

1/28/1977

MINUTES OF THE APPROPRIATIONS COMMITTEE  
HOUSE OF REPRESENTATIVES

January 28, 1977

The meeting of the appropriations committee was called to order by Chairman Bardanoue at 8:00 a.m. Roll call was taken, and all members were present. Also attending were Rose Weber, Executive Director of the Legislative Council; Diana S. Dowling, Director of the Legal Service Division of the Legislative Council; John LaFaver, Fiscal Analyst, and members of the press.

The Chairman explained the meeting was called for hearing on House Bill 64, which appropriates money to the Legislative Council for the purchase of copyrighted material and recodification expenses, because there is a contractual deadline of February 1, 1977, to pay the cost of purchasing copyrighted material from the Allen Smith Company in the amount of \$25,000.

Representative Marks explained the bill briefly, and stated there is a requested amendment in the amount of \$2,500 to add one additional staff person. He then asked Mrs. Weber to address the committee.

Rose Weber explained the need for the purchase of the copyrighted material. She stated there are 25,000 sections in the code, and Allen Smith Company owns the copyright to the catch lines. Each of these would have to be rewritten to avoid the copyright. Annotations and some company text that goes with the sections would also have to be rewritten. Owning the copyright would prevent our having to do this. Cost of having a new subject index prepared by outside publishers would be around \$200,000. In response to a question by the Chairman, Mrs. Weber explained what recodification involves. A new subject index will be prepared and annotations. The publications date of the new annotated code is the summer of 1978. Mrs. Weber explained that the decision to do the recodification in-house means the work will be done in Montana and provide work here, and will utilize the state central computer service which would otherwise be almost shut down from August, 1977, until just before the next legislative session.

The Chairman then introduced Diana Dowling, head of the recodification project. He said she is doing a remarkable job, and that when this work is completed, we will have one of the best set of law books anywhere in the country.

Diana Dowling explained that recodification is not changing the laws, it is rearranging. Using the code as it is presently, it is extremely difficult to find all of the laws relating to one subject. She then gave the qualifications and work history of the additional staff member they wish to hire, Dennis Clark, attorney. He worked for the Supreme Court Commission on Rules and Evidence, and will go through the remaining evidence codes in detail, compare with rules adopted, rearrange and annotate. He is the most highly qualified person we could have for this work. Cost for this contracted service is \$2,500.

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Representative Lynch asked if this work is separate from that being done by the Administrative Code Committee; Rose Weber said it is. In response to questions, Rose Weber explained that in the summer of 1978 the whole text will be published for distribution and review prior to the next legislative session. Following the 1979 session, it will be the responsibility of the Legislative Council to publish the Montana Codes. In response to a question by the Chairman, it was mentioned that it might be possible to reprint the whole code after each session, rather than issue pocket supplements, for nearly the same amount of money now required to print pocket supplements.

Representative Moore moved that line 1, page 2, section 2 of HB 64 be amended, striking \$245,133 and inserting \$247,633. Seconded. Motion passed unanimously. Representative Moore moved that House Bill 64 as amended DO PASS. Lynch seconded. Motion passed unanimously.

The meeting was adjourned at 8:25 a.m.

Bardanoue  
FRANCIS BARDANOUVE, Chairman

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