INTRODUCED BY VINGER, FEDA, CONROY, KROPP

IN THE HOUSE

January 15, 1981	Introduced and referred to Committee on Local Government.
January 28, 1981	Committee recommend bill do pass. Report adopted.
January 29, 1981	Bill printed and placed on members' desks.
January 30, 1981	Second reading, do pass as amended.
February 2, 1981	Correctly engrossed.
February 3, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 4, 1981	Introduced and referred to Committee on Local Government.
March 6, 1981	Committee recommend bill be concurred in. Report adopted.
March 9, 1981	Second reading, concurred in. Bill segregated.
March 10, 1981	Second reading, bill concurred in.
March 12, 1981	Third reading, concurred in. Ayes, 41; Nces, 9.

IN THE HOUSE

March 13, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 7-5-2301."

2 Section 3. Section 7-5-2303, MCA, is amended to read:

3 "7-5-2303. Use of public auction to make purchase. (1)
4 In lieu of soliciting bids, the governing body may purchase
5 at public auction any vehicle, machinery, appliances,
6 apparatus, building, or materials and supplies for which
7 must be paid a sum less than ~~\$10,000~~ \$25,000.

8 (2) Compliance with the provisions of this section
9 shall be considered as meeting the requirements of
10 7-5-2301."

11 Section 4. Section 7-7-2101, MCA, is amended to read:

12 "7-7-2101. Limitation on amount of county
13 indebtedness. (1) No county may become indebted in any
14 manner or for any purpose to an amount, including existing
15 indebtedness, in the aggregate exceeding 1% of the taxable
16 value of the property therein subject to taxation as
17 ascertained by the last assessment for state and county
18 taxes previous to the incurring of such indebtedness.

19 (2) No county may incur indebtedness or liability for
20 any single purpose to an amount exceeding ~~\$40,000~~ \$150,000
21 without the approval of a majority of the electors thereof
22 voting at an election to be provided by law, except as
23 provided in 7-21-3413 and 7-21-3414."

-End-

1 7-5-2301."

2 Section 3. Section 7-5-2303, MCA, is amended to read:

3 "7-5-2303. Use of public auction to make purchase. (1)
4 In lieu of soliciting bids, the governing body may purchase
5 at public auction any vehicle, machinery, appliances,
6 apparatus, building, or materials and supplies for which
7 must be paid a sum less than ~~\$10,000~~ \$25,000.

8 (2) Compliance with the provisions of this section
9 shall be considered as meeting the requirements of
10 7-5-2301."

11 Section 4. Section 7-7-2101, MCA, is amended to read:

12 "7-7-2101. Limitation on amount of county
13 indebtedness. (1) No county may become indebted in any
14 manner or for any purpose to an amount, including existing
15 indebtedness, in the aggregate exceeding 18% of the taxable
16 value of the property therein subject to taxation as
17 ascertained by the last assessment for state and county
18 taxes previous to the incurring of such indebtedness.

19 (2) No county may incur indebtedness or liability for
20 any single purpose to an amount exceeding ~~\$40,000~~ \$150,000
21 without the approval of a majority of the electors thereof
22 voting at an election to be provided by law, except as
23 provided in 7-21-3413 and 7-21-3414."

-End-

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3
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
5 LIMITS OF DISCRETIONARY AUTHORITY OF COUNTY OFFICIALS TO ACT
6 IN FISCAL MATTERS IN ORDER TO ADJUST FOR INFLATION; AMENDING
7 SECTIONS 7-5-2301, 7-5-2302, 7-5-2303, AND 7-7-2101, MCA."

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

10 Section 1. Section 7-5-2301, MCA, is amended to read:

11 "7-5-2301. Competitive, advertised bidding required
12 for certain large purchases or construction contracts. (1)
13 Except as provided in 7-5-2304, no contract for the purchase
14 of any vehicle, road machinery, or other machinery,
15 apparatus, appliances, or equipment or for any materials or
16 supplies of any kind for which must be paid a sum in excess
17 of \$10,000 or, for the construction of any building, road,
18 or bridge for which must be paid a sum in excess of ~~\$10,000~~
19 \$25,000 \$10,000 OR FOR THE REPAIR OR MAINTENANCE OF ANY
20 BUILDING, ROAD, OR BRIDGE FOR WHICH MUST BE PAID A SUM IN
21 EXCESS OF \$25,000 shall be entered into by a county
22 governing body without first publishing a notice calling for
23 bids for furnishing the same.

24 (2) The notice must be published in the official
25 newspaper of the county at least once a week for 3

1 consecutive weeks before the date fixed therein for
2 receiving bids.

