

HOUSE BILL NO. 498
INTRODUCED BY OBERG

IN THE HOUSE

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| January 27, 1981 | Introduced and referred to Committee on Local Government. |
| February 14, 1981 | Committee recommend bill do pass as amended. Report adopted. |
| February 16, 1981 | Bill printed and placed on members' desks. |
| February 17, 1981 | Second reading, do pass. |
| February 18, 1981 | Correctly engrossed. |
| February 19, 1981 | Third reading, passed. Ayes, 89; Noes, 11. Transmitted to Senate. |

IN THE SENATE

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| February 20, 1981 | Introduced and referred to Committee on Local Government. |
| March 21, 1981 | Committee recommend bill be concurred in as amended. Report adopted. |
| March 24, 1981 | Motion pass consideration. |
| March 25, 1981 | Second reading, concurred in. |
| March 27, 1981 | Third reading, concurred in as amended. Ayes, 50; Noes, 0. |

IN THE HOUSE

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| March 28, 1981 | Returned from Senate with amendments. |
| April 8, 1981 | Second reading, amendments concurred in. |

April 9, 1981

Third reading, amendments
concurrent in. Ayes, 95;
Noes, 1. Sent to enrolling.

Reported correctly enrolled.

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM
5 CONTRACT AMOUNT ABOVE WHICH MUNICIPAL CONTRACTS MUST BE
6 ADVERTISED AND LET FOR BID AND MAY BE PAID IN INSTALLMENTS;
7 AMENDING SECTIONS 7-5-4302 AND 7-5-4306, MCA."

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

10 Section 1. Section 7-5-4302, MCA, is amended to read:
11 "7-5-4302. Competitive, advertised bidding required
12 for certain purchase and construction contracts. (1) Except
13 as provided in 7-5-4303, all contracts for the purchase of
14 any automobile, truck, other vehicle, road machinery, other
15 machinery, apparatus, appliances, or equipment, for any
16 materials or supplies of any kind, or for construction for
17 which must be paid a sum exceeding ~~\$4,000~~ \$10,000 must be
18 let to the lowest responsible bidder after advertisement for
19 bids.

20 (2) Such advertisement shall be made in the official
21 newspaper of the city or town if there be such official
22 newspaper, and if not, it shall be made in a daily newspaper
23 of general circulation published in the city or town if
24 there be such and, otherwise, by posting in three of the
25 most public places in the city or town. Such advertisement,

1 if by publication in a newspaper, shall be made once each
2 week for 2 consecutive weeks, and the second publication
3 shall be made not less than 5 days or more than 12 days
4 before the consideration of bids. If such advertisement is
5 made by posting, 15 days must elapse, including the day of
6 posting, between the time of the posting of such
7 advertisement and the day set for considering bids.

8 (3) The council may postpone action as to any such
9 contract until the next regular meeting after bids are
10 received in response to such advertisement and may reject
11 any and all bids and readvertise as provided herein."

12 Section 2. Section 7-5-4306, MCA, is amended to read:
13 "7-5-4306. Use of installment purchase contract. (1)
14 Subject to the requirements of subsection (2), when the
15 amount to be paid under any such contract shall exceed
16 ~~\$4,000~~ \$10,000, the council may provide for the payment of
17 such an amount in installments extending over a period of
18 not more than 5 years; provided that at the time of entering
19 into such contract, there shall be an unexpended balance of
20 appropriation in the budget for the then-current fiscal year
21 available and sufficient to meet and take care of such
22 portion of the contract price as is payable during the
23 then-current fiscal year and the budget for each following
24 year in which any portion of such purchase price is to be
25 paid shall contain an appropriation for the purpose of

LC 2118/01

1 paying the same.

2 (2) When such amount is extended over a term of 2
3 years, at least 40% thereof shall be paid the first year and
4 the remainder the second year. When such amount is extended
5 over a term of 3 years, at least one-third thereof shall be
6 paid each year. If such amount is extended over a term of 4
7 years, at least one-fourth is to be paid each year. If such
8 amount is extended over a term of 5 years, at least
9 one-fifth is to be paid each year."

-End-

Approved by Comm.
on Local Government

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 17 REPAIR OR MAINTENANCE for which must be paid a sum exceeding
 18 ~~\$4,000~~ \$10,000, OR FOR CONSTRUCTION FOR WHICH MUST BE PAID A
 19 SUM EXCEEDING \$4,000, must be let to the lowest responsible
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14 "7-5-4306. Use of installment purchase contract. (1)
 15 Subject to the requirements of subsection (2), when the
 16 amount to be paid under any such contract shall exceed
 17 ~~\$4,000~~ ~~\$10,000~~ THE AMOUNT SET FORTH IN 75-5-4302(1), the
 18 council may provide for the payment of such an amount in
 19 installments extending over a period of not more than 5
 20 years; provided that at the time of entering into such
 21 contract, there shall be an unexpended balance of
 22 appropriation in the budget for the then-current fiscal year
 23 available and sufficient to meet and take care of such
 24 portion of the contract price as is payable during the
 25 then-current fiscal year and the budget for each following

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1 year in which any portion of such purchase price is to be
2 paid shall contain an appropriation for the purpose of
3 paying the same.

4 (2) When such amount is extended over a term of 2
5 years, at least 40% thereof shall be paid the first year and
6 the remainder the second year. When such amount is extended
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most public places in the city or town. Such advertisement, if by publication in a newspaper, shall be made once each week for 2 consecutive weeks, and the second publication shall be made not less than 5 days or more than 12 days before the consideration of bids. If such advertisement is made by posting, 15 days must elapse, including the day of posting, between the time of the posting of such advertisement and the day set for considering bids.

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March 21, 1981

SENATE STANDING COMMITTEE REPORT
(Local Government)

That House Bill No. 498 be amended as follows:

1. Page 1.

Following: line 16

Insert: "construction,"

Following: "REPAIR"

Insert: ", "

2. Page 1, lines 18 and 19.

Following: "\$10,000"

Strike: the remainder of line 18 through "\$4,000," on line 19

3. Page 2, line 17.

Following: "IN"

Strike: "75-5-4302(1)"

Insert: "7-5-4302(1)"