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HOUSE JOINT RESOLUTION NO. 42

INTRODUCED BY B. EDWARDS, E. BYRNE, M. CAFERRO, D. HARVEY, K. LOVE, E. MATTHEWS, B. MERCER, T. RUNNING WOLF, K. SULLIVAN, E. KERR-CARPENTER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF STATE AGENCY PROCUREMENT PRACTICES; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE.

WHEREAS, the Montana Procurement Act has several beneficial purposes, including ensuring fair and equitable treatment of all people who deal with the procurement system in the state of Montana, providing increased economy in state procurement activities, maximizing the purchasing value of public funds, and providing for increased public confidence in the procedures followed by the state in procuring services; and

WHEREAS, all state agencies have a responsibility to adhere to the Montana Procurement Act to ensure the responsible, consistent, and transparent use of public funds; and

WHEREAS, in recent years there have been multiple state agency procurements that have raised questions about transparency and the appropriate use of public funds; and

WHEREAS, the Legislature has a vested interest in ensuring that all laws, including the Montana Procurement Act, are adhered to.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

- (1) review state statutes and administrative rules related to state agency procurement;
- (2) identify the policies and procedures state agencies use when determining whether to follow standard procurement procedures or how they otherwise determine whether to seek bids or proposals for services;
- (3) identify any practical obstacles that may impact state agency procurement procedures;

