

SENATE BILL NO. 196

INTRODUCED BY FULLER, KEENAN, MAZUREK

IN THE SENATE

January 22, 1985	Introduced and referred to Committee on State Administration.
February 5, 1985	Committee recommend bill do pass. Report adopted.
February 6, 1985	Bill printed and placed on members' desks.
February 7, 1985	Second reading, do pass.
February 8, 1985	Considered correctly engrossed.
February 9, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on State Administration.
March 14, 1985	Committee recommend bill be concurred in. Report adopted.
March 16, 1985	Second reading, pass consideration.
March 19, 1985	Second reading, concurred in.
March 21, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

March 21, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 196
2 INTRODUCED BY *Fulton Keenan Magrath*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS
5 RELATING TO STATE PURCHASES FROM SHELTERED WORKSHOPS;
6 AMENDING SECTIONS 18-5-102 AND 18-5-103, MCA."

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

9 Section 1. Section 18-5-102, MCA, is amended to read:

10 "18-5-102. Duties and powers of department of

11 administration. (1) The department shall establish--and

12 publish--a--listing maintain a current list of facilities

13 located in this state, including a list of products and

14 services provided by each facility, based on information

15 provided by the facilities. A facility requesting to be

16 included on the list shall indicate the products and

17 services available from it and shall provide the department

18 with updated information, as necessary purchased-by-the

19 state--From--this--list--facilities--may--select--products--or

20 services--to--be--produced--or--provided--by--one--or--more

21 facilities--A--product--or--service--shall--be--removed--from--the

22 list--approved--for--facilities--whenever--the--department

23 ascertains--that--the--product--or--service--exceeds--20%--of--the

24 gross--sales--of--any--business--in--Montana--producing--that

25 product--or--providing--that--service.



1 of this title relating to competitive bidding do not apply
2 to purchases made in accordance with 18-5-101 through
3 18-5-103."

4 NEW SECTION. Section 3. Extension of authority. Any
5 existing authority of the department of administration to
6 make rules on the subject of the provisions of this act is
7 extended to the provisions of this act.

-End-

1 Senator BILL NO. 196
2 INTRODUCED BY Tulio Karam Magrabi

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS
5 RELATING TO STATE PURCHASES FROM SHELTERED WORKSHOPS;
6 AMENDING SECTIONS 18-5-102 AND 18-5-103, MCA."

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

1 (2) The department may contract with a nonprofit
2 organization to:

3 (a) certify facilities;

- 4 (b) provide technical assistance to facilities on
- 5 matters of product or service capabilities;
- 6 (c) facilitate distribution of orders among facilities
- 7 and to insure equal opportunity in obtaining orders.

8 {3}--The department shall--determine--the--fair--market
9 price--to--be--charged--for--products--and--services--on-the
10 procurement-list-which-is-competitive-with-readily-available
11 alternative-sources.--In-determining-and-revising-the--prices
12 of---products---and---services,--the--department--must--give
13 consideration-to-reasonable-costs-of-labor,--materials,--and
14 overhead--and--a--percentage--of--gross--sales--to--fund-the
15 activities--of--the--nonprofit--organization--specified--in
16 {2}{a},--{2}{b},--and--{2}{c}--above.

17 ~~t4}(3)~~ The department shall adopt, revise, and amend
18 rules to implement 18-5-101 through 18-5-103 in accordance
19 with the procedures of the Montana Administrative Procedure
20 Act."

21 Section 2. Section 18-5-103, MCA, is amended to read:

22 "18-5-103. Procurement requirements. State

23 departments, institutions, and agencies shall, after

24 promulgation of the product and service list, may procure

25 listed products and services from a facility. The provisions



1 of this title relating to competitive bidding do not apply
2 to purchases made in accordance with 18-5-101 through
3 18-5-103."

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INTRODUCED BY Folk Keenan Yerushalm

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15 provided by the facilities. A facility requesting to be
16 included on the list shall indicate the products and
17 services available from it and shall provide the department
18 with updated information, as necessary purchased-by-the
19 state.--From this list, facilities--may--select--products--or
20 services--to--be--produced--or--provided--by--one--or--more
21 facilities--A product or service shall be removed--from--the
22 list--approved--for--facilities--whenever--the--department
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