HOUSE BILL NO. 256

INTRODUCED BY VINGER, FEDA, CONROY, RROPP

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, 1961	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; Noes, 9.
	IN THE HOUSE
March 13, 1981	Returned from Senate. Concurred in. Sent to enrolling.
	Reported correctly enrolled.

LC 1183/01

1 BILL NO. 256 INTRODUCED BY VInger Jula Conroy Kropp 2 ٦

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

36 IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 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 supplies of any kind for which must be paid a sum in excess 16 17 of \$10,000 or for the construction of any building, road, or 18 bridge for which must be paid a sum in excess of #10+000 19 \$25.000 shall be entered into by a county governing body without first publishing a notice calling for bids for 20 21 furnishing the same.

(2) The notice must be published in the official
newspaper of the county at least once a week for 3
consecutive weeks before the date fixed therein for
receiving bids.

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

3 Section 2. Section 7-5-2302, MCA, is amended to read: #7-5-2302. Use of competitive, nonadvertised bidding 4 5 for certain purchases. (1) Except as provided in 7-5-2303, on any purchase contract entered into by a county governing 6 7 body for the purchase of any vehicle, machinery, appliances, apparatus, building, or materials and supplies for which 8 9 must be paid a sum in excess of \$4,000 \$10,000 but less than 10 \$10,000 \$25,000, bids shall be solicited without advertising 11 from persons, firms, or corporations who have caused to be 12 filed with the governing body of the county a request in 13 writing that its name be listed with the governing body for 14 solicitations on the particular items set forth in the 15 request. The governing body shall solicit bids of prospective suppliers whose names are listed as provided 16 17 herein. which solicitation shall contain the same 18 information as is required to be set forth in advertisements. If a person, firm, or corporation whose 19 name is listed fails for a period of 1 year to respond to 20 21 any solicitation for bids, such listing may be canceled. 22

(2) The governing body of the county shall let suchcontract to the lowest and best responsible bidder.

24 (3) Compliance with the provisions of this section25 shall be considered as meeting the requirements of

-2- INTRODUCED BILL HB236

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1 7-5-2301.*

Section 3. Section 7-5-2303. MCA: is amended to read:
"7-5-2303. Use of public auction to make purchase. (1)
In lieu of soliciting bids, the governing body may purchase
at public auction any vehicle, machinery, appliances,
apparatus, building, or materials and supplies for which
must be paid a sum less than \$20,000.

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 of on amount county 13 indebtedness+ (1) No county may become indebted in any 14 manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 12% of the taxable 15 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.

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

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Approved by Comm. on Local Government

1 BILL ND. 256 INTRODUCED BY VInger Juck Conroy Krop 2 3

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

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 supplies of any kind for which must be paid a sum in excess 16 17 of \$10,000 or for the construction of any building, road, or 18 bridge for which must be paid a sum in excess of \$18,000 19 \$25.000 shall be entered into by a county governing body 20 without first publishing a notice calling for bids for 21 furnishing the same.

(2) The notice must be published in the official
newspaper of the county at least once a week for 3
consecutive weeks before the date fixed therein for
receiving bids.

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{3} Every such contract shall be let to the lowest and
 best responsible bidder.*

Section 2. Section 7-5-2302, MCA, is amended to read: 3 4 #7-5-2302. Use of competitive, nonadvertised bidding for certain purchases. (1) Except as provided in 7-5-2303, 5 on any purchase contract entered into by a county governing 6 7 body for the purchase of any vehicle, machinery, appliances, apparatus, building, or materials and supplies for which 8 9 must be paid a sum in excess of \$4,000 <u>\$10,000</u> but less than 10 \$10,000 \$25.000, bids shall be solicited without advertising 11 from persons, firms, or corporations who have caused to be 12 filed with the governing body of the county a request in 13 writing that its name be listed with the governing body for 14 solicitations on the particular items set forth in the 15 request. The governing body shall solicit bids of prospective suppliers whose names are listed as provided 16 17 solicitation herein. which shall contain the same 18 information as is required to be set forth in 19 advertisements. If a person, firm, or corporation whose name is listed fails for a period of 1 year to respond to 20 21 any solicitation for bids, such listing may be canceled. 22 (2) The governing body of the county shall let such

22 (2) The governing body of the county shall fet such23 contract to the lowest and best responsible bidder.

