

HOUSE BILL NO. 343

1/22 Introduced  
1/22 Referred to State Administration  
2/04 Hearing  
2/04 Adverse Committee Report  
2/05 Bill Killed

HOUSE BILL NO. 343

INTRODUCED BY \_\_\_\_\_  
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF ADMINISTRATION PROVIDE INSPECTION SERVICES FOR THE CONSTRUCTION OF BUILDINGS OWNED OR TO BE OWNED BY A SCHOOL DISTRICT; AMENDING SECTIONS 18-2-103 AND 20-15-403, MCA."

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

Section 1. Section 18-2-103, MCA, is amended to read:

"18-2-103. Supervision of construction of buildings.

(1) For the construction of a building costing more than \$25,000, the department of administration shall:

(a) review and approve all plans and working drawings prepared by architects;

(b) approve all bond issues or other financial arrangements and supervise and approve the expenditure of all moneys;

(c) under the supervision and with the approval of the board of examiners, solicit, accept, and reject bids and award all contracts to the lowest qualified bidder considering conformity with specifications and terms and reasonableness of bid amount;

(d) review and, with the consent of the board of examiners, approve all change orders;

(e) accept the building when completed according to approved plans and specifications.

(2) For repair and maintenance projects, the supervision, approval, and consent of the board of examiners are not required.

(3) Before any contract under subsection (1) is awarded, two formal bids must have been received, if reasonably available.

(4) The department of administration is responsible for concurring in construction projects where the proposed cost is less than \$25,000 but more than \$5,000. Before any contract under this subsection is approved for construction, alteration, repair, maintenance, or improvement, at least three informal bids, if reasonably available, shall be procured from bona fide contractors duly licensed as such in the state of Montana.

(5) The department need not require the provisions of Montana law relating to advertising, bidding, or supervision where proposed construction costs are less than \$5,000.

~~(6) For the construction of buildings owned or to be owned by a school district, the department of administration shall, upon request, provide inspection to insure compliance with the plans and specifications for the construction of~~



-2- INTRODUCED BILL  
**HB 343**

1 such buildings--"Construction" shall include--construction,  
 2 repair,---alteration,---equipping,---and---furnishing--during  
 3 construction, repair, or alteration--These services shall be  
 4 provided--at--a--cost--to--be--contracted--for--between--the  
 5 department--of--administration--and--the--school--district,--with  
 6 the--receipts--to--be--deposited--in--the--department---of  
 7 administration's--construction--regulation--account--in--a--state  
 8 special--revenue--fund.

9 {7}(6) It is the intent of the legislature that  
 10 student housing and other facilities constructed under the  
 11 authority of the regents of the university system are  
 12 subject to the provisions of subsections (1) through (3) of  
 13 this section."

14 Section 2. Section 20-15-403, MCA, is amended to read:

15 "20-15-403. Applications of other school district  
 16 provisions. (1) When the term "school district" appears in  
 17 the following sections outside of Title 20, the term  
 18 includes community college districts and the provisions of  
 19 those sections applicable to school districts apply to  
 20 community college districts: 2-9-101, 2-9-111, 2-9-316,  
 21 2-16-114, 2-16-602, 2-16-614, 2-18-703, 7-3-1101, 7-6-2604,  
 22 7-6-2801, 7-7-123, 7-8-2214, 7-8-2215, 7-8-2216, 7-11-103,  
 23 7-12-4106, 7-13-110, 7-13-210, 7-15-4206, 10-1-703,  
 24 15-1-101, 15-6-204, 15-16-101, 15-16-601, 15-18-108,  
 25 15-55-106, 15-70-301, 15-70-322, 17-5-101, 17-5-202,

1 17-6-103, 17-6-204, 17-6-213, 17-7-201, 18-1-102, 18-1-105,  
 2 18-1-112, 18-1-201, 18-2-101, ~~18-2-103~~, 18-2-113, 18-2-114,  
 3 18-2-404, 18-2-408, 18-5-205, 19-1-102, 19-1-602, 19-1-811,  
 4 22-1-309, 25-1-402, 27-18-406, 33-20-1104, 39-3-104,  
 5 39-4-107, 39-31-103, 39-31-304, 39-71-116, 39-71-117,  
 6 39-71-2106, 39-71-2206, 40-6-237, 41-3-1132, 49-3-101,  
 7 49-3-102, 53-20-304, 77-3-321, 82-10-201, 82-10-202,  
 8 82-10-203, 85-7-2158, and 90-6-208 and Rules 4D(2)(g) and  
 9 15(c), M.R.Civ.P., as amended.

10 (2) When the term "school district" appears in a  
 11 section outside of Title 20 but the section is not listed in  
 12 subsection (1), the school district provision does not apply  
 13 to a community college district."

-End-