

SENATE BILL NO. 395

INTRODUCED BY BOYLAN, REAM, THOMAS, VINCENT, ECK,
THAYER, COCCHIARELLA, EUDAILY, ADDY, BRADLEY

IN THE SENATE

FEBRUARY 11, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
FEBRUARY 16, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 17, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS AS AMENDED.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 49; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
MARCH 10, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 14, 1989	SECOND READING, CONCURRED IN.
MARCH 16, 1989	THIRD READING, CONCURRED IN. AYES, 89; NOES, 4.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 4, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *State* BILL NO. *395*
2 INTRODUCED BY *Douglas Ream Thomas Vincent*
3 *Ed Bradley*
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT THE STUDENT
5 GOVERNMENTS AT MONTANA STATE UNIVERSITY AND THE UNIVERSITY
6 OF MONTANA FROM STATE LAWS RELATING TO THE PROCUREMENT OF
7 SUPPLIES AND SERVICES; AND AMENDING SECTIONS 18-4-132 AND
8 18-8-103, MCA."
9

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

11 **Section 1.** Section 18-4-132, MCA, is amended to read:

12 "18-4-132. Application. (1) Except as provided in
13 18-4-313, which applies retroactively to telecommunications
14 equipment and systems and data processing equipment acquired
15 under existing contracts, leases, or rental agreements, and
16 subject to the terms of such agreements, this chapter
17 applies only to contracts solicited or entered into after
18 January 1, 1984, unless the parties agree to its application
19 to a contract solicited or entered into prior to January 1,
20 1984.

21 (2) This chapter applies to expenditure of public
22 funds irrespective of their source, including federal
23 assistance money, by this state acting through a
24 governmental body, as defined in 18-4-123, under any
25 contract; but this chapter does not apply to either grants

1 or contracts between the state and its political
2 subdivisions or other governments, except as provided in
3 part 4. This chapter also applies to the disposal of state
4 supplies. Nothing in this chapter or in rules adopted
5 thereunder prevents any governmental body or political
6 subdivision from complying with the terms and conditions of
7 any grant, gift, bequest, or cooperative agreement.

8 (3) This chapter does not apply to construction
9 contracts.

10 (4) This chapter does not apply to expenditures of
11 money raised by student activity fees designated for use by
12 the student governments at Montana state university or the
13 university of Montana."

14 **Section 2.** Section 18-8-103, MCA, is amended to read:

15 "18-8-103. Exemptions. This part does not apply to
16 employment of:

17 (1) registered professional engineers, surveyors, real
18 estate appraisers, or registered architects;

19 (2) physicians, dentists, or other medical, dental, or
20 health-care providers;

21 (3) expert witnesses hired for use in litigation,
22 hearings officers hired in rulemaking and contested case
23 proceedings under the Montana Administrative Procedure Act,
24 or attorneys as specified by executive order of the
25 governor; or

LC 1621/01

1 (4) consulting actuaries to the public retirement
2 boards; or

3 (5) private consultants employed by the student
4 governments at Montana state university or the university of
5 Montana with money raised from student activity fees
6 designated for use by those student governments."

7 NEW SECTION. **Section 3.** Extension of authority. Any
8 existing authority to make rules on the subject of the
9 provisions of [this act] is extended to the provisions of
10 [this act].

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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12 provisions of [this act] is extended to the provisions of
13 [this act].

-End-

STANDING COMMITTEE REPORT

March 10, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that SENATE BILL 395 (third reading copy -- blue) be concurred in as amended .

Signed: _____


Jan Brown, Chairman

[REP. REAM WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendment read:

1. Page 2, line 11.

Following: "of"

Insert: "or the authorized sale or disposal of equipment
purchased with"

HOUSE

SB 395

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