24 (3) Compliance with the provisions of this section
 25 shall be considered as meeting the requirements of
 SECOND READING

LC 1183/01

1 7-5-2301.*

Section 3. Section 7-5-2303, MCA, is amended to read:
#7-5-2303. Use of public auction to make purchase. (1)
In lieu of soliciting bids, the governing body may purchase
at public auction any vehicle, machinery, appliances,
apparatus, building, or materials and supplies for which
must be paid a sum less than \$20,000.

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: "7-7-2101. Limitation 12 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 indebtedness, in the aggregate exceeding 18% of the taxable 15 value of the property therein subject to taxation as 16 17 ascertained by the last assessment for state and county 18 taxes previous to the incurring of such indebtedness.

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

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HB 0256/02

INTRODUCED BY VINGER, FEDA, CUNROY, KROPP 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN 5 LIMITS OF DISCRETIONARY AUTHORITY OF COUNTY OFFICIALS TO ACT IN FISCAL MATTERS IN ORDER TO ADJUST FOR INFLATION; AMENDING 6 7 SECTIONS 7-5-2301, 7-5-2302, 7-5-2303, AND 7-7-2101, MCA." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 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 \$18,000 \$25,000 \$10,000 OR FOR THE REPAIR OR MAINTENANCE OF ANY 19 BUILDING, ROAD, OR BRIDGE FOR WHICH MUST BE PAID A SUM IN 20 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

newspaper of the county at least once a week for 3

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consecutive weeks before the date fixed therein for
 receiving bids.

3 {3} Every such contract shall be let to the lowest and
4 best responsible bidder.ⁿ

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 pe 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 name is listed fails for a period of 1 year to respond to 22 23 any solicitation for bids, such listing may be canceled. (2) The governing body of the county shall let such 24 25 contract to the lowest and best responsible bidder. READING THIRD HB 256 -2HB 0256/02

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

Section 3. Section 7-5-2303, MCA, is amended to read:
"7-5-2303. Use of public auction to make purchase. (i)
In lieu of soliciting bids, the governing body may purchase
at public auction any vehicle, machinery, appliances,
apparatus, building, or materials and supplies for which
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 indebtedness. (1) No county may become indebted in any 15 manner or for any purpose to an amount, including existing 16 17 indebtedness, in the aggregate exceeding 18% of the taxable 18 value of the property therein subject to taxation as ascertained by the last assessment for state and county 19 taxes previous to the incurring of such indeptedness. 20

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

-End--3-

HB 0256/02

1	HOUSE BILL NO. 256
2	INTRODUCED BY VINGER, FEDA, CONROY, KROPP
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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 $\underline{\bullet}$ 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.
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24 (2) The notice must be published in the official25 newspaper of the county at least once a week for 3

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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+800 \$10,000 but less than 12 \$18,000 \$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 which solicitation shall herein. contain the same 20 information as is required to be set forth in 21 If a person+ firm+ or corporation whose advertisements. name is listed fails for a period of 1 year to respond to 22 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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(3) Compliance with the provisions of this section
 shall be considered as meeting the requirements of
 7-5-2301."

Section 3. Section 7-5-2303. MCA, is amended to read:
"7-5-2303. Use of public auction to make purchase. (1)
In lieu of soliciting bids, the governing body may purchase
at public auction any vehicle, machinery, appliances,
apparatus, building, or materials and supplies for which
must be paid a sum less than \$18,000 \$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 manner or for any purpose to an amount, including existing 16 17 indebtedness, in the aggregate exceeding 18% of the taxable 18 value of the property therein subject to taxation as ascertained by the last assessment for state and county 19 taxes previous to the incurring of such indebtedness. 20

21 .(2) No county may incur indebtedness or liability for
22 any single purpose to an amount exceeding \$40x000 \$150y000
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.**
-End-

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