MINUTES OF THE MEETING
BUSINESS AND LABOR COMMITTEE
50TH LEGISLATIVE SESSION

March 10, 1987

The meeting of the Business and Labor Committee was called to order by Chairman Les Kitselman on March 10, 1987 at 8:00 a.m. in Room 312-F of the State Capitol.

ROLL CALL: All members were present.

SENATE BILL NO. 186 - Registration of Investment Advisor Representatives, sponsored by Senator Bob Williams, Senate District No. 15, Hobson. Senator Williams stated this bill was at the request of the State Auditor's office. He said this bill would provide for the registration of an investment adviser representative. He added the current law requires only the firm be registered, not the people who work for the firm and give the investment advice.

PROPONENTS

Kim Schulke, Deputy Securities Commissioner, State Auditor's Office. Ms. Schulke submitted information on the bill and their proposed amendments. Exhibit Nos. 1 and 2.

Charles Graveley, IDS Financial Services, Helena. Mr. Gravely stated the bill as drafted proposes to cover investment advisor representatives in addition to specifying that investment advisor representatives do not include individuals who registered as broker-dealer salesmen under the act. He said IDS supports the registration of appropriate representatives and employees of registered financial planning company or investment advisors. He submitted amendments to the legislation, which had been discussed with the State Auditor's Office. Exhibit No. 3.

Bruce MacKenzie, D. A. Davidson Co. Mr. MacKenzie stated the Company supports this legislation, and said it is appropriate that the investing public has some protection from individuals who say they are financial planners and are not. He said there has been some difficulty in that area because of no regulation.

OPPONENTS

None.

QUESTIONS

Rep. Jones asked Ms. Schulke's opinion on the amendments offered by Mr. Gravely. Ms. Schulke responded that

they agree with the amendments that are the same as their office proposed. She said the second amendment that they want to add, "registered under the act" and "to clients in the state" several times to one section, is redundant as it is covered by the scope section of the act.

Rep. Simon asked what type of registration is needed for the investment representatives who sell securities. Ms. Schulke responded that advisors would be required to be registered as either broker-dealers or securities salesmen with an individual license.

CLOSING

Senator Williams stated this bill would help people that need a financial advisor and are assured that when they call an investment firm, they would get a registered person. He said he recommended that only the amendments presented by the State Auditor's Office be accepted at the present time.

Chairman Kitselman referred Senate Bill No. 186 to a subcommittee composed of Reps. Thomas, Swysgood, and Bachini, with Rep. Thomas as chairman.

SENATE BILL NO. 202 - Commodities Investments Regulated By Securities Commissioner, sponsored by Senator Cecil Weeding, Senate District No. 14, Jordan. Sen. Weeding stated this bill was at the request of the State Auditor's office, which would amend the securities laws to include the trading of commodity contracts and commodity dealers. He said most of the bill addresses defining commodities and dealers, and simplifies and clarifies their enforcement with respect to commodity investment contracts and commodity options.

PROPONENTS

Kim Schulke, Deputy Securities Commissioner, State Auditor's Office. Ms. Schulke presented a section by section review of the legislation and the justification for the amendments to the current statutes. Exhibit No. 4.

OPPONENTS

None.

QUESTIONS

Rep. Swysgood asked Ms. Schulke if the futures in livestock under the CME would be regulated. Ms. Schulke responded

that futures in livestock are not regulated through this legislation because they are regulated on a federal level.

Rep. Brandewie asked Ms. Schulke if the phrase "commodity means except as otherwise specified by rule or order of the committee" wasn't too broad. Ms. Schulke responded the definition of commodity in the legislation is intended to be broad to cover all types of scams that might arise.

Rep. Driscoll asked what the penalty was for the scam artists in this. She added enforcement is accomplished through a cease and desist order, the revocation, suspension, or denial of a party's license, and there are criminal penalties in the legislation to deal with those situations.

CLOSING

Senator Weeding stated that the concern of the broadness of the rule making authority on page 2 did not come up in the Senate. He said the Senate's thought was to put some faith in the Securities Commissioner, but will leave that to the Committee's judgement.

SENATE BILL 118 - Extend Penalties Against Employer Without Workers' Compensation Coverage, sponsored by Senator Mike Halligan. Senator Halligan stated this bill was at the request of the Department of Labor and Industry. He said the Department currently has both criminal and civil authority, but this bill clarifies that the Division of Workers' Compensation may concurrently pursue civil and criminal actions against an uninsured employer.

PROPONENTS

Keith Olson, Executive Director, Montana Logging Association. Mr. Olson stated that uninsured employers do a tremendous disservice, they leave injured employees in a terrible spot, and they have a very significant competitive advantage on those that are in compliance with the law.

Steven Shapiro, Chief Legal Counsel, Workers' Compensation Division. Mr. Shapiro stated the purpose of this bill was to clarify civil and criminal penalties provided in statute and provide that these penalties can be pursued concurrently, which is not clear at the present time.

OPPONENTS

None.

QUESTIONS

Rep. Driscoll asked if the Division would object to making this offense a felony. Mr. Shapiro responded he could not speak for the Division. Senator Halligan responded that an injunction is the same as shutting them down, but he has no problem with making the offense a felony.

There was further discussion on the amount of penalties that could be imposed, ramifications of these penalties, and examples of current problems that would be addressed by this legislation.

CLOSING

Sen. Halligan stated that some remedies should be maintained for the Department because the uninsured employer does provide a disadvantage to the other employers in the state, and cause serious problems.

SENATE BILL 188 - Disclosure of Electronic Funds Transaction Pursuant to Subpoena, sponsored by Senator Mike Walker, Senate District 20, Great Falls. Senator Walker stated this bill was at the request of the State Auditor and allows information on electronic funds transactions to be disclosed without consent of a customer after the issuance of a subpoena by a court. He stressed these situations involve securities fraud.

PROPONENTS

Kim Schulke, Deputy Securities Commissioner, presented a review of the bill. Exhibit No. 5.

Mark Murphy, Assistant Attorney General. Mr. Murphy stated the subpoenas mentioned in the legislation are contained within the Criminal Procedure Code. He said these are not the usual type of subpoenas, but are criminal investigative subpoenas.

OPPONENTS

None.

QUESTIONS

Rep. Simon asked Mr. Murphy how much of a problem there was in Montana that would require this legislation. Mr. Murphy responded that any time there is any type of financial investigation which involves examination of bank records, or any business embezzlement, this kind of protection is needed.

Rep. Brandewie asked Mr. Murphy if this could only be used in securities investigation, or could it be used against any citizen who misuses his trust account. Mr. Murphy responded these subpoenas could be used in any business investigation involving bank records and are used in wide varieties of areas.

CLOSING

Senator Walker stated with all the money being invested in our state and with all the technologies and programs being developed, stocks, bonds and securities being sold on those, the securities should be protected.

SENATE BILL NO. 341 - Revises the Employment Agency Act and Transfers Functions to Commerce Department, sponsored by Senator Thomas Keating, Senate District No. 44, Billings. Senator Keating stated this bill affects the private employment agencies in the state and revises the Employment Agency Act and transfers the regulation of private employment agencies from the Department of Labor to the Department of Commerce. He stated currently the Department of Labor regulates the private sector employment agencies and also maintains the Job Services Division, which is in direct competition to those agencies. He stated another problem which is addressed deals with complaints and problems with an agency or an applicant. He said resolution of disputes would be handled through the County Attorney instead of the Department of Labor. He noted the bill also clarified placement fees and when they are to be paid.

PROPONENTS

Roger Koopman, Career Concepts, Bozeman. Mr. Koopman stated that this bill is long overdue and makes common sense. He said it addresses the conflict that exists with the Department of Labor regulating the private industry and promoting its own employment services.

Jim Rowe, Personnel Systems, Missoula, presented written testimony. Exhibit No. 6.

Dorothy Rowe, Personnel Systems, Missoula, stated she was in support of this bill.

Sandy Nelson, Careers Unlimited, Billings. Ms. Nelson stated that not everyone could set up a service to type resumes, some of them do better.

OPPONENTS

None.

QUESTIONS

Rep. Simon asked Senator Keating if the legislation would read properly with the changing of the words "Commissioner of Labor" and "Director of Commerce" in the appropriate sections. Senator Keating responded that it will.

CLOSING

Senator Keating made no further comments.

EXECUTIVE ACTION

ACTION ON SENATE BILL NO. 188

Rep. Brown moved that Senate Bill No. 188 BE CONCURRED IN. The motion carried unanimously.

Rep. Thomas will carry the bill in the House.

ACTION ON SENATE BILL NO. 118

Rep. Hansen moved Senate Bill No. 118 BE CONCURRED IN.

Rep. Brandewie moved a substitute motion that Senate Bill No. 118 be referred to the Workers' Compensation Subcommittee for consideration of the amendment proposed by Gene Fenderson of making it a felony also for employers that default on workers' compensation.

Chairman Kitselman, seeing no objection from the committee, referred Senate Bill No. 118 to the subcommittee with SB 315. The subcommittee consists of Reps. Glaser, Smith, Grinde, Driscoll, and Nisbet, with Rep. Glaser as chairman.

ACTION SENATE BILL 202

Rep. Driscoll moved Senate Bill No. 202 BE CONCURRED IN.

Rep. Brandewie moved to amend SB 202, page 2, lines 24 - 25, following "means" on line 24, strike the remainder of the lines through "commissioner". The motion carried, with Rep. Hansen and Rep. Cohen opposed.

Rep. Brandewie moved Senate Bill No. 202 BE CONCURRED IN AS AMENDED. The motion carried unanimously.

Rep. Brandewie will carry the legislation in the house.

SENATE BILL 328 - Require Department of Administration to Contract Printing Through Montana Businesses, sponsored by Senator Joseph Mazurek, Senate District No. 23, Helena.

Sen. Mazurek stated this bill would prohibit the state from engaging in commercial printing. He stated this legislation would restrict state printing to documents primarily intended for agency use, retains the 3% in state bidder's preference, and restricts governmental entities from engaging in private printing. He noted the Senate amended the legislation to protect the Highway Department in their bid documents, the prison industries, and added a statement of intent giving the Department of Administration broad authority in defining a public document. He stated he was trying to put restrictions on the growth of a public printing industry which is impacting small businesses in the state.

Chairman Kitselman assigned the legislation to a subcommittee for consideration with Rep. Simon, Chairman, Rep. Swysgood, and Rep. Brown.

PROPONENTS

Ken Dunham, representing Associated Printers and Publishers of Montana, Helena. Mr. Dunham stated by using private commercial printers, government agencies will be able to obtain better prices, better quality, and better service, as well as generate additional tax revenue through expansion of printing facilities and equipment in the private sector. He submitted written testimony. Exhibit No. 7.

Stan Burgard, representing Color World, Bozeman. Mr. Burgard referred to Mr. Dunham's exhibit of comparisons of selected state printing jobs. He said the private sector in most cases was competitively lower than the state Publications and Graphics Division. He commented that he was the last Montana printer to print the Montana Codes in 1979, which in previous years was printed out of state. He stated this project required five (5) more full time employees and ten (10) part time employees in addition to his regular employees. He stated over $2 million worth of printing leaves the state every year, money that could be used to "build Montana" and employ Montanans.

Frank Thomas, Thomas Printing, Kalispell. Mr. Thomas stated he wanted to address industry standards which are things that printing companies world wide compare and put in check to remain competitive, and the cost of his operations on a daily and annual basis of business. He expressed the need for state departments to explore the services available in the state for consideration when writing bids and formulating projects for printing.

Tim Seery, Gateway Printing, Missoula. Mr. Seery stated that University of Montana printing services started with the intent to give experience to the journalism students,

but is no longer done. He said the University has bought a printing press and that, in the current market, two of the largest Missoula print shops would have a difficult time keeping that size of press busy. He asked for consideration of turning those services back to the private sector to save state tax dollars.

Ted Naugle, representing Artcraft Printers, Missoula. Mr. Naugle stated this bill would save taxpayers money by trimming the size of state government, provide a needed service with better quality and more efficiency, and will help small business. He noted there was an increase in printing placed in government, tax supported printing plants at the expense of increased unemployment and increased taxes. He said there was a need for accountability and cost effectiveness of the University of Montana printing services. He commented in several instances, a challenge to the free enterprise system has been and still is in effect of doing printing for customers outside the University System engaged in profit making ventures at taxpayers' expense.

Bill Schneider, Falcon Press Publishing, Missoula. Mr. Schneider stated this bill would not affect Falcon Press directly because they do not have any printing presses. He said, however, the entire graphic arts industry is a very large industry in Montana, and this bill will help reverse the trend from public back to private industry, where it has been in the past and should be now.

Robert Fleren, Hill County Printing, Havre. Mr. Fleren stated that the printing industry in the state government is getting too large, and they have to get the printing back into the communities where it belongs.

