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INTRODUCED BY THOMAS CUBB <sup>Senate</sup> BILL NO. 370

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE PROVISIONS RELATING TO ARCHITECTURAL SERVICES TO ALLOW A SCHOOL DISTRICT TO DETERMINE WHETHER ARCHITECTURAL SERVICES ARE NECESSARY FOR THE BUILDING, FURNISHING, REPAIRING, OR COMPLETION OF OTHER WORK FOR THE BENEFIT OF THE SCHOOL DISTRICT; ELIMINATING THE \$50,000 LIMIT RELATING TO REQUIRED ARCHITECTURAL SERVICES; ELIMINATING NEGOTIATION FOR ARCHITECTURAL SERVICE FEES; AMENDING SECTIONS 20-6-631 AND 20-6-633, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 20-6-631, MCA, is amended to read:

**"20-6-631. When contracts for architectural services required.** Whenever the trustees of a school district determine that the estimated cost of any building, furnishing, repairing, or other work for the benefit of a school district ~~exceeds \$50,000 and~~ requires architectural services, such the trustees of the school district may contract for those services shall be by contract."

**Section 2.** Section 20-6-633, MCA, is amended to read:

**"20-6-633. ~~Negotiation of fees~~ Hiring for architectural services authorized.** ~~After selecting a firm, the~~ If the trustees determine pursuant to 20-6-631 that architectural services are necessary, the trustees shall negotiate with the selected firm a fair and reasonable fee may hire a firm for the architectural services as described by the school district's scope of the work. ~~In the event the trustees and the firm are unable to negotiate a fair and reasonable fee, the trustees may select another firm, provided the trustees again give reasonable public notice of their selection.~~"

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

-END-

STATE OF MONTANA - FISCAL NOTE

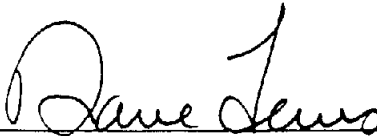
Fiscal Note for SB0370, as introduced

DESCRIPTION OF PROPOSED LEGISLATION: An act clarifying the provisions relating to architectural services to allow a school district to determine whether architectural services are necessary for the building, furnishing, repairing, or completion of other work for the benefit of the school district; eliminating the \$50,000 limit relating to required architectural services; eliminating negotiation for architectural services fees.

ASSUMPTIONS:

1. SB 370 allows school trustees to determine when the services of an architect are necessary for a school facility project.
2. The Montana Accreditation Standards, adopted by the Board of Public Education, require that "When a board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community." (ARM 10.55.2001) School districts will contract for architectural services for any major facility projects.

FISCAL IMPACT: No impact on state general fund expenditures.

 2-20-97  
DAVE LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

 2-20-97  
FRED THOMAS, PRIMARY SPONSOR DATE

Fiscal Note for SB0370, as introduced

**SB 370**

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REFERENCE BILL

