

HOUSE BILL 601

IN THE HOUSE

February 6, 1979

Introduced and referred to
Committee on Business and
Industry.

1 House BILL NO. 601
 2 INTRODUCED BY Edward Burke
 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO TERMINATE OPERATION
 6 OF THE BOARD OF COUNTY PRINTING ON JULY 1, 1979, AND
 7 ELIMINATE REFERENCES TO THE BOARD OF COUNTY PRINTING; TO
 8 REQUIRE COMPETITIVE BIDDING ON COUNTY PRINTING AND LEGAL
 9 ADVERTISING CONTRACTS; AMENDING SECTIONS 2-8-121 AND
 10 7-5-2411 THROUGH 7-5-2413, MCA; AND REPEALING SECTIONS
 11 2-15-1102 AND 7-5-2401 THROUGH 7-5-2405, MCA."

12
 13 WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,
 14 will terminate the board of county printing and require a
 15 performance evaluation of the board by the legislative audit
 16 committee; and

17 WHEREAS, as a result of the performance evaluation, the
 18 legislative audit committee recommends that the board of
 19 county printing be abolished, that county printing contracts
 20 be awarded by competitive bidding, and that certain
 21 statutory provisions be amended or repealed.

22
 23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 Section 1. Section 2-8-121, MCA, is amended to read:
 25 "2-8-121. Effect of termination. Upon Unless otherwise

1 provided, upon termination, each agency or unit shall
 2 continue in existence until July 1 of the next succeeding
 3 year for the purpose of winding up its affairs. During the
 4 windup period, termination does not reduce or otherwise
 5 limit the powers or authority of each respective agency
 6 except that no action may be taken which would continue in
 7 effect beyond the 1-year windup period. Upon the expiration
 8 of the 1 year after termination, each agency not modified or
 9 reestablished shall be abolished and all unexpended balances
 10 of appropriations, allocations, or other funds shall revert
 11 to the fund from which they were appropriated or, if that
 12 fund is abolished, to the general fund."

13 Section 2. Section 7-5-2411, MCA, is amended to read:

14 "7-5-2411. County printing contract. (1) The county
 15 commissioners shall:

16 (a) contract with one a printing establishment or
 17 newspaper to do all the printing for the county, including
 18 advertising required by law and all printed forms required
 19 by the county, at a rate not exceeding that set by the
 20 board; and

21 (b) contract with a newspaper for the publishing of
 22 all legal advertising which the county is required to
 23 publish.

24 (2) The newspaper shall be:

25 (a) of general circulation;

1 (b) published at least once a week;

2 (c) published in the county;

3 (d) published continuously in the county for the 12
4 months preceding the awarding of the contract.

5 ~~(2)(3) In any county in which no newspaper owns or~~
6 ~~operates a commercial printing establishment, the~~ the county
7 commissioners shall may separate the printing contract into
8 two parts, one of which shall may provide for the
9 publication of legal advertising only, such contract being
10 let to a legally qualified newspaper, and the other contract
11 shall may provide for all printed forms, materials, and
12 supplies required by the county, which contract shall be let
13 to a commercial printing establishment which shall have been
14 in business in the county for at least 1 year.

15 ~~(3) In no case shall any contract call for payment by~~
16 ~~the county of any prices in excess of the maximum fixed by~~
17 ~~the board of county printing.~~

18 ~~(4) Nothing in this part shall limit or restrict the~~
19 ~~power of a board of county commissioners to call for~~
20 ~~competitive bids from persons or firms qualified to bid on~~
21 ~~county printing under the terms of this part or to let~~
22 ~~contracts at prices less than the maximum fixed by the board~~
23 ~~of county printing."~~

24 Section 3. Section 7-5-2412, MCA, is amended to read:

25 "7-5-2412. Details relating to printing contract. (1)

1 The contract ~~contracts~~ shall be let to the newspaper or
2 printing establishment that in the judgment of the county
3 commissioners shall be most suitable for performing said
4 work. The county commissioners shall require of any
5 contractor to do such county printing a good and sufficient
6 deposit in such sum as said commissioners may deem
7 advisable, signed by at least two sufficient sureties and
8 conditioned to the effect that said contractor will
9 faithfully perform all of the conditions of said contract in
10 accordance with this part and the terms of such contract.

11 (2) Nothing in this part shall be construed so as to
12 compel the acceptance of unsatisfactory work.

13 (3) Such contract for printing or legal advertising
14 shall extend for a period of not more than 2 years. All
15 printing establishments or newspapers which may receive any
16 contract for printing or legal advertising under this part
17 and which may not be able to execute any part of such
18 contract shall be required to sublet such contract
19 portion of contract to some printing establishment within
20 the county if such is available and, if not, within the
21 state, which shall do the work under the contract so sublet
22 entirely within the state with Montana labor."

23 Section 4. Section 7-5-2413, MCA, is amended to read:

24 "7-5-2413. Competitive bids required. ~~The board of~~
25 ~~county commissioners shall call for competitive bids from~~

1 ~~persons--or--firms--qualified--to--bid--on--county--printing--under~~
 2 ~~the--terms--of--this--part.~~ All county printing and legal
 3 advertising contracts may be entered into only after
 4 competitive bidding. The county commissioners must advertise
 5 in at least one issue each week for 3 consecutive weeks in
 6 the newspaper holding the present county legal advertising
 7 contract calling for sealed bids to perform county printing
 8 and legal advertising work and stating the time when and the
 9 place where such bids will be considered. All county
 10 printing contracts will be awarded to the lowest responsible
 11 bidder whose place of business is in the county and whose
 12 bid is not more than 2% higher than that of the lowest
 13 responsible bidder whose place of business is outside the
 14 county but within the state. All county legal advertising
 15 contracts shall be awarded to the lowest responsible bidder
 16 which is a newspaper published within the county, but in no
 17 case may the rates charged the county exceed the most
 18 favorable price offered by the newspaper to other customers
 19 for similar legal advertising services."

20 Section 5. Reversion of funds. All unexpended balances
 21 of appropriations, allocations, or other funds of the board
 22 of county printing shall revert to the general fund on the
 23 effective date of this act.

24 Section 6. Effect of termination. The provisions of
 25 2-8-121 do not apply to the board of county printing. This

1 act does not impair the validity of contracts existing on
 2 July 1, 1979.

3 Section 7. Repealer. Sections 2-15-1102 and 7-5-2401
 4 through 7-5-2405, MCA, are repealed.

-End-

HB 601

STATE OF MONTANA

Request No. 269-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, 1979, there is hereby submitted a Fiscal Note for House Bill 601 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF LEGISLATION:

House Bill 601 terminates the Board of County Printing effective July 1, 1979.

FISCAL IMPACT:

	FY 80		(Decrease)	FY 81		(Decrease)
	Under Current Law	Under Proposed Law		Under Current Law	Under Proposed Law	
State General Fund Expenditures	<u>\$1,250</u>	<u>-0-</u>	<u>(\$1,250)</u>	<u>\$1,250</u>	<u>-0-</u>	<u>(\$1,250)</u>

LOCAL IMPACT:

None.

Richard L. Drury
 BUDGET DIRECTOR
 Office of Budget and Program Planning
 Date: 2/8/79