Bob Graff, Artcraft Printers, Bozeman. Mr. Graff stated they are trying to present information with concern for the future of the industry in Montana.

Mike Murray, Action Print, Helena. Mr. Murray stated it is difficult to compete with the state because they don't have to generate a profit or operate cost efficiently.

Emmett Cronelly, Artcraft Printers, Butte. Mr. Cronelly stated the jobs created by the state contracts gives the printer the base to build his business and expand his operations.

John Barnhart, Speedy Print, Bozeman. Mr. Barnhart stated that 25% of the work done at the University print shop uses line type equipment unequalled in the state. He said this is good, but expensive equipment, and he questioned whether

it was justified being used only in one shop in the University System.

Bill Kruel, Artcraft Printers, Billings. Mr. Kruel stated that they continue to see the printing work done in-house or going out of state. He said the only way the private sector can grow is through increased revenue. He added as they grow they can compete with the out-of-state printers and keep more work in the state of Montana, and without this work, they cannot grow. He said to please stop the growth of the University of Montana printing services and the Publications and Graphics.

OPPONENTS - (The following testified to the effects of the bill to their agencies).

Ellen Feaver, Director, Department of Administration. Ms. Feaver stated 66% of the dollar volume of work currently goes to the commercial sector. She stated overall there is less work being done because of the departmental budget cuts and the implementation of personal computers processing paperwork.

Ms. Feaver showed savings by utilizing Publications and Graphics versus commercial printers through the state purchasing process. She also covered the definition of printing in 18-4-123(14) that is referenced in the legislation and how it would also impact the legislative printing with its all-encompassing definition. Exhibit Nos. 8 and 9.

Jim Flynn, Fish, Wildlife, and Parks, stated about 80% of their printing is sent to the private sector. Mr. Flynn explained that time constraints and the importance of certain subject matter placed on some documents requires in-house printing.

George Mitchell, Director of Auxiliary Services, University of Montana, stated they are not competing with the private sector. He stated the print shop is an auxiliary service, not a tax-funded, budget-allocated print shop but is a bonded facility, with all revenues pledged to the payment of long term bonds. He stated the print shop is also a union shop and work cannot be contracted out unless there is a clear demonstration of a cost savings. Mr. Mitchell stated this legislation would close this print shop, affecting those employees with an average tenure of 14.5 years and the bonds being held on the printing equipment. He added the equipment has evolved over the years to accommodate the specific needs of the University.

Holly Kaleczyc, Montana Psychological Association, expressed their concern with the unintended consequences where the two scholarly journals printed at the University of Montana would be discontinued. She stated these journals add a great deal of prestige to the University, and the editors of the journals intend to cease publication if they lose their University affiliation.

Jim Lubeck, Computerland, Helena. Mr. Lubeck stated their concern is not with where materials are printed, but are concerned with the language in the bill which includes desktop publishing as being prohibited.

Brian Cockhill, Montana Historical Society. Mr. Cockhill stated the definition of printing in the bill is overly broad and would prohibit their office from providing services to the public on an individual basis. He said if photocopying is prohibited, as it is suggested by that definition, they won't be able to provide copies. He suggested the definition of printing be addressed in terms of what the state can do.

David Nelson, Montana Historical Society, expressed his concern for the definition of printing and asked for clarification of this point.

Bill Salisbury, Department of Highways. Mr. Salisbury stated that even with the exemption of their department from the legislation there would be an impact on their department. He said they are concerned about how far they can carry the exemption, for example, the right of way negotiations, public hearing notices, the materials manuals, as these may not be exempt under this bill. He added they are also concerned about the definition of printing.

Marilyn Miller, Office of Public Instruction. She stated they have two processes in their department to prepare material for printing, and one is the desktop printing. She commented that they also have an edit writer and they prepare camera ready copies for publications such as Montana Schools. She expressed concern for the legislation's impact on school districts, under the dissemination of information to the public, whether the school district could print their own sport and music event programs and be paid for by patrons or by a student activity fund. She commented that they get one day service from Publications and Graphics at times which is important to them.

Carol Ammons, Psychologist and publisher of journals from Missoula. Ms. Ammons presented testimony of comments and information on the scholarly scientific journals printed at

the University of Montana. Exhibit No. 10. She submitted copies of those journals. Exhibit Nos. 11, 12, 13.

OPPONENTS

Sherry Dingman, U of M student. Ms. Dingman stated that many states allow their state universities to publish scholarly material. She asked for consideration of an amendment to distinguish between commercial printing and educational printing. Exhibit No. 14.

Sarah DeVoe, U of M student. Ms. DeVoe urged consideration of an amendment which would allow for the continuation of the publication of scientific and scholarly journals at the University.

Tom Schneider, Montana Public Employees Association, representing the print shop employees. Mr. Schneider stated these people are concerned about this bill, and have a right to be. He said they have a contract which states they cannot contract the work away, and there will be a legal problem if this bill passes. He said this bill would cost the Association $20,000 immediately, because in cases where possible, they have labor contracts printed by the employer. He commented that with this bill the state agencies eventually won't have any capabilities, no copy machines, or any kind of printing capabilities, so eventually all printing will have to done on the outside. He added this could mean more employees laid off to meet the expenses not budgeted, to make up the printing costs.

Kelly Holmes, Montana College Coalition Lobbyist, presented written testimony. Exhibit No. 15.

QUESTIONS

Rep. Jones asked Mr. Mitchell if the University print shop pays taxes. Mr. Mitchell responded they do not.

Rep. Jones asked Ms. Feaver if the printing costs listed in her exhibit include costs of the equipment and depreciation of the equipment. Ms. Feaver responded that in-house printing costs do reflect the cost of equipment and the wear and tear on that equipment.

Rep. Swysgood asked Mr. Flynn from Fish, Wildlife and Parks, and Ms. Feaver from Department of Administration if they had a list of recipients of the awarded contracts to private printers from their respective departments. Mr. Flynn and Ms. Feaver responded they could make one available.

Rep. Thomas asked Mr. Mitchell if the University print shop does any outside work for individuals not affiliated with the University. Mr. Mitchell responded they do not, they have a noncompetitive policy that has been consistent over the years. He clarified the only exception to this policy are the journals which have been printed for 30 years because of the line-o-type system required for this publication, and he noted there was no other comparable facility in the state for this project. He added the clients are not technically U of M, but are faculty personnel who hire students. Mr. Mitchell stated the legislation contains no provision for student government or students to request printing at their print shop for graphics and printing.

Rep. Thomas asked Marilyn Wetzel, MSU print shop, how many printers of major substance MSU has at the present time. Ms. Wetzel responded there are no other print shops at MSU other than the multilith shop which employs eight individuals.

Rep. Grinde expressed his concern that over 49% of all state publishing is done out-of-state, and asked what is being done out-of-state and why it is done out-of-state. Mr. Dunham stated that some of it is done out-of-state because of pricing. He said Montana printers are facing difficult times and the 3% preference is not enough in most cases when competing with large specialty houses from around the nation. He added the private printers have been beaten down so many years they cannot afford to expand. Stan Burgard, Color World Printers, stated that the 66% of the dollar volume being bid out includes out-of-state printing, which are: the fish and game magazine, Montana codes, highway map, income tax forms, travel promotion brochures, session law volumes, house and senate journals, Attorney General opinions, and all envelopes used by state government. He noted the cost factor is involved to some degree in the use of out-of-state printing houses.

Rep. Brandewie asked Mr. Mitchell if a department at the University of Montana could get their printing done at a print shop in Missoula if they wanted. Mr. Mitchell responded they could.

Rep. Brandewie asked Mr. Mitchell to explain the union contract they referred to that states they could not use outside printers because it would violate the union contract. Mr. Mitchell responded if a university affiliation was doing a lot of work off campus, the union at the print shop would try to stop that shift if it threatened one of their positions. He added the contracts between the union and the print shop are negotiated with the commissioners.

Rep. Pavlovich asked Ms. Feaver if their office had copy machines why she thought that if someone needed a copy of something, she would have to have it done elsewhere. Ms. Feaver responded that it comes under the definition of printing on page 8, line 8, "the term printing as used herein includes those services described in 18-4-123", and is in the section of code she distributed. She said that referred to reproduction of materials such as photocopies.

Ms. Feaver stated that they would like to work with the printing industry to work out a way to build the printing industry so that more of the work could be done in state. She said even if there were to be a 15% differential or preference that could be held to be constitutional, and given their experience, it still wouldn't bring the work in-state. She commented the technology in this business is such that some material, such as income tax forms, cannot be done in-state and very few places out-of-state, because printing is a very specialized and equipment intensive business. She added most print shops are specialized, and once they have the special equipment, they have the volume work, and the price will beat the price of the Montana printer. She said the price differential is very great.

Rep. Cohen asked Mr. Dunham if he believes that state employees could continue to produce camera ready copy before they took it to a printer. Mr. Dunham responded that they could continue to do that. Ms. Feaver responded that they would not, because of the section addressing printing.

Rep. Brandewie asked Mr. Naugle if the state did not have all the printing equipment that it did and the work would go to private printers, would they be able to buy more of the sophisticated equipment that they do not have. Mr. Naugle responded that some equipment only needs updating and modifying to their standards, and it could be accomplished in several of the printing shops that are already in the continental or line type operations. He said any plant that has the ability to create more jobs and produce more printing from the public sector will be in a position to expand and increase their production capability. Rep. Driscoll asked if the state Publications and Graphics Division was a union shop. Ms. Feaver responded that it was not.

Rep. Driscoll asked if they were filed with the Secretary of State. Ms. Feaver responded they were not required to be. Don Breiby, also from the Department responded their staff attorney had stated they did not need to file with the Secretary of State's office.

Rep. Driscoll asked when the specifications were sent to printers, does the Department require that they comply with section 18-7-104 that addresses printing material chargeable to the state. Mr. Breiby stated that printing done in the private sector is required to be done in a union shop or that an affidavit be on file with the Secretary of State.

Bob Graff, Artcraft Printers, interjected that there is no enforcement of the qualifications of bidders for state printing as required in statute. He said many who have filed stating they pay prevailing wages do not actually do so.

Rep. Simon stated that the opponents of this bill have focused on the University printing shop to a great extent, and asked Mr. Mitchell why his shop has 18 employees and the University of Montana has a greater need for printing than other universities. Mr. Mitchell responded that they are a full service shop and do all aspects of printing and the others do not. He said they have a much more sophisticated facility, and have done most of the business for the University over the past 57 years. He added that they have the only school of journalism, which was the first location of the print shop.

Rep. Pavlovich asked Senator Mazurek if it was his intention to shut down the printing shops. Senator Mazurek stated it was not, that what he is striving for is some balance. He said his intention was to stop a little growth in the state printing business, and to make sure that a fair share of the work would go to private industry. He added he recognizes that there is a problem with the definitions of printing.

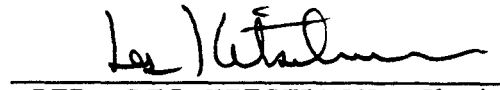
CLOSING

Senator Mazurek stated that his intention was to try to find a balance, to eliminate the competition between the public and private sector as much as possible, and to ensure that some portion of the government printing that is primarily for distribution to the public go to the private industries. He said he was not intending to eliminate the photocopiers, and legislative printing, or prohibit the use of desk-top services. He added that if there is a problem with the definitions in the bill, he has no problem with amending them.

Chairman Kitselman referred this bill to a subcommittee composed of Reps. Simon, Swysgood, and Brown, with Rep. Simon as chairman.

ADJOURNMENT

The meeting adjourned at 11:30 a.m.



REP. LES KITSELMAN, Chairman

DAILY ROLL CALL

BUSINESS & LABOR COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date MARCH 10, 1987

NAME	PRESENT	ABSENT	EXCUSED
REP. LES KITSELMAN, CHAIRMAN	✓		
REP. FRED THOMAS, VICE-CHAIRMAN	✓		
REP. BOB BACHINI	✓		
REP. RAY BRANDEWIE	✓		
REP. JAN BROWN	✓		
REP. BEN COHEN	✓		
REP. JERRY DRISCOLL	✓		
REP. WILLIAM GLASER	✓		
REP. LARRY GRINDE	✓		
REP. STELLA JEAN HANSEN	✓		
REP. TOM JONES	✓		
REP. LLOYD MCCORMICK	✓		
REP. GERALD NISBET	✓		
REP. BOB PAVLOVICH	✓		
REP. BRUCE SIMON	✓		
REP. CLYDE SMITH	✓		
REP. CHARLES SWYSGOOD	✓		
REP. NORM WALLIN	✓		

CS-30

STANDING COMMITTEE REPORT

MARCH 10 19 87

Mr. Speaker: We, the committee on BUSINESS AND LABOR

report SENATE BILL NO. 202

☐ do pass ☒ be concurred in ☒ as amended
☐ do not pass ☐ be not concurred in ☐ statement of intent attached

REP. LEE KITSELMAN Chairman

AMENDMENT AS FOLLOWS:

1) Page 2, lines 24 and 25
Following: "means" on line 24
Strike: the remainder of line 24 and line 25
through "commissioner"

Rep. Ray Brandewie to sponsor.