3 (3) Every such contract shall be let to the lowest and
4 best responsible bidder."

5 Section 2. Section 7-5-2302, MCA, is amended to read:

6 "7-5-2302. Use of competitive, nonadvertised bidding
7 for certain purchases. (1) Except as provided in 7-5-2303,
8 on any purchase contract entered into by a county governing
9 body for the purchase of any vehicle, machinery, appliances,
10 apparatus, building, or materials and supplies for which
11 must be paid a sum in excess of ~~\$4,000~~ \$10,000 but less than
12 ~~\$10,000~~ \$25,000, bids shall be solicited without advertising
13 from persons, firms, or corporations who have caused to be
14 filed with the governing body of the county a request in
15 writing that its name be listed with the governing body for
16 solicitations on the particular items set forth in the
17 request. The governing body shall solicit bids of
18 prospective suppliers whose names are listed as provided
19 herein, which solicitation shall contain the same
20 information as is required to be set forth in
21 advertisements. If a person, firm, or corporation whose
22 name is listed fails for a period of 1 year to respond to
23 any solicitation for bids, such listing may be canceled.

24 (2) The governing body of the county shall let such
25 contract to the lowest and best responsible bidder.

THIRD READING

1 (3) Compliance with the provisions of this section
2 shall be considered as meeting the requirements of
3 7-5-2301."

4 Section 3. Section 7-5-2303, MCA, is amended to read:
5 "7-5-2303. Use of public auction to make purchase. (1)
6 In lieu of soliciting bids, the governing body may purchase
7 at public auction any vehicle, machinery, appliances,
8 apparatus, building, or materials and supplies for which
9 must be paid a sum less than ~~\$10,000~~ \$25,000.

10 (2) Compliance with the provisions of this section
11 shall be considered as meeting the requirements of
12 7-5-2301."

13 Section 4. Section 7-7-2101, MCA, is amended to read:
14 "7-7-2101. Limitation on amount of county
15 indebtedness. (1) No county may become indebted in any
16 manner or for any purpose to an amount, including existing
17 indebtedness, in the aggregate exceeding 18% of the taxable
18 value of the property therein subject to taxation as
19 ascertained by the last assessment for state and county
20 taxes previous to the incurring of such indebtedness.

21 (2) No county may incur indebtedness or liability for
22 any single purpose to an amount exceeding ~~\$40,000~~ \$150,000
23 without the approval of a majority of the electors thereof
24 voting at an election to be provided by law, except as
25 provided in 7-21-3413 and 7-21-3414."

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14 of any vehicle, road machinery, or other machinery,
15 apparatus, appliances, or equipment or for any materials or
16 supplies of any kind for which must be paid a sum in excess
17 of \$10,000 or 2 for the construction of any building, road,
18 or bridge for which must be paid a sum in excess of ~~\$10,000~~
19 \$25,000 \$10,000 OR FOR THE REPAIR OR MAINTENANCE OF ANY
20 BUILDING, ROAD, OR BRIDGE FOR WHICH MUST BE PAID A SUM IN
21 EXCESS OF \$25,000 shall be entered into by a county
22 governing body without first publishing a notice calling for
23 bids for furnishing the same.

24 (2) The notice must be published in the official
25 newspaper of the county at least once a week for 3

1 consecutive weeks before the date fixed therein for
2 receiving bids.

3 (3) Every such contract shall be let to the lowest and
4 best responsible bidder."

5 Section 2. Section 7-5-2302, MCA, is amended to read:

6 "7-5-2302. Use of competitive, nonadvertised bidding
7 for certain purchases. (1) Except as provided in 7-5-2303,
8 on any purchase contract entered into by a county governing
9 body for the purchase of any vehicle, machinery, appliances,
10 apparatus, building, or materials and supplies for which
11 must be paid a sum in excess of ~~\$4,000~~ \$10,000 but less than
12 ~~\$10,000~~ \$25,000, bids shall be solicited without advertising
13 from persons, firms, or corporations who have caused to be
14 filed with the governing body of the county a request in
15 writing that its name be listed with the governing body for
16 solicitations on the particular items set forth in the
17 request. The governing body shall solicit bids of
18 prospective suppliers whose names are listed as provided
19 herein, which solicitation shall contain the same
20 information as is required to be set forth in
21 advertisements. If a person, firm, or corporation whose
22 name is listed fails for a period of 1 year to respond to
23 any solicitation for bids, such listing may be canceled.

24 (2) The governing body of the county shall let such
25 contract to the lowest and best responsible bidder.

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