



2009 SENATE BILL 391

November 9, 2009 – Introduced by Senator HANSEN, cosponsored by Representative SHERMAN. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 **AN ACT relating to:** expenditure of \$30,000 from moneys appropriated to the
2 Department of Natural Resources in payment of a claim against the state made
3 by Stillmunkes, Inc.

Analysis by the Legislative Reference Bureau

This bill directs expenditure of \$30,000 from moneys appropriated to the Department of Natural Resources (DNR) for the current fiscal biennium for wild turkey population development, management, preservation, restoration, and maintenance in payment of a claim against DNR made by Stillmunkes, Inc. The claimant contracted to perform brush removal and forestry services at the Yellowstone Wildlife Area in 2008. DNR issued the claimant a purchase order in the amount of \$20,800 for work to be completed by May 31, 2008. The purchase order stated that this amount was an estimate and the actual amount to be paid to the claimant would be based upon the actual amount of authorized services delivered. The claimant states that it encountered unforeseen weather conditions and was forced to remove larger brush and logs than DNR represented and that it obtained oral approval of DNR to work beyond the completion date and to perform additional work. DNR recommended denial of the claim. DNR states that it approved the claimant's request to work beyond the completion date but did not approve any work in an amount exceeding the amount estimated in the purchase order and the claimant did not submit proof that additional work beyond the amount estimated in the purchase order was performed. The claimant claimed \$76,050, representing the difference between the value of the amount of work it states was performed and the