THIRD reading copy (BLUE color)

STANDING COMMITTEE REPORT

March 10, 19 87

Mr. Speaker: We, the committee on BUSINESS AND LABOR

report SENATE BILL NO. 133

- [ ] do pass
- [ ] do not pass
- [x] be concurred in
- [ ] be not concurred in
- [ ] as amended
- [ ] statement of intent attached

REP. LEE KITSELMAN Chairman

Rep. Fred Thomas will sponsor.

THIRD reading copy (BLUE color)

EXHIBIT 1
DATE 3-10-87
HB SB 186

Amendment to SB 186

Proposed by the Securities Department of the State Auditor's Office

page 12, line 9:
strike "and the investment adviser representative"

This amendment deletes the requirement that both the investment adviser firm and the investment adviser representative, inform the Securities Department when an investment adviser representative begins or terminates employment with that adviser.

Page 4, line 14
after "securities" insert "to clients"

Page 4, lines 16 and 17
delete the entire (iii)

Page 4, line 18
renumber "(iv)" to "(iii)"

Page 4, line 20
renumber "(v)" to "(iv)"

This amendment narrows the definition of investment adviser representative.

Exhibit 2
3-10-87
SB 186

Kim Schulke
Deputy Securities Commissioner
444-5236

SB 186 Investment Adviser Representative Registration under the Securities Act of Montana. SECTION BY SECTION REVIEW.

Requested by State Auditor and Commissioner of Securities, Andrea "Andy" Bennett

Section 1. Amendment to 30-10-103.
"(a) an investment adviser representative" has been added to subsection (6) to indicate that the definition of an investment adviser does not include an investment adviser representative. With this addition, the subsection has been re-lettered.

Subsection (7) has been added to define investment adviser representative. The definition includes all of those people associated with an investment adviser who give investment advice. Clerical or ministerial personnel who do not render investment advice, are not required to be registered. The section is renumbered to indicate the addition of a subsection.

Section 2. Amendment to 30-10-110.
"and investment adviser representatives" is added to the scope section of the Securities Act, to indicate that the Securities Act applies to investment adviser representatives in the same way that it applies to investment advisers.

Section 3. Amendment to 30-10-201.
"investment adviser representative" is added to subsections 1, 3, 4, 7, 10, 12, 13, 14 and 15. This is the registration section of the Securities Act. Investment adviser representatives will be registered in the same way as investment advisers.

Subsection (9) is added to provide that an investment adviser representative is not considered to be registered with the securities department unless he is associated with a registered investment adviser as specified in his application. The section is renumbered to reflect the addition of subsections (8) and (9).

Section 4. Amendment to 30-10-209.
"or investment adviser representative" is added to subsection (2)(b), to indicate that the fee for registration of an investment adviser representative is $50.

Section 5. Extension of authority.
This section provides that the commissioner of securities may make rules on the subject of investment adviser representative registration.

Investment Adviser Representative Registration under the Securities Act of Montana. JUSTIFICATION.

Requested by State Auditor and Commissioner of Securities, Andrea "Andy" Bennett

The Securities Act of Montana currently requires the registration of securities, broker-dealers, securities salesmen, and investment advisers. With respect to investment advisers, only the firm is required to be registered, and not the people who work for the firm and who actually give the investment advice. It is the opinion of the Securities Commissioner that these individuals, much like securities salesmen who work for broker-dealers, should be registered, and thereby fall under the supervision of the securities laws.

The amendments to the Securities Act proposed by this bill would require investment adviser representatives to register in much the same manner as securities salesmen. This registration requirement has been recommended by the North American Securities Administrators Association, an association made up of the securities commissioners of all 50 states and the provinces of Canada. Similar legislation is before the legislatures of several other states. By enacting this legislation, Montana would be furthering the policies supporting the Securities Act, namely, uniformity of state securities regulation, and protection of investors.

An example of the situation we are trying to correct is this: An employee of an investment adviser firm gives some misleading advice to a customer. The customer acts on the advice, and loses thousands of dollars. The customer complains to the securities department. The securities department contacts the investment adviser firm to question the giving of the advice. The firm indicates that it has not approved the type of advice given, and that it is therefore not responsible for the misleading advice. It may not then be reasonable for the Securities Department to suspend or revoke the license of the firm. Instead, assuming the allegations of the customer are proven to be correct, the employee of the investment adviser firm should be sanctioned. The employee currently is not required to hold a license. The Securities Department cannot take an action against a non-existent license, and the employee can continue to give investment advice. The creation of a licensing procedure will enable the Securities Department to monitor the activities of such employees, and outline certain requirements for their registration. These employees will be designated as investment adviser representatives.

There are currently no legal requirements to meet before becoming an investment adviser representative. It is the

opinion of the Securities Commissioner that reasonable requirements should be imposed so that the situation previously described either does not occur, or can be remedied if it does occur. Many of these investment adviser representatives have powers of attorney over their clients funds. The opportunity for fraud is great in such situations.

Finally, the investment adviser field is rapidly expanding. More and more people are dispensing investment advice. The securities industry is a sensitive, highly and peculiarly specialized field of activity to which the investing public is exposed and one in which the public is generally not well versed. The potential for serious financial injury to the buying public suggests that persons who dispense investment advice be required to comply with reasonable regulations in order to protect the public and the integrity of the marketplace.

EXHIBIT 13
DATE 3-10-87
HB SB 186

IDS FINANCIAL SERVICES INC.

SUGGESTED AMENDMENTS TO MONTANA SENATE BILL 186

IDS supports the general concept of Senate Bill 186. However, we have some concerns with the proposal as introduced and offer the following amendments for improvement.

To implement our recommendations concerning the investment adviser representative definition, make the following revisions:

> Section 30-10-103(7)(a) -- On page 4, line 12, after "adviser" insert "registered under the Act"; at the end of items (i), (iii)-(v) insert "to clients in this state"; and at the end of item (ii) insert "in this state".

To implement our recommendations concerning the commencement or termination of an investment adviser representative's connection with an investment adviser, make the following revision:

> Section 30-10-201(9) -- On page 12, line 9, after "adviser" strike "and the investment adviser representative".

Kim Schulke
Deputy Securities Commissioner
444-5236

Exhibit 4
3.10.87
SB 202

SB 202 - Commodities investments regulated by securities commissioner.

Requested by State Auditor and Commissioner of Securities Andrea "Andy" Bennett

SECTION BY SECTION REVIEW

Section 1. Amendment to 30-10-103, MCA.

This bill amends 30-10-103, MCA, which is the definitional section of the Securities Act of Montana. New subsection (5)(a) contains a definition of "commodity." This is a very broad definition, which is qualified considerably by subsection (5)(b). Subsection (5)(b)(ii) excludes from the definition, real property or timber, agricultural, or livestock product grown or raised on real property and offered and sold by the owner or lessee of such real property. This would prevent the Securities Commissioner from exercising jurisdiction over the farmer or logger.

New subsection (6) defines the Commodity Exchange Act, which is the federal statute requiring registration of commodities dealers. Exemptions from state registration are provided in 30-10-105, for transactions registered under the federal system.

New subsection (7) defines the Commodity Futures Trading Commission, which is the federal agency responsible for the regulation of the commodities industry.

New subsection (8)(a) defines "commodity investment contract" as an agreement for the purchase of a commodity, primarily for investment purposes and not for use or consumption by the purchaser.

New subsection (8)(b) states that a commodity investment contract does not include the situation where actual delivery of the commodity is received within 28 calendar days after the payment of all or part of the purchase price.

New subsection 9(a) defines "commodity option" which means any agreement giving a party the right but not the obligation to purchase or sell commodities. Subsection 9(b) excludes options traded on a national securities exchange from the jurisdiction of the Securities Commissioner.

New subsection (15) defines "precious metal", which is included in the definition of "commodity."

New subsection (18) sets forth the definition of "security," which is the same as always, except that the terms "commodity investment contract," and "commodity option" are included.

Section 2. Amendment to 30-10-105, MCA.

Section 30-10-105 provides exemptions for registration under the Securities Act of Montana for certain transactions.

New subsection (17) provides an exemption for commodity investment contracts traded on a commodities exchange recognized by the Securities Commissioner. The oldest established commodities exchange is the Chicago Board of Trade.

New subsection (18) provides an exemption for transactions within the exclusive jurisdiction of the commodity futures trading commission.

New subsection (19) provides an exemption for transactions involving the purchase of precious metals which requires the purchaser to receive physical delivery of the metals within 7 days after payment of all or part of the purchase price. Such physical delivery must be made to (1) a financial institution, (2) a warehousing depository whose receipts are recognized on a contract market designed by the Commodity futures Trading Commission, or (3) a federally licensed storage facility. Such depository must then issue a confirmation stating that the metals have been delivered free of liens other than those liens allowed.

New subsection (20) provides an exemption for commodity investment contracts entered into between persons engaged in producing, processing, using commercially, or handling as merchants each commodity subject to the contract, or any byproduct of the commodity.

Section 3. Extension of authority.

This section provides that the Securities Commissioner may make rules on the subject of this bill.

JUSTIFICATION

The Securities Act of Montana governs the offer and sale of securities in our state. This bill would include commodity investment contracts and commodity options within the definition of "security." All of the provisions of the Securities Act, including the registration and enforcement provisions, would then apply to commodity investment contracts and commodity options.

This bill begins by defining "commodity" in very broad terms. It then narrows that definition considerably by excluding real property or any timber, agricultural or livestock product grown or raised on real property and offered and sold by the farmer or logger.

"Commodity investment contract" and "commodity option" are then defined so that it is clear that the jurisdiction of the Securities Commissioner will only apply when these contracts are entered into primarily for speculation or investment purposes.

The bill provides several exemptions for commodity investment contracts traded on recognized commodities exchanges, transactions already governed by the federal government, certain contracts for the purchase of precious metals, and transactions between persons engaged in producing, processing, using commercially or handling as commodities as merchants.

This bill was taken in part from the Model State Commodity Code, which has been approved by the North American Securities Administrators Association. This Association is made up of the Securities Commissioners of all 50 states, and many Canadian provinces. The particular provisions of this bill were borrowed from the Arizona statutes. Other states have also adopted the Model State Commodity Code.

This legislation seeks to protect the public from operators who offer and sell so-called commodity investments to the unwary investor at a loss of thousands of dollars per year in Montana. Often, the innocent have been bilked out of their life savings by commodity scam artists who entice their victims by promising huge profits in precious metals and other commodities. Additionally, this bill is designed to complement the federal commodity laws by permitting the public to trade or invest in legitimate commodity instruments under the federal Commodity Exchange Act and under the specific terms of the Securities Act of Montana.

While commodity investment contracts are already within the securities commissioner's regulatory authority, the definitions included within this bill will make it easier to enforce the securities laws against those who offer and sell commodity investment contracts in this state.

Kim Schulke
Deputy Securities Commissioner
444-5236

EXHIBIT 5
DATE 3-10-87
HB SB118

SB 188 - Electronic Funds Transfer information subject to subpoena without customer consent.

Requested by State Auditor and Commissioner of Securities Andrea "Andy" Bennett

SECTION BY SECTION REVIEW

Section 1. Amendment to 32-6-105.

Section 32-6-105, MCA, which this bill amends, currently provides that bank records can be disclosed by a financial institution to any person or government entity only with consent of the customer or, if the customer refuses, with a court-issued subpoena. This means that when the Securities Department, which is a criminal justice agency, is involved in a criminal securities fraud investigation, it must obtain an investigative subpoena issued by a district court judge, and must further obtain an order from the judge directing the financial institution not to disclose the existence of the subpoena to the bank customer.

The proposed amendment would allow the Securities Department to obtain bank records, in connection with a criminal securities fraud investigation without consent of the customer.

The new subsection (2) would relieve the financial institution from liability to the customer or other person for disclosing the information.

Section 2. Extends rulemaking authority to the provisions of this act.

Section 3. Provides an immediate effective date.

JUSTIFICATION

If a bank customer who is the subject of a criminal securities fraud investigation, is advised that the Securities Department is seeking their bank records, they ofcourse, will not give their consent to the bank to provide those records so that we can prove they have committed a felony. In addition, if the bank does advise the customer, he may leave our jurisdiction, intimidate witnesses, or destroy other types of records which

are not maintained at a bank. These records might include customer lists, written sales pitches, correspondence, etc.

In the past two years, subpoenas issued to obtain bank records in connection with specific investigations have helped the Securities Department to determine that approximately $450,000 invested by Montana citizens has been misappropriated by perpetrators of securities fraud. And, in one case, it showed that no misappropriation of funds occurred.

Once the records are obtained, they become confidential criminal justice information, and cannot be disclosed by the Securities Department to anyone other than another criminal justice agency.

3.10.87
SB341

On July 5, 1985, then Secretary of Labor Ray Donovan and Department of Labor spokesman Jack Hashian announced that a new "computerized job exchange" was operational and that the department's intention was to "heighten their competion with private employment agencies". The choice of the word "heighten" is a tacit admission that competition has always existed. The computerized system merely amounts to an escalation.

Such would not be objected to if the DOL were competing on the same basis as are private firms. The DOL is tax supported and their capital investments and employees' salaries are paid whether they are productive or not.

The mandate of Job Service, as set forth in the United States Code, has been and remains, to serve the handicapped, unskilled, farm labor and Veterans. The private recruiting industry is not tax supported. Its revenues must be derived from "user fees". Brokerage in any service or product is based on a function of scarcity. Fees are charged to either the applicant or employer depending on which is motivated to seek assistance. This function is based on the fundamental right to contract for services.

No Act of Congress has been passed into law Socializing the Recruiting Industry. That being the case, it is still the right of any individual, either Job Seeker or Employer to hire the services of a third party recruiter to represent them.

Prior to entering the recruiting business, we applied for and secured the licensing required by state law. The Montana Codes restrict a private recruiter in that we may not work with referrals where union agreements provide for "Hiring Hall Procedures" as provided in the National Labor Relations Act. No other occupational restrictions exist in law. Therefore, the logical inferance is that all other jobs, Professional, Clerical, Sales or Service are open to FREE MARKET COMPETITION SUBJECT ONLY TO EEO REGULATIONS.

One would expect that a company with a job requisition would try honestly to hire the best qualified candidate possible. Furthermore, in attempting to meet "Affirmative Action/EEO Regulations," it would appear that a company would logically look at all possible sources of candidates in a genuine effort to be certain they have considered all qualified candidates available. Nothing can further the intent of EEO law better than an Open and Free Market Labor Exchange. By acquiescing to "Exclusive Hiring Agreements with Job Service" the Free Market ceases to exist.

Milwaukee 7/5/84

Computerized job-opening list unveiled

WASHINGTON (AP) — A free, computerized national "Help-Wanted" list matching unemployed Americans with job openings was unveiled Wednesday by the Labor Department.

In the works for several months, the revamped system will be geared toward helping people who can't find work in their own hometowns but who are willing to move. It also will help employers find people willing to take hard-to-fill jobs.

The system expands on separate sets of job listings that have kept by the various state employment service offices for years, but which previously have been published nationally only once a month.

For the first time, a single, constantly updated job-posting list will amount to a national help-wanted advertisement.

Labor Secretary Raymond J. Donovan said the interstate system "makes certain that a jobless engineer in Pennsylvania is aware of job openings in his or her specialty in Florida, Texas, Connecticut or perhaps just across the state line in New York or other neighboring states."

The new system, which starts up with a list of 8,500 job openings, will heighten the government's competition with private employment agencies, Jack Hashian, a department spokesman, acknowledged in a telephone interview.

Hashian said the new system will be particularly helpful to skilled workers who have lost jobs in depressed industries.

"The system gives at least 10 days for a job order to be filled locally before it is sent to the Interstate Job Bank," Donovan said.

Those not filled locally in that period will be sent by the some 2,300 state and local job-service agencies to the Interstate Job Bank in Albany, N.Y.

In Albany, a master list will be created and continually updated with job openings, salaries and locations. That list will be air-expressed once a week back to all state and local agencies to be available to anyone asking.

The Fordyce Letter

Commentary and information provided exclusively for those involved in the personnel, search, employment, recruiting and outplacement professions.

Most Widely Read and Often Quoted Newsletter in the Industry JULY 1984 Volume XV Number

BIG BROTHER HAS ARRIVED

For quite some time now, we have decried the way many within our industry have climbed into the sack with the regulators whose job it is to keep our industry in thumbscrews. We have also made it abundantly clear that we think the urging by the NAPC for members to join with the federal government through the JTPA (Job Training Partnership Act) was dumb.

In city after city and in state after state, we have watched how the bureaucrats have tried to tighten their stranglehold on our industry. At present, about half of the states regulate our activities with the remaining half currently in stages of de-regulation. Putting together a grid of the states which regulate, and those which don't, is an impossible task since the pendulum keeps swinging at a rhythmic and quickening pace.

In private conversations with Job Service bureaucrats and with members of both the House and Senate, we have been told, over the past year, that any olive branch offerings by the feds to our industry was pure film-flam . . . designed to lull us into a false sense of security. Detente, we were told by leaders of our industry, was certainly preferable to all out war. All the while, we warned against working with these snakes.

Although we've said it before, we'll repeat our premise for the written record. Unemployment, at its current and recently past numbers, must be viewed as a national problem. If Big Brother is going to pick up the lion's share of the tab to feed and house the unemployed (through hundreds of different programs), then, from *their* perspective, it is logical to assume that the solution lies at the federal level rather than through states or private industry (us). After all, eight million unemployed people creates a target too tempting for the federal power structure to ignore.

Furthermore, the superstructure already exists. Job Service (or whatever they call it in your neck of the woods) has offices in every burg and hamlet in the country . . . offices that are staffed and computerized . . . offices that have crept into our knickers for many years by spending your tax dollars and ours in indirect and devious competition with our industry. Those few stale crumbs that have been cast our way have been little more than a well orchestrated smokescreen for their true intentions . . . to go head-to-head with us in placement.

Well the other shoe has dropped, faster than we anticipated. Fittingly, the Labor Department [illegible] Fourth of July to unveil their new national job bank which has been in the works many months.

Instead of the cumbersome national job l that were published only once a month, we n have a free, computerized nation "Help Wante list matching unemployed Americans with j openings country-wide. Jack Hashian, a depa ment spokesman, admitted that they intend compete with the private sector. Labor Secreta Raymond J. Donovan indicated that the system primarily designed for the professional or high skilled person with salaries of up to $70,000. T median salary is $21,000 and although it is p marily designed for the unemployed citizen, y can bet that this will quickly expand to the e ployed (but unhappy) category. To do otherw would be discriminatory.

Much like the real estate multiple listing c cept, this system gives at least 10 days for a j order to be filled locally, then it is sent to t Interstate Job Bank in Albany, New York for i mediate distribution to the 2,300 state and lo job service agencies. In Albany, a master list w be created and continually up-dated with j openings, salaries and locations. That list will air-expressed once a week back to "all state a local agencies to be available to anyone asking Wonder if that means us.

Of course, this won't put us out of busine The Federal Express story proves that private i dustry can outperform the federal governmer any day of the week. But we won't come out u scathed. We're bound to suffer a few laceration Corporate clients will almost have to give this ne concept a try. Just as surely, they'll find the qu ity lacking and the red tape of dealing with the public service clones untenable. The fact remair it's just one more federal program *we don't nee*

State services have placed about 3,000,0 people per year. That's about 1,300 placemen per office per year. We can't help but feel that v could do considerably better than that, giv their resources and funding.

Where was our early warning system on th one? Why didn't our industry rally against this i trusion. How will we react when companies a legally *forced* to list all openings with the fed Will companies view this as an opportunity to fu ther negotiate fees downward? Or lock us o altogether? When they start using your tax dolla to promote the program, will you do more th say, "Tsk! Tsk!"?

Maybe Orwell was right. After all, we still ha a half year left in 1984.

The Fordyce Letter

Commentary and information provided exclusively for those involved in the personnel, search, employment, recruiting and outplacement professions.

Most Widely Read and Often Quoted Newsletter in the Industry

AUGUST 1984 Volume XV Numbe

VOX POPULI

No article in recent TFL history has tapped the emotions and passions of our readers as the "Big Brother" critique about the National Job Bank. Calls flooded in from all over the country . . . from Alaska to Florida . . and all points between. We've heard from legislators, editorial writers, astonished bureaucrats, and dozens of readers who have taken up the cause.

One corporate recruiter wrote, "Your industry is not the only one which takes offense to the practices of Job Service. Tax-paying corporations are seeing tax dollars spent which have the effect of seducing our current employees to seek employment with our competitors. God knows, there are enough unemployed people out there who need help. Why do they conspire in an effort to attract those who are happily employed?"

Circular rhetoric couched in lofty-sounding terms is the order of the day when talking with the officials who foisted this behemoth upon us. Dick Hill, Executive Vice President of the National Association of Personnel Consultants talked with some folks in our capitol about the program and found that many of the openings on the list are for federal jobs or for such goodies as 'polo pony trainers' and the like.

Nevertheless, the Feds have exceeded their charter and if you think that this foot in the door is not a precedent for further unnecessary intrusion into our arena, we've got some swamp land we'd like to talk about selling you.

Carol Rhodes of Courtesy Personnel writes, "Having the feds become more efficient in competing against us is abhorrent, but is in large part, our fault. We continue to teach them, by association with them, how to be more and more efficient in our industry, and then scream bloody murder when they do just that. Certainly, we will continue to outperform them, if for no other reason than the humanness in private enterprise versus the vast machine in government. We will also continue to outperform them as long as we continue to provide a service that employers are willing to pay for . . . which is as long as no one else can do it better, and no longer than that. We've watched over the years while "they" got better and better at our game, while they invited us to participate in theirs by receiving fees from them for placing the disadvantaged, and even while they bought their very first computer for the then Job Bank system from a private employment service owner. No matter that he sold it because it didn't do the job . . . he sold it, to those that compete against us, and for a while, they stol some thunder and accompanying business."

Lest you think that we are breast-beating in a vacuum, Don Hanak, a Phoenix Dunhill owner sent us a copy of the letter being used by the Ar zona Department of Economic Security invitin employers to attend a free workshop about unemployment. Part of that letter says, "Have you paid a fee to a private employment agency? Our Jo Service representative will outline the placement, screening and interviewing services available to you at no charge."

Hanak did what all of us should be doing. H mounted an assault against this outrage, writing letters, alerting the media and enlisting the aid of his State Representative. Seems there are couple of statutes in Arizona stating that "Th department (Employment Security) shall not participate or engage in radio, television or newspaper advertising of specific job openings un prescribed pursuant to federal law." The other states that, "A state agency shall not engage in the manufacturing, processing, sale, offering fo sale, rental, leasing, delivery, dispensing, distribu ing or advertising of goods or services to the public which are also offered by private enterpris unless clearly authorized by law excluding admin istrative law and executive orders."

After this brouhaha hit the newspapers, the DES, while maintaining the righteousness of thei position, agreed to delete the offensive phras from their letter of invitation to employers.

Well over 100,000 people are engaged in our industry, but we rarely hear a peep from any o them. If everyone took the time to communicat with their legislators about transgressions such as these, perhaps they wouldn't occur so frequently

SCOPE TRIAL ENDS

Remember the Scopes trial? The one betwee Darwinism and Creationism? Well a new Scope trial has just ended in California and David b Goliath. It's a classic case of bureaucratic heav handedness and how our "public" servants almos put one of our own out of business . . . . . for n reason at all.

EXHIBIT 7
DATE 3-10-87
SB 328

Associated Printers & Publishers of Montana
(406) 443-0640

Ken Dunham
Executive Secretary

SENATE BILL 328

Senate Bill 328 will significantly improve the situation of Montana's printing industry, by requiring that all public printing performed by government print shops be performed by private commercial printers.

But the bill also has significance for government at all levels.

By using private commercial printers government agencies will be able to obtain ...

- Better prices on printed products because of competative bidding by printers.
- Better quality because of private printers frequently updating and improving equipment and techniques.
- Better service because the private printer has to meet demand to stay in business.

Additional tax revenue will be generated through this legislation in that any expansion in printing facilities and equipment will be done in the private sector, and not by government.

This bill will not put people out of work!

This bill provides that government will continue to perform the various "internal" documents required for government. This would include materials such as photo-copy work, internal memos and reports, bid materials (such as prepared by the Highway Department), and other materials of a strictly internal nature. Included in the internal materials would be legislative printing.

34 West Sixth Avenue • Post Office Box 1707 • Helena, Montana 59624

Exhibit 7
SB 323

ANSWERS TO SOME QUESTIONS THAT HAVE BEEN RAISED ON THIS BILL.....

HOW DO YOU DETERMINE WHAT IS MATERIAL OF A "PUBLIC NATURE" AND WHAT IS OF AN "INTERNAL NATURE"?

This bill defines a "public document" as a document that is primarily distributed to the public. An "internal or agency document" is a document that is primarily distributed to government employees.

Examples of public documents include materials that might be prepared for tourist information, informational materials prepared for the general public or for specific professions; while internal or agency documents might include such materials as bid specifications for the Highway Department, legislative materials, internal reports used by agencies in performing their duties, and other such material that is circulated internally.

It is recognized that Montana's Constitution provides for access to virtually all government documents through freedom on information, but the actual printing of such materials is not a consideration in this legislation.

It is further recognized that there may be instances in which there may be some question on what is a public or internal document and the legislation specifically provides for administrative rules to implement this law.

WILL PEOPLE LOSE JOBS BECAUSE OF THIS BILL?

No! Because the work load might be lessened for a state print shop, there may be instances in which not as many people are required to work in that shop.

The work load will shift, however, to commercial print shops and those people who have had the experience in state print shops should be prime candidates to move into the private shops as the jobs open. Many state printing employees have worked before in private industry.

Exhibit #
SB 328

IS IT MORE ECONOMICAL FOR PRINTING TO BE DONE BY A PRIVATE COMMERCIAL PRINTER?

Yes. It is very difficult to obtain accurate information as to what printing costs really are as performed by Publications & Graphics. However, information provided this association by the Administrator of Publications & Graphics in February, 1987, indicate that their cost per printing impression is 2.7¢.

Standards as determined by the U.S. Government Printing Office call for a cost per impression of 2.5¢ or better if the shop is to be called efficient.

When you multiply the .2 ¢ times 38-million impressions performed by Publications & Graphics in the last fiscal year (their figures), the dollar loss is significant.

Printing industry standards also say that a print shop must generally perform $80,000 of gross income per employee to stay in business. It is doubtful that state print shops meet this standard.

In February, 1987, a representative sampling of printing jobs performed by Publications and Graphics was compared to the same bids as would have been bid by Montana commercial printers. The results showed that each job could have been printed more economically by a private printer.

(The results are reprinted elsewhere in this report)

WHAT IS THE CRITERIA USED BY PUBLICATIONS & GRAPHICS TO DETERMINE IF A JOB IS BID OUT OR PRINTED BY THE DEPARTMENT?

There is no written policy on what jobs are printed in-house or bid out.

DOES THIS BILL CHANGE IN ANY WAY THE REQUIREMENTS FOR A UNION PRINT SHOP FOR COMMERCIAL PRINTING, OR THE REQUIREMENT FOR PREVAILING WAGE IF A UNION SHOP IS NOT USED?

No. This bill leaves intact language that has been Montana law for many years.

DIDN'T A STUDY SEVERAL YEARS AGO EXAMINE PUBLICATIONS & GRAPHICS CLOSELY?

A report was prepared in 1982 examining a number of aspects of Publications & Graphics. The report was commissioned by the state.

Much of the report deals with the various technical aspects of the printing process; i.e. ink quality, quality of metal plates used in the printing process, and skills of individuals.

Questions involving the economy of Publications & Graphics are subject to some criticism in methods of examination and in conclusions reached without adequate and substantive research and information.

IS THE CLAIM THAT STATE PRINT SHOPS NEED TO OPERATE IN ORDER TO PROVIDE TIMELY SERVICE A VALID ONE?

No. Private commercial print shops operate on a quick turnaround time on printing jobs. They must, or they simply won't stay in business. Bid specifications can specify the time in which the job must be delivered.

There is no special equipment or other factors that allow government print shops to operate any faster than a corresponding private shop.

WHAT ABOUT THE CLAIMS IN THE FISCAL NOTE THAT THIS LEGISLATION WILL COST AGENCIES MORE FOR THEIR PRINTING?

The agencies claiming increased costs have made no factual claims or presented any solid evidence that costs will increase. The private printing industry can demonstrate that the opposite is true - costs will decrease. The enclosed examples of representative jobs back up this assertation.

COMPARISONS OF SELECTED STATE OF MONTANA PRINTING JOBS

Job	Quantity	State Pricing	COMMERCIAL PRINTERS Printer A	Printer B	Printer C
#1 - Energy Budget	1,500	600.00	449.82	320.71	239.00
#2 - Energy Savings	1,000	340.00	211.40	172.39	145.00
#3 - DNRC Applications Guidelines Book	1,500	2,100.00	1,379.22	1,356.40	1,230.00
#4 - Land Regulation	750	2,287.00	3,368.02	2,314.60	1,850.00
#5 - DNRC Publications List	400	412.00	555.69	456.02	392.00
#6 - EconDevBd Report	750	1,750.00	1,754.18	1,558.00	---

The five example jobs were selected from recent printing jobs performed by Publications& Graphics. They were selected to show a range of job size and complexity - jobs that could be performed by a quick-print shop to jobs that required a larger print shop.

The six jobs were then circulated among three APPM member print shops for quotes on the jobs. The three commercial printers selected did not have the opportunity to see eath other's pricing.

The pricing was done in February, 1987.

SB 328
Exhibit #7

EQUIPMENT LIST - PUBLICATIONS & GRAPHICS
(Helena Front Street Location)

DESCRIPTION	COST
416-BIN COLLATOR	19,700
POLAR CUTTER	11,000
CHALL DRILL	3,875
STITCHER	2,585
MINABINDA	12,970
TAC 10 COLLATOR	4,500
22 BIN COLLATOR	32,608
600 BIN COLLATOR	47,178
SHRINK WRAP TUNNEL	4,950
DUPLICATING MACHINE 2675	22,000
PAPER CUTTER	3,400
PAPER DRILL	2,900
SYS. 5-2300 MASTER MAKER	12,362
SYS.5-2975 DUPLICATOR	23,000
60 COLLATOR A/M 45 SR.111010	6,217
60 COLLATOR A/M 45 SR.03303	6,217
60 COLLATOR A/M 45 SR.03301	6,217
60 COLLATOR A/M 45 SR.03153	6,217
60 COLLATOR A/M 45 SR.03153	6,217
4250 DUPLICATOR	23,000
60 COLLATOR A/M 45 SR.111009	6,217
60 COLLATOR AM/45 SR.091003	6,217
60 COLLATOR AM/45 SR.101006	6,217
4250 DUPLICATOR 279555	23,000
60 COLLATOR A/M 45 SR.131015	6,217
60 COLLATOR A/M 45 SR.111007	6,217
INTERFACE SRS SR.401589	4,920
INTERFACE CAP. SR.1100555	4,920
60 COLLATOR A/M 45 SR.131016	6,217
ACME INTERLAKE 102 STAPLER	380
ACME INTERLAKE 102 STAPLER	380
XEROX 1075 C5510 4220	54,718
MULTITURBO FEED 845116	4,625
INTER-LAKE STITCHER	500
XEROX 9500	69,825
SECRETARIAL DESK	450
TYPEWRITER	900
CAMERA	2,500
PLATE MAKER	900
STRIPPING TABLE	800
BESLER ENLARGER	400
PROCESSOR NUARC	1,000
CAMERA-LOGE MD-480	8,745
KODAMATIC PROCESSOR-MODEL 65	6,764

DUPLICATING MACHINE 2650	6,000
MASTER IMAGER 2300	10,300
3-M PLATEMAKER	19,000
1250 N- MULTILITH	11,825
DAVIDSON 702	30,000
DAVIDSON ROLL CONVERTER	6,100
DAMPER/WASHER	936
2 DRAWER LATERAL FILE	180
PROFESSIONAL DESK	325
4 DRAWER FILE	285
V-50 VERTICAL LETTERPRESS	3,300
PALLET JACK S/N012880	400
MODEL 2975 DUPLICATOR	15,000
MODEL 2975 PUPLICATOR	15,000
SKID PLATE	450
CONDITIONER	1,833
CONDITIONER	1,833
DESK	325
LIGHT TABLE	500
2 DRAWER LATERAL FILE	180
2 DRAWER LATERAL FILE	180
IBM COMPOSER	1,800
WOODEN DESK	250
MCS 8400 PRINTOUT	23,702
QUADEX Q-5000 SYSTEM	51,825
APSMICRO 5 PHOTO TYPESETTER	87,878
PROCESSOR	8,908
SURGE PROTECTOR	1,729
COMPUTER WORKSTATION	838
COMPUTER WORKSTATION	838

1. Stahl Floor Model Folder, Model B19 4/4	$21,890.00
2. Bourg BC-15 Collator	6,535.00
3. Muligraphic 2400 Master Imager	15,680.00

STATE OF MONTANA AGENCIES KNOWN TO BE OPERATING PRINT SHOPS

- Fish Wildlife & Parks
- Department of Highways
- Montana State Prison
- Department of Justice
- Department of Labor & Industry
- Department of Military Affairs
- University of Montana
- Montana State University
- Eastern Montana College
- Western Montana College
- Northern Montana College
- Montana Tech

Typesetting & Pre-Press Operations

- Office of Public Instruction
- Department of Natural Resources
- Montana Historical Society
- Montana Bureau of Mines & Geology

HOUSE JOINT RESOLUTION NO. 58

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING STATE EXECUTIVE DEPARTMENTS TO DIVERT AS MUCH STATE WORK AS POSSIBLE TO THE PRIVATE SECTOR IN ORDER TO AVOID UNWARRANTED GROWTH OF STATE GOVERNMENT.

WHEREAS, the number of state government employees has increased more rapidly than the employment rate in the private sector; and

WHEREAS, in many cases the cost of a project conducted by the state is comparable to or exceeds the amount which the same project would have cost had it been conducted by the private sector; and

WHEREAS, interagency contracting with no consideration given to contracting with private firms perpetuates government growth to the detriment of the private sector; and

WHEREAS, the Legislature does not wish this unbalanced situation to continue.

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

(1) that it is the policy of state government to promote the use of private resources wherever it is found that private enterprise can provide the same service and add to the taxable base of the state;

(2) that all state executive departments shall re-examine their departments and cooperate with the economic advisors to the governor to determine those services that should be vested with the private sector in particularly those areas where the state tends to compete with the private sector;

(3) that the Secretary of State shall send a copy of this resolution to the head of each state executive department;

(4) that each department head is directed to follow the intent of this resolution and to that end shall prepare a plan for the adoption of the policy contained herein and submit it to the Legislative Auditor for review by July 1, 1977;

(5) that this resolution is not intended to displace persons currently employed by state government, but to move toward greater use of private resources and to reduce the growth rate of government employment.

Approved March 22, 1977.

(NEW MEXICO STATE LAW)

13-1-21. Application of preferences.

A. For the purposes of this section:

(1) "resident business" means one which is authorized to and is doing business under the laws of this state and:

(a) which maintains its principal place of business in the state; or

(b) has five or more employees who are residents of the state; and

(2) "resident manufacturer" means a person who offers materials grown, produced, processed or manufactured wholly in the state.

B. When bids are received only from nonresident businesses and resident businesses, and the lowest responsible bid is from a nonresident business, the contract shall be awarded to the resident business whose bid is nearest to the bid price of the otherwise low nonresident business bidder, if the bid price of the resident bidder is made lower than the bid price of such nonresident business when multiplied by a factor of .95.

C. When bids are received only from nonresident businesses and resident manufacturers, and the lowest responsible bid is from a nonresident business, the contract shall be awarded to the resident manufacturer whose bid is nearest to the bid price of the otherwise low nonresident business bidder, if the bid price of the resident manufacturer is made lower than the bid price of such nonresident business when multiplied by a factor of .95.

D. When bids are received only from resident businesses and resident manufacturers, and the lowest responsible bid is from a resident business, the contract shall be awarded to the resident manufacturer whose bid is nearest to the bid price of the otherwise low resident business bidder, if the bid price of the resident manufacturer is made lower than the bid price of such resident business when multiplied by a factor of .95.

E. When bids are received from resident manufacturers, resident businesses and nonresident businesses, and the lowest responsible bid is from a resident business, the contract shall be awarded to the resident manufacturer whose bid is nearest to the bid price of the otherwise low resident business bidder, if the bid price of the resident manufacturer is made lower than the bid price of such resident business when multiplied by a factor of .95.

F. When bids are received from resident manufacturers, resident businesses and nonresident businesses, and the lowest responsible bid is from a nonresident business, the contract shall be awarded to the resident manufacturer whose bid is nearest to the bid price of the otherwise low nonresident business bidder, if the bid price of the resident manufacturer is evaluated as lower than the bid price of such nonresident business when multiplied by a factor of .95. If there is no resident manufacturer eligible for award under this provision, then the contract shall be awarded to the resident business whose bid is nearest to the bid price of the otherwise low nonresident business bidder, if the bid price of the resident business is made lower than the bid price of such nonresident business when multiplied by a factor of .95.

G. This section shall not apply when the expenditure of federal funds designated for a specific purchase is involved.

(OREGON STATE LAW)

PUBLIC PRINTING GENERALLY

282.210 Performance within state of public printing, binding and stationery work; stipulation in request for bids and in contracts; exceptions. (1) Except as provided in subsection (2) of this section, all printing, binding and stationery work for the state or any county, city, town, port district, school district, or other political subdivision thereof, shall be performed within the state. All requests for bids and all contracts for such work shall so stipulate.

(2) The work referred to in subsection (1) of this section may be performed outside the state if it is established that:

(a) The work cannot be performed within the state;

(b) The lowest price for which such work can be procured within the state exceeds the charge usually and customarily made to private individuals and corporations for work of similar character and quality; or

(c) All bids for the work, or any part thereof, are excessive and not reasonably competitive.

PICA SCANNER

Published monthly by The Printing Industry of the Carolinas, Inc. (PICA) May, 1986

Report: Bid Out More Work To Printers

More than half the state's printing facilities in South Carolina should be shut down and the work bid out to commerical printers, a recently released report recommends.

The transfer could save S.C. taxpayers up to $1.4 million a year, concluded the S.C. Joint Legislative Committee to Study the Printing Needs of State Government.

Two S.C. PICA officials who served on an advisory panel to the study group praised the report. Sid Roddey, immediate past chairman of the PICA board and president of Columbia's State Printing, and James E. Doar, PICA board member and vice president of Wentworth Printing of West Columbia, called the report "a management tool to save taxpayers money and to put more state government printing into the private sector."

Roddey and Doar sought advice from commercial printers in shops of all sizes as they worked to help the study committee reach its conclusions and structure its recommendations during a 15-month period.

State government currently has 34 printing facilities spread among its agencies, colleges, and universities and technical education schools. Those operations spend $7.5 million annually producing 285 million pages of documents, an average of 2.6 cents per page.

The study found that the 16 printing shops judged efficient produce about 212 million pages annually at a cost of 2.2 cents each. The other 18 spent about 3.9 cents per page, producing 72 million pages annually. The panel also found that the inefficient agencies were not generating enough volume to justify the overall cost of the equipment purchased for their in-house printing needs.

The study panel used as a barometer a U.S. Government Printing Office report that showed federal officials were able to get printing done commercially at an average of two cents per page.

A potential cost savings ranging from $110,000 to $1.4 million annually could be realized if the 18 printing facilities judged inefficient were allowed to seek competitive bids. The lowest figure would result even if there were no jobs terminated or existing personnel shifted to other positions, officials said. Natural attrition of state employees would push the figure closer to the highest one, and the largest possible savings could be realized with minimum layoffs and shifting employees to other responsibilities, officials said.

The committee was created two years ago with three senators, three House members and three gubernatorial appointees. Those appointed to serve on the study committee by S.C. Gov. Richard Riley were Herb Provence, Provence Printing, Inc., Greenville; Pat Johnston, First Citizens Bank, Columbia; and Robert Bass of the Budget and Control Board's Division of General Services. Also serving were senators John A. Martin, Winnsboro; William W. Doar, Jr., Georgetown; and Elizabeth Johnston Patterson, Spartanburg; and representatives T. Moffatt Burriss, Columbia; Thomas E. Huff, Belevedere; and A. Victor Rawl, Charleston.

The committee set up an advisory panel of state government officials and private industry printing experts to evaluate current printing practices among agencies and institutions.

The primary argument for justifying an in-house facility where inefficient operations were found was "the uniqueness of their requirements cannot be met in a timely manner by the private sector," the panel reported.

But the panel said that if an agency and commercial printer work together to make sure the responsibilities of each are understood, then the problems producing the required materials on time can be overcome.

The committee's recommendations can be accomplished under current statutory authority.

Said Roddey and Doar in a joint statement: "If we in the private sector fail to live up to our responsibilities, the whole cycle could repeat itself again in future years." Both expressed optimism that the "new bond of confidence between the state and the private sector forged over the course of the study will result in implementation of the recommendations of the study committee."

The committee's report is in the hands of the state Budget and Control Board, which will consider it at a future meeting. Documents listing the inefficient printing facilities were not available and the report did not identify them by name.

*(This report was based on information from **The Associated Press** and from Russell D. Mellette and Associates, which represents PICA as legislative agent in the S.C. General Assembly.)*

State Begins Closing South Carolina Print Shops

(Editor's note: This article was written by Russell D. Mellette, who represents PICA in the S.C. General Assembly.)

Several large South Carolina state agencies are already voluntarily closing down print shops and will bid out most of their printing jobs to commercial printers.

More are expected to follow their lead in future months as state government implements the recommendations of the S.C. Legislative Committee to Study the Printing Needs of State Government.

The study committee report, adopted by the General Assembly earlier this year, recommends that more than half the state's printing facilities be shut down and the work bid out to the private sector. Implementation of the report will save South Carolina taxpayers up to $1.4 million per year, legislators concluded.

Three officials of the State Budget and Control Board gave a progress report of the printing privitazation project in a recent meeting with the PICA S.C. Legislative Committee, chaired by PICA board member James E. Doar of Wentworth Printing Company, West Columbia.

Robert Bass, Budget and Control Board reprographics manager, said that overall, state agencies have reacted positively to the changes. Some agency heads are even relieved to be phasing out their printing operations. He cautioned that more complete implementation will take longer because of natural resistance to change and the personnel logistics.

Bass said the project to date has concentrated on seven or eight agencies so a track record could be established and the study recommendations implemented in stages to gain maximum acceptance. The report set no timetable for implementation.

The two-year study has produced an unanticipated but positive result in addition to meeting cost effectiveness goals. Government and private sector representatives serving on a temporary Advisory Committee have agreed to add more members, become a continuing body, and address other problems and conflicts in the printing industry.

PICA Board Chairman Bernie Grant of Furlong Printing Company, Charleston, will appoint Advisory Committee members who represent various sizes and types of printing firms throughout the state. The Advisory Committee will meet a minimum of once a quarter in various locations around the state. Grant believes the procedure will assure maximum industry participation.

Larry Huckabee, assistant director, Division of Information Resources Management, said cost effectiveness will continue to be the primary goal, but that changing technology and other areas of conflict can also be addressed by the ongoing group.

Richard Campbell, assistant director, Division of Materials Management, told the group about a new printing manual to be available about Oct. 1. The document, which will include input from the public and private sectors, will become the manual governing all printing contracts under the State Procurement Code, Campbell said.

Doar and the government executives emphasized the improved relationship between the public and private sectors which has been one product of the study.

Where an adversial and sometimes hostile relationship formerly flourished, an atmosphere of cooperative give and take now produces unified recommendations to the Legislature.

"Before the study committee was formed, each side went to the Legislature separately, with a pretty predictable result of the status quo," one official reflected. "We still have differences and conflicts, but working them out and going to the Legislature in a unified effort has produced tangible results and cost savings," he observed.

At the time of the study, state government had 34 printing facilities spread among its agencies, colleges, and universities and technical education schools. Those operations spent $7.5 million annually producing 285 million pages of documents, an average of 2.6 cents per page.

The study found that the 16 printing shops judged efficient produce about 212 million pages annually at a cost of 2.2 cents each. The other 18 spent about 3.9 cents per page, producing 72 million pages annually. The panel also found that the inefficient agencies were not generating enough [illegible] to justify the overall cost of the [illegible] of the [illegible] the [illegible] printing needs.

The study panel used as a barometer a U.S. Government Printing Office report that showed federal officials were able to get printing done commercially at an average of two center per page.

A potential cost savings ranging from $110,000 to $1.4 million annually could be realized if the 18 printing facilities judged inefficient were allowed to seek competitive bids. The lowest figure would result even if there were no jobs terminated or existing personnel shifted to other positions, officials said. Natural attrition of state employees would push the figure closer to the highest one, and the largest possible savings could be realized with minimum layoffs and shifting employees to other responsibilities, officials said.

Update

Several S.C. state agencies are closing down their print shops following the recommendations of a state committee. Others are expected to follow, inevitably saving taxpayers as much as $1.4 million annually. PICA members have been actively involved in the on-going issue, which promotes a harmonious relationship between the public and private sectors, and places more government work in the hands of commercial printers. The full story is on page 2.

PICA SCANNER

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The PICA Scanner welcomes your comments and contributions. Send them to P.O. Box 11176, Charlotte, N.C. 28220.

Verle's view . . .

State Print Shops. . .

I came to Montana in the fall of 1961 with my family and a few personal possessions packed into a U-Haul trailer. Our goal was Helena and a job I had been promised at State Publishing Company, a privately-owned print shop specializing in quality job printing and bound books. My job was to commence upon arrival, working on House and Senate Journals and other state printing from the 1961 session of the legislature.

That job turned into a steady position with State Publishing, where I worked not only as a linotype operator, but also as a compositor working on makup of books and other job printing, and as a lockup man, getting jobs ready for the press. I held that job until June of 1967, when I purchased The Meagher County News and moved to White Sulphur Springs.

During my time at State Publishing, I worked long hours during the legislative sessions, printing bills for the house and senate and doing myriad other state printing. While employed at State Publishing, I also served two terms as President of Helena Typographical Union No. 95 and worked with our employers in Helena and throughout the state to have passed a bidding preference law in the 1963 session. The goal of labor and management alike was to retain as much printing business within the state as possible. We all felt it was necessary for the economic health of Montana.

During this time, state bureaucracy continually insisted that they wanted to put in a state printing plant in direct competition with private business. Because of the insistance of the bureaucrats in wanting such a plant, the typographical union did a survey of state printing plants throughout the United States. Both union and non-union state plants were assessed and always the figures came out the same— the state owned plants were over-staffed, had less production per employee and were an economic drain upon state finances.

I only wish I had that survey now, to compare what is happening in the State of Montana and its state owned printing plants. Even without such a survey, some of the things I am about to relate will curl your hair—particularly in a state that is strapped for money and in a state where private business is finding it almost impossible to survive.

In the 1970's the bureaucrats finally had their way and a state printing plant was established. Originally, it wss to be only a six to eight man operation, under the Department of Administration, to do small duplicating jobs and to send out bid quotes for private printers to bid on state work. The old saw "give them an inch and they'll take a mile" is appropriate in this instance.

The state now has a state print shop, located in the old liquor warehouse on Front Street. They have a total of 27 full time employees and employ another 10 people during the legislative session. Figures are hard to come by when they are hidden by the bureaucrats, but a conservative estimate is that most of these employees are making about $8.00 per hour, plus all of the state benefits available. A number are pulling down $18,000 to $20,000 salaries per year.

The old liquor warehouse was remodeled this year—at a cost of $225,000. Yup. . .that's a quarter of a million dollars! At a time when tax monies are so short, they just spent $225,000. Its real nice too—I hear even the pressroom is carpeted. (No one in his right mind would carpet a pressroom. Static builds up in carpets and transfers to the presses, creating paper misfeeds and necessitating expensive static elimination equipment. Sound like they're being careful with your money?).

Equipment? Man, they have some of the best! They have equipment that the private sector can't afford to purchase, because they don't have the quantity of business to put through it to justify it economically. The state just installed a new $20,000 folder, one of the best obtainable. One private printer found out that the state had acquired a $200,000 two-color Heidelberg press when he bid on a job not having to do with the public sector and found out that the state came in second to his bid.

One of the things that private printers have been trying to come up with is the total number of presses owned by city, county and state government. Many feel that it exceeds the private sector in the number of presses owned.

Applying production figures to the state as opposed to private industry, the state is way out of line. The average per employee in private run printing establishments in the nation is $70,000 per year gross production. Applying this figure to the 27 fulltime employees at the state printing plant, this come out to $1,890,000. As near as anyone can ascertain, the state printing plant does just slightly over $1,000,000 worth of printing per year. It is at least $500,000 or more off from what private industry would do with the same number of employees.

Another figure of comparison is the cost per impression. This would include both short and long run jobs, many of which run into the thousands and hundreds of thousands to get the lower figures. Private industry figures 2.1¢ per impression. The State of Montana is close to 3¢. This is also with many hidden costs not figured in.

I sure wish I could operate like a state print shop. First of all, what started to be a small duplicating shop to handle fast run items now prints books and all sorts of fancy work. The state print shop picks and chooses what they want to print and then charges the state what they want to charge. Additionally, they place a surcharge on top of this price to cover their operations and to show they are justifying their existance!

Montana State University paid $18,000 to $21,000 extra for printing this year on the surcharge alone. That money would have helped pay the salary of a professor at the School of Architecture.

As long as we are talking about colleges, they have their print shops also. A good friend of mine, Al Madison, runs the University of Montana print shop in the basement of the Journalism School. The UM print shop does about $750,000 worth of business a year and bids on printing in the private sector in competition with private industry—**the people who pay the taxes!**

Another sector of state competition that is coming into focus now is the State Prison Print Shop in Deer Lodge. They have actively solicited city, county, state and institutions for their printing jobs. Many hospitals are now having convicts do their printing for them. The private printers cannot compete with 50¢ per hour wages and then be expected to contribute to their communities in payrolls, taxes and contributions to keep governments and institutions going.

Many large corporations, such as Boeing Aircraft, are going out of the printing business, preferring to have private industry do any more than the simplest of jobs for them. Even the federal government is divesting itself of many printing operations. They are finding that it is cheaper to have private industry do it.

In addition to the disastrous business climate in this state for anyone in private industry, there is also a couple of million dollars a year in printing jobs leaving this state. We are all familiar with two elections ago when Secretary of State Jim Waltermire awarded the printing of the phamplets describing the constitutional amendments, initiatives and referendums to a Utah printer. The printer had the work scheduled in and couldn't change the printing when a court challenge struck out part of the ballot. An in-state printer who was just a few dollars below the Utah bid not only could have changed it, but stated that the Utah firm had bid the job below cost just to fill in a niche in its printing schedule.

A state firm that did the Montana Codes Annotated, which is the update done every session of Montana's laws, did the 1979 Codes for $147,000. This necessitated hiring three extra full time people and 10 part time employees. The 1981 Codes were done in Atlanta, Georgia for $161,000, about $3,000 less than was bid by the Montana firm. Gone were three full time and 10 part time jobs for a small amount of money. Those jobs would have generated far more money in every sector than would have been expended with the Montana printer.

We cry for clean industry. Printing is a clean industry. It employs skilled craftsmen. It pays good taxes on expensive equipment. It is about time that we turn a goodly portion of public sector printing back to the way it was once done—by solicited bids. The state, counties and municipalities, and above all, our colleges and universities will be the winners in the long run when those people employed in the private sector are able to pay the taxes needed to run these institutions and governmental entities.

Senate Bill 328 in this session of the legislature seeks to correct some of the abuses of state printing, and bring some of the excesses under control. I hope that my legislators have the courage to support it under the onslaught of the bureaucrats. It is time to get government out of private enterprise!—VLR

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MONTANA PRESS ASSOCIATION 1986

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Carol Zehntner, Assistant Editor
Diann Girton, Compositor

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College (Nine Months)	$ 9.50	College (Nine Months)	
One Year	$12.00	One Year	
Two Years	$23.00	Two Years	

Display advertising deadline is Monday
Classified and news deadline is Tuesday

EXHIBIT 8
DATE 3-10-87
HB SB328

EXAMPLES OF SAVINGS

1. Report of the State Department of Revenue

   Both the typesetting and printing of this publication were done commercially in 1981. The cost was $11,645, or $9.32 per copy. Two years later, the division began doing the document internally and cut the cost by 50%. In 1986, the cost of the report was still only $6745, or $6.75 per copy for a larger document.

   Total Savings.....$4900 (42%)

2. Goes Borders - Supply Item

   The state purchased this item from local vendors prior to the existence of P&G for a price of $90.00 per 1000. The division began buying directly from the distributor in 1981 for $34.36 per 1000. Today, ten years later, the state pays only $38.15 per 1000.

   Total Savings.....$51.85 (58%)

3. Department of Commerce Manufacturers List

   In 1986, the Department of Commerce obtained bids for the printing of 300 and 500 copies of a 52 page document from local vendors. The job was then printed at P&G. The low vendor prices and P&G's prices were:

	Commercial	P&G	Diff.
300 copies	688.50	333.40	355.10
500 copies	883.50	500.20	383.30

   Total Savings.....$383.30 (43%)

4. Governor's Executive Budget

   The last time the budget book was done commercially was in 1977, at a cost of $11,238.19. The printing took in excess of 24 days to complete. The next biennium, the book was done internally at a cost of $5,231.90. This year, the book was completed by P&G in just 7 days and cost $5077.15.

   Total Savings.....$6161.04 (55%)

(MORE)

EXHIBIT 9
DATE 3-10-85
HB SB 328

18-4-123. Definitions. In this chapter, unless the context clearly requires otherwise or a different meaning is prescribed for a particular section, the following definitions apply:

(1) "Business" means a corporation, partnership, individual, sole proprietorship, joint-stock company, joint venture, or other private legal entity.

(2) "Change order" means a written order, signed by an authorized department representative, directing the contractor to make changes which the changes clause of the contract authorizes the department to order without the consent of the contractor.

(3) "Contract" means all types of state agreements, regardless of what they may be called, for the procurement or disposal of supplies or services.

(4) "Contract modification" means a written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of a contract accomplished by mutual action of the parties to the contract.

(5) "Contractor" means a person having a contract with a governmental body.

(6) "Data" means recorded information, regardless of form or characteristic.

(7) "Department" means the department of administration.

(8) "Designee" means a duly authorized representative of a person holding a superior position.

(9) "Director" means the director of the department of administration.

(10) "Employee" means an individual drawing a salary from a governmental body, whether elected or not, and any noncompensated individual performing personal services for a governmental body.

(11) "Governmental body" means a department, commission, council, board, bureau, committee, institution, legislative body, agency, government corporation, or other entity, instrumentality, or official of the executive, legislative, or judicial branch of this state, including the board of regents and the Montana university system.

(12) "Grant" means the furnishing by the federal government of assistance, whether financial or otherwise, to a person or agency to support a program authorized by law. It does not include an award whose primary purpose is to procure an end product, whether in the form of supplies or services. A contract resulting from such an award is not a grant but a procurement contract.

(13) "Person" means any business, individual, union, committee, club, other organization, or group of individuals.

(14) "Printing" means the reproduction of an image from a printing surface generally made by a contact impression that causes a transfer of ink or the reproduction of an impression by a photographic process and includes graphic arts, typesetting, binding, and other operations necessary to produce a finished printed product. Printing does not include rebinding or repair by a library or an office, department, board, or commission thereof of books, journals, pamphlets, magazines, and literary articles held as a part of its library collection.

(15) "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any supplies or services. It also includes all functions that pertain to the obtaining of any supply or service, including description of

5. Bird Regulations

In September of 1986, P&G bid out for the printing of 62,000 copies of a one page, legal size form. The successful vendor bid $1815 to do the work. P&G's internal price for the same job is $1688.40.

Total Savings.....$126.60 (7%)

6 Montana Code Annotated, Session Laws, Journals

In 1983, the Legislative Council contracted for the typesetting of these three documents at a cost of $6.42 per page. In 1985, the Council entered into an agreement with the Publications & Graphics Division for the typesetting at a cost of $1.50 per page. The total per page cost to the Council for text processing and typesetting was $2.20.

Total Savings.....$122,380 (66%)

7. Animal & Range Science Certificate

In January of this year, a contract was awarded to a vendor for the printing of 100 Certificates for a price of $41.10. P&G's list price for the same job is $31.27.

Total Savings.....$9.83 (24%)

TOTAL COMMERCIAL COSTS OF ALL JOBS.....$211,892.79

TOTAL INTERNAL COSTS OF ALL JOBS.....$ 77,880.62

TOTAL SAVINGS WITH IN-HOUSE OPERATIONS....$134,012.62

* 63% *

EXHIBIT 9
DATE 3-10-87
HB SB 328

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(12) "Grant" means the furnishing by the federal government of assistance, whether financial or otherwise, to a person or agency to support a program authorized by law. It does not include an award whose primary purpose is to procure an end product, whether in the form of supplies or services. A contract resulting from such an award is not a grant but a procurement contract.

(13) "Person" means any business, individual, union, committee, club, other organization, or group of individuals.

(14) "Printing" means the reproduction of an image from a printing surface generally made by a contact impression that causes a transfer of ink or the reproduction of an impression by a photographic process and includes graphic arts, typesetting, binding, and other operations necessary to produce a finished printed product. Printing does not include rebinding or repair by a library or an office, department, board, or commission thereof of books, journals, pamphlets, magazines, and literary articles held as a part of its library collection.

(15) "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any supplies or services. It also includes all functions that pertain to the obtaining of any supply or service, including description of

EXHIBIT 18
DATE 3-10-87
HB SB328

COMMENTS AND INFORMATION ON THE SCHOLARLY SCIENTIFIC JOURNALS PRINTED AT THE UNIVERSITY OF MONTANA, BY CAROL AMMONS

Two scholarly journals are each printed bimonthly in two volumes per year. These journals are Psychological Reports, and Perceptual and Motor Skills.

* Arrangements for the printing were made with the University 30 years ago because the University had a shop good enough, properly equipped and staffed to do the printing. That means the University had excellent linotype and presses, as well as highly skilled craftsmen to handle the printing. No other shops, commercial ones in particular, were capable of handling the printing. None are now since commercial shops are "Job" oriented. Personnel, for example, are not trained to set complex mathematical notation and foreign languages, and do not meet the specifications for scholarly journal publication.

* Scholarly publications require stable, high quality printing, done in arrangements established for a very long period of time--many years. Any change requires a minimum of a year to work out effectively-that is, without severe loss because requirements are very specific and outside the range of commercial jobs.

* Association of publication of scholarly scientific journals with a university is highly desirable. The association provides practical opportunity for faculty to teach students how to prepare technical reports of their research for publication and to take them through the process completely. This is a service by the journals to the University. No costs are involved.

* Publication of archival or scholarly scientific journals indicates to scholars and universities elsewhere in the country and the world favorable support of higher education by the State of Montana and the University. This is accomplished at no cost to the State or the University, since charges for printing are set to cover cost.

* These two journals are in the top 5% of journals in the world in the numbers of articles published, according to the Citation Index. This level has been maintained for more than a decade.

* These journals are also in the top 5% ofthe frequency with which the published articles are cited, i.e., used by other scientists in their own work, according to the Citation Index. This also has been true for more than a decade.

* Our publication process provides scientists here in Montana and throughout the world with advice on how to meet high standards in the conduct of their research, in writing reports for publication, as well as with printing of excellent quality of those articles accepted for publication.

* Since all issues bear the name of the University of Montana in Missoula, Montana, many scientists and practitioners and their students who reside in other countries know of the University and the City of Missoula and the State of Montana.

* Our purchase of printing over the 30 years has made it possible for the University shop to keep its performance at an excellent level which means better, more economic service for the University.

* Subscriptions are only of interst to universities, institutes, hopsitals, etc., where research and teaching are valued activities. This includes other ocuntries as well as the United States. There is no newstand interest.

* Our scientific journals have archival reference value. They provide reference to research on established and innovative topics. There is no commercial sale at the newstand.

* Publication of research by University faculty and students has been provided without charge during the some 30 years at the University.

* Copies of the journals as printed have always been donated to the Mansfield Library for the benefit of those who use the library.

* There have always been a number of students, student's spouses and spouses of young faculty who have been provided parttime work of a pleasant and interesting nature during their periods of close association with the campus in Missoula. Sometimes there has been a fulltime job.

* The journals we publish have always paid for all services provided by the University - for all printing, for space, telephone, janitorial service, etc. There has never been any sponging.

* Taxes have always been properly paid to the State of Montana as required by law.

* Recently there has been much concern to having new business into Montana. This business will not transfer to commercial printers, but shut down. An out of state source could eventually purchase it and then it would leave the State as well.

Carol Ammons 13

A Reprint from

PERCEPTUAL AND MOTOR SKILLS

October 1986

EXHIBIT 10
DATE 3.10.87
HB SB 328

AFTERIMAGE COLOR PERCEPTION FOR DESIGNERS

MARIAN-ORTOLF BAGLEY AND MARGARET SATHRE MAXFIELD

Department of Design, Housing and Apparel
University of Minnesota

EXHIBIT 12
DATE 3-10-87
HB 328

Perceptual and Motor Skills, 1987, 64, 291-295. © Perceptual and Motor Skills 1987

FITTING INDEX OF PREDOMINANCE BASED ON PERIODICITY OF STRENGTHS OF PATTERN AND SUPPRESSION IN BINOCULAR RIVALRY

TAMOTSU SOHMIYA[1] AND KAZUKO SOHMIYA

Sohmiya Institute of Psychology

Summary.—The predominance of the strength of pattern over the strength of suppression during binocular rivalry has generally been defined as the percentage of total time of appearance. Is this fit for an index of the predominance? Theoretically, the strengths of pattern and suppression periodically oscillate throughout the observation period. From this assumption, the best fitting indices of predominance were examined. The simplest model of the visual system was one in which the periodicity of the two originates was expressed by a differential equation. Various indices were examined by the solution of its equation so that a power function of the ratio of the time of appearance to that of disappearance was obtained as the most suitable index of the predominance.

On presentation of dissimilar patterns to the two eyes, perfect superimposition is not achieved and an alternation in phenomenal dominance occurs between the patterns. This alternation depends on the strength of pattern of a test pattern (P) and the strength of suppression of a contralateral pattern ($\bar{P}$): when $P > \bar{P}$ the test pattern is dominant; when $P < \bar{P}$ the pattern is suppressed. The predominance of P to $\bar{P}$, $[P]$, has been expressed by the following types of equations

$$[P] = c_1\, t_a/(t_a + t_d), \quad \text{Levelt (1965)}^2 \quad [1]$$

$$[P] = c_2\, t_a/t_d, \quad \text{Blake, Westendorf, and Overton (1980)} \quad [2]$$

$$[P] = c_3\, (t_a - t_d)/(t_a + t_d), \quad \text{Wade, Weert, and Swanston (1984)} \quad [3]$$

$$[P] = c_4 \log[t_d/(t_a + t_d)]^{-1}, \quad \text{Sohmiya and Sohmiya (1976)} \quad [4]$$

where

c_1, c_2, c_3, c_4: constants,
t_a: time of appearance, t_d: time of disappearance.

Do these provide an accurate index of predominance? As shown in Fig. 1, we have assumed that both P and $\bar{P}$ periodically oscillate as a function of duration of the observation period (Sohmiya & Sohmiya, 1976, 1986). In this paper, we attempted to assume a simple model of the visual system in which

[1]Reprint requests should be sent to Tamotsu Sohmiya, Sohmiya Institute of Psychology, 39-1, Yokomine, Ohtaka, Midori-ku, Nagoya 459, Japan.
[2]Considering the indeterminate period t_ϵ, Kakizaki (1960) has proposed the type of equation in [1] where $t_\epsilon/2$ is distributed to each of t_a and t_d and pointed out that Equation [1] is identical to the one in which t_ϵ is distributed in proportion to t_a and t_d.

EXHIBIT 13
DATE 3-12-89
HB SB 328

PERCEPTUAL AND MOTOR SKILLS
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CONTENTS OF VOLUME 62, FEBRUARY-JUNE 1986

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SB 328 : to prohibit the State from printing publications disseminated to the public

EXHIBIT 15
DATE SB 328
HB 31087

House Hearing 3-10-87 8am
Business and Labor

Please Recommend amendment to exclude university printing shops and/or exclude scholarly scientific journals

SB 328: to prohibit State from printing documents for public dissemination

February 28, 1987

Comments, information on the scholarly scientific journals printed at the University of Montana: Psychological Reports, Perceptual and Motor Skills

Two scholarly journals are each printed bimonthly in two volumes per year.

Arrangements for the printing were made with the University 30 years ago because the University had a shop good enough properly equipped and staffed to do the printing. That meant the University had excellent linotype and presses as well as highly skilled craftsmen to handle the printing. No other shops, commercial ones in particular, were capable of handling the printing. None are now since commercial shops are "job" oriented. Personnel, for example, are not trained to set complex mathematical notation and foreign languages and do not meet the specifications for scholarly journal publication.

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Our publication process ~~provides~~ scientists here in Montana and throughout the world with advice on how to meet high standards in the conduct of their research, in writing reports for publication as well as with printing of excellent quality of those articles accepted for publication.

Other questions on SB 328

① Are Xerox machines exempt? In departments? In libraries?

② Are personal computers exempt?

③ Are laser printers exempt?

④ What about desktop publishing? All transfer images, print.

Many of these may be paid for by personal or business sources.

No library can manage very well without allowing such use.

What teachers, professors, heads of agencies want to return to ditto, etc?

Example: Cost now of printing commercially:

$106.75 1000 letter head & envelopes

80.00 in-house printing with tax-paid printing presses, etc

~ 56.00 Xerox machine with nice paper

Montana College Coalition

EXHIBIT 12
DATE 3-10-87
HB SB 328

Kelly D. Holmes

Northern Montana College	***Eastern Montana College***	***Montana Tech***	***Western Montana College***

March 10, 1987

Re: Senate Bill 328

Mr. Chairman and Members of the Committee;

We rise in opposition to Senate Bill 328.
This Bill is detremental to each of the six campuses. Each unit has a printing shop which is responsible for the production of college catalogs, course schedules, information brochures, and programs offered, to name a few. The printing shop is staffed with professionals, who produce a high quality product and are familiar with the campuses individual needs.

If this service is eliminated from the individual unit there will be a great burden placed upon an already burdened staff: staff will have to carefully write, type, and proof-read all materials to be printed before they are sent to Helena. Every little detail must be finialized at least four to six weeks in advance, because it will take at least that long for mailing time to the printing firm and for them to process the job and return the finalized project. Therefore, making it almost impossible for last minute changes. It is easier to call across campus than to call long distance.

There are distinct advantages to keeping the print shops at the campuses:

- direct communication between the department and the production staff
- high quality work
- fast turn-around time to meet deadlines
- consistent style and logo usage.

Therefore, we urge a do not pass on Senate Bill 328

EXHIBIT 16
DATE 3-10-87
HB SB 328

PRINTING SERVICES FACT SHEET

March 2, 1987

Production of Printing Under Present System

The Printing Department:

- Has been on campus for at least 57 years
- Operates as a self-sustaining auxiliary
  - Does not receive an operating budget
- Produces high quality work
- Staff is acquainted with printing needs of the University
- Offers direct communication between department and production staff. Anyone on campus is no more than 10 minutes from the shop.
- Insures fast turn-around time and meeting deadlines
- Specifications worked out quickly between editor and production manager based on shop capabilities and available stock
  - Insures consistent style and high quality
  - Provides control of use of logo and format of printed material
- Stores negatives and plates of repeat jobs
- Typesetting is stored on the computerized system for easy and cost-saving editing and changes in future printing

Production of Printing under SB 328

All printing that is sent to the public must be bid and printed by a commercial printer

- Printing firm may be located in-state or out-of-state

Increased costs:

- Specifications for each printing job must be carefully written, typed, proof-read and sent to Publications and Graphics in Helena.
- This will take additional staff at the University, plus additional time of each editor or departmental staff member in charge of each printing job. While the editor is laboring with the specifications, nothing else is being produced. These steps are now easily accomplished by a short meeting with the Printing Department staff.
- Publications and Graphics adds a handling charge.
- Bids are mailed to bid list
- After bids are returned, they are processed, and bid is awarded.

Delay:

- Turn-around time before production can begin will be from four to six weeks.
- Much of the University work must be produced in a much shorter time.

1. THE UNIVERSITY OF MONTANA PRINT SHOP HAS SERVED HIGHER EDUCATION IN MONTANA FOR FIFTY SEVEN YEARS

Through many legislative sessions and many similarly intentioned bills the UM Print Shop has continued to serve higher education exclusively under a policy of non-competition with the private sector. The UM Print Shop has never done private sector work and the private sector has never done UM Print Shop work.

2. THE PROPOSED SENATE BILL 328 WOULD CLOSE THE UNIVERSITY PRINT SHOP

The bill would preclude 75% of the work which has been performed exclusively by the UM Print Shop for fifty seven years.

3. THE CLOSURE WOULD INCREASE COSTS TO THE TAXPAYER FOR THE WORK PERFORMED

The UM Print Shop is an Auxiliary Service which is not funded by legislative appropriation and no general fund budget savings would be achieved by its closure. Future costs to the academic departments for printing would have to include taxes and profits for the private sector. Either the general fund budgets of those departments would be increased to cover those additional costs or the amount of the printing services they could obtain with existing budgets would be reduced.

4. THE CLOSURE WOULD PUT TWENTY MONTANA UNION EMPLOYEES OUT OF WORK

The private sector shops are already staffed and would not guarantee employment to those who would be terminated. Also, much of the work now done by the UM Print Shop by Montana employees would go out of state due to competitive bidding. Some units of the University System are already sending printing out of state to the low bidder.

5. UNION CONTRACT PRECLUDES CONTRACTING WORK WITH THE PRIVATE SECTOR UNLESS IT WOULD BE CHEAPER

Article XIII Section II of the Montana Public Employees Association Collective Bargaining Agreement precludes contracting the work out to third parties "unless it can be proven that said contract would result in increased efficiency of operations by way of obtaining the same services at less cost or additional services for the same cost, or unless it can be proven that such action is necessitated by financial exigency." We would be unable to bear the burden of proof.

6. THE UM PRINT SHOP IS A BONDED AUXILIARY WITH ALL NET REVENUES PLEDGED UNDER THE BOND INDENTURE - CLOSURE OF THE SHOP WOULD DISCONTINUE PLEDGED REVENUES TO THE IMPAIRMENT OF THE RIGHTS OF THE BONDHOLDERS

There is a serious question regarding whether passage of the proposed bill would constitute an unconstitutional impairment of the contractual obligation embodied in the bond indenture. There is no doubt that the bondholders security would be diminished by the loss of the pledged Print Shop revenues. Projected Print Shop revenues to be available for bond payments this fiscal year are $35,108.

7. THE PROPOSED BILL WOULD INCONVENIENCE AND COST THE MANY FOR THE ENRICHMENT OF THE FEW

The convenience of calling or walking across campus to order virtually any type of printing service would be replaced by written specifications of each job, forwarding to Helena, submission to list of bidders, return of bids, and award of bids, the standard delay being 4 to 6 weeks before production begins. Loss of consultation with professionals in the campus shop, loss of the ability to store and save typesettings, document preparation and mailing cost, loss of capacity to prioritize work flow, relegation to legal action as the only remedy for inadequate performance or untenable delay, and the necessity of communication with suppliers remote from the campus and unfamiliar with unique requirements of the academic community will all impose additional burdens on budgets and time throughout the campus. The loss of the convenience and cost benefits of having their own campus shop familiar with and responsive to their needs would be endured from now on by the whole campus for the sole purpose of personal enrichment of those few in the private sector with capability to render somewhat commensurate services.

8. IF THE BILL WERE TO BE PASSED, MUCH OF THE UM PRINT SHOP WORK WOULD NOT GO TO MONTANA PRINTERS, AND THE MAJORITY OF THE WORK THAT DID GO TO MONTANA PRINTERS WOULD GO TO A SELECT FEW

Competition from major out of state competitors and lack of specialized equipment such as telecommunications, specialized typefaces or characters important to scholarly publications, or manuscripts using special letters or symbols, and foreign language letters will preclude many Montana printers from participation. Fully 25% of the work done in the UM Print Shop utilizes linotype equipment unequalled in this state. Much of the work done by the UM Print Shop would preclude all but a few (no more than a dozen) Montana printers from being viable bidders, and much of it they would not be able to bid at all.

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 186 DATE March 10, 1987

SPONSOR Senator Bob Williams

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
[illegible]	[illegible]	✓	
[illegible]	[illegible]	Amend	
[illegible]	[illegible]	Amend	
[illegible]	[illegible]	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 202 DATE MARCH 10, 1987

SPONSOR SENATOR CECIL WEEDING

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
T. Kim Felkner	State Auditor	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 118 DATE MARCH 10, 1987

SPONSOR SENATOR MIKE HALLIGAN

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Steven Shapiro	Dept. of Labor	X	
Keith Olson	MT Logging Assn	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 188 DATE MARCH 10, 1987

SPONSOR Senator Mike Walker

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
J. Kim Schuelke	State Auditor	X	
MARK J. MARTIN	ATTORNEY GENERAL'S OFFICE	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 328 DATE MARCH 10, 1987

SPONSOR SENATOR JOSEPH MAZUREK

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
SHERRY Dingman			NEEDS AMENDED
Sara Delle			NEEDS AMENDED
Grace V. Lucas			X
Agatha Madison			X
Frank Thomas	Thomas Printing	X	
Carol Ammons	[illegible]		[illegible]
Ken Heikes	Eastern Montana College		X
[illegible]	[illegible]		X
[illegible]	[illegible]		X
A.P. Madison	W M Printing		X
Jim Flynn	DEPT FWP		X
Col. R.W. [illegible]	[illegible]		X
Ken Dunham	Associated Printers	X	
Kelly [illegible]	[illegible]		X
Marilyn Miller	OPI		X
[illegible]	[illegible] Society		X
Ted L. Nangle NAUGLE	Artcraft Printers	X	
Tom Seery	Gateway Printing	X	
Wm E. Bull	Artcraft Printers	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SB 328 DATE 3/10/87

SPONSOR

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Emmett Connelly	Artcraft Printers	X	
Michael Croskrey	Artcraft Printers	X	
William Macmillan	Artcraft Printers	X	
William A. Adrian	Falcon Press	✓	
John Rainhart	Speedy Print	✓	
Stan Burgard	Color World Printers	✓	
Robert A. Boren	Hill County Printing Havre	X	
Michael Mathison	Assoc. Student of U of M		X
Matt Thiel	Assoc. Student of U of M		X
Mike O'Shea	Comm. Counsel Counsel	X	
Robert F. Graff	Artcraft Printers - Bozeman	X	
Dan Nelson	MT Arts Council		
Jim Lubek	Computerland		
Don Brieby	Administration		X
Mike Murray	Action Print - Helena	X	
Bruce W. Meyer	MSBA		X

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

BUSINESS AND LABOR COMMITTEE

BILL NO. SENATE BILL NO. 341 DATE MARCH 10, 1987

SPONSOR SENATOR THOMAS KEATING

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Sandy Nelson	Careers Unlimited	X	
Wayne Nelson	Careers Unlimited	X	
Dorothy Rowe	Personnel Systems	X	
Jim Rowe	Personnel Systems	X	
Roger Knopman	Career Concepts	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33