

HOUSE BILL NO. 881

INTRODUCED BY QUILICI, BUSINESS AND INDUSTRY COMMITTEE

IN THE HOUSE

February 17, 1979	Introduced and referred to Committee on Business and Industry.
February 19, 1979	Committee recommend bill do pass. Report adopted.
February 22, 1979	Second reading, do pass.
February 23, 1979	Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Business and Industry.
March 5, 1979	Committee recommend bill be concurred in. Report adopted.
March 7, 1979	Second reading, pass consideration.
March 8, 1979	In accordance with joint rule 11-5-2, Statement of Intent was adopted. Second reading, concurred in as amended.
March 10, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 12, 1979	Returned from second house. Concurred in as amended.
March 14, 1979	Second reading, amendments adopted.
March 15, 1979	Third reading, amendments adopted. Sent to enrolling.  Reported correctly enrolled.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

STATEMENT OF INTENT RE: HB 881

A statement of intent is required for HB 881 in that it continues rulemaking authority for the Board of County Printing in Section 1.

1. Section 1 continues the rulemaking authority of the Board of County Printing. It is the intent of the Legislature that the Board of County Printing continue to resolve differences between County Commissioners and individuals performing county printing by establishing maximum prices for such printing. All rules promulgated by the Board of County Printing shall be subject to the Montana Administrative Procedure Act.

1 *House* BILL NO. *881*  
2 INTRODUCED BY *Subcommittee B + I* *Committee*

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE  
5 BOARD OF COUNTY PRINTING; AMENDING SECTION 2-8-103, MCA; AND  
6 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Reestablishment. The board of  
10 county printing is reestablished for 6 years pursuant to  
11 2-8-122 with its existing statutory authority and rules.

12 Section 2. Section 2-8-103, MCA, is amended to read:

13 "2-8-103. Agencies to terminate. (1) The following  
14 agencies shall terminate on July 1, 1979:

15 (a) board of abstracters, department of professional  
16 and occupational licensing, created by 2-15-1643;

17 (b) board of public accountants, department of  
18 professional and occupational licensing, created by  
19 2-15-1641;

20 (c) board of architects, department of professional  
21 and occupational licensing, created by 2-15-1651;

22 (d) state banking board, department of business  
23 regulation, created by 2-15-1803;

24 (e) state electrical board, department of professional  
25 and occupational licensing, created by 2-15-1654;

1 (f) board of professional engineers and land  
2 surveyors, department of professional and occupational  
3 licensing, created by 2-15-1653;

4 (g) office of commissioner of insurance and the  
5 insurance department, state auditor's office, created by  
6 2-15-1902 and 2-15-1903;

7 (h) office of the investment commissioner, state  
8 auditor's office, created by 2-15-1901;

9 (i) board of landscape architects, department of  
10 professional and occupational licensing, created by  
11 2-15-1652;

12 ~~(j) board of county printing, department of community~~  
13 ~~affairs, created by 2-15-1102;~~

14 ~~(k) board of plumbers, department of professional~~  
15 ~~and occupational licensing, created by 2-15-1655;~~

16 ~~(l) board of real estate, department of~~  
17 ~~professional and occupational licensing, created by~~  
18 ~~2-15-1642;~~

19 ~~(m) state board of warm air heating, ventilation,~~  
20 ~~and air conditioning, department of professional and~~  
21 ~~occupational licensing, created by 2-15-1656;~~

22 ~~(n) board of institutions, department of~~  
23 ~~institutions, created by 2-15-2303.~~

24 (2) The following agencies shall terminate on July 1,  
25 1981:

*H.B. 881*

1 (a) commission for human rights, department of labor  
 2 and industry, created by 2-15-1706;  
 3 (b) board of athletics, department of professional and  
 4 occupational licensing, created by 2-15-1661;  
 5 (c) board of barbers, department of professional and  
 6 occupational licensing, created by 2-15-1625;  
 7 (d) board of chiropractors, department of professional  
 8 and occupational licensing, created by 2-15-1613;  
 9 (e) board of cosmetologists, department of  
 10 professional and occupational licensing, created by  
 11 2-15-1626;  
 12 (f) board of dentists, department of professional and  
 13 occupational licensing, created by 2-15-1606;  
 14 (g) board of hearing aid dispensers, department of  
 15 professional and occupational licensing, created by  
 16 2-15-1616;  
 17 (h) board of massage therapists, department of  
 18 professional and occupational licensing, created by  
 19 2-15-1627;  
 20 (i) Montana state board of medical examiners,  
 21 department of professional and occupational licensing,  
 22 created by 2-15-1605;  
 23 (j) board of morticians, department of professional  
 24 and occupational licensing, created by 2-15-1619;  
 25 (k) board of nursing, department of professional and

1 occupational licensing, created by 2-15-1610;  
 2 (l) board of nursing home administrators, department  
 3 of professional and occupational licensing, created by  
 4 2-15-1611;  
 5 (m) board of optometrists, department of professional  
 6 and occupational licensing, created by 2-15-1612;  
 7 (n) board of osteopathic physicians, department of  
 8 professional and occupational licensing, created by  
 9 2-15-1607;  
 10 (o) board of pharmacists, department of professional  
 11 and occupational licensing, created by 2-15-1609;  
 12 (p) board of podiatry examiners, department of  
 13 professional and occupational licensing, created by  
 14 2-15-1608;  
 15 (q) board of psychologists, department of professional  
 16 and occupational licensing, created by 2-15-1617;  
 17 (r) board of radiologic technologists, department of  
 18 professional and occupational licensing, created by  
 19 2-15-1614;  
 20 (s) board of speech pathologists and audiologists,  
 21 department of professional and occupational licensing,  
 22 created by 2-15-1615;  
 23 (t) board of veterinarians, department of professional  
 24 and occupational licensing, created by 2-15-1618;  
 25 (u) board of veterans' affairs, department of social

1 and rehabilitation services, created by 2-15-2202.

2 (3) The following units of state government shall

3 terminate on July 1, 1983:

4 (a) board of aeronautics, department of community

5 affairs, created by 2-15-1103;

6 (b) state board of hail insurance, department of

7 agriculture, created by 2-15-3003;

8 (c) board of horseracing, department of professional

9 and occupational licensing, created by 2-15-1662;

10 (d) board of livestock, department of livestock,

11 created by 2-15-3102;

12 (e) board of milk control, department of business

13 regulation, created by 2-15-1802;

14 (f) board of oil and gas conservation, department of

15 natural resources and conservation, created by 2-15-3303;

16 (g) Montana outfitters council, department of fish and

17 game, created by 2-15-3403;

18 (h) public service commission, department of public

19 service regulation, created by 69-1-102;

20 (i) board of sanitarians, department of professional

21 and occupational licensing, created by 2-15-1631;

22 (j) board of water and wastewater operators,

23 department of health and environmental sciences, created by

24 2-15-2105;

25 (k) board of water well contractors, department of

1 professional and occupational licensing, created by

2 2-15-1632.

3 ~~(4) The following agency shall terminate on July 1,~~

4 ~~1985; the board of county printing created by 2-15-1102."~~

5 Section 3. Effective date. This act is effective on

6 passage and approval.

-End-

HB 881

1 *House* BILL NO. *881*  
 2 INTRODUCED BY *Public B + I Committee*

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE  
 5 BOARD OF COUNTY PRINTING; AMENDING SECTION 2-8-103, MCA; AND  
 6 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Reestablishment. The board of  
 10 county printing is reestablished for 6 years pursuant to  
 11 2-8-122 with its existing statutory authority and rules.

12 Section 2. Section 2-8-103, MCA, is amended to read:

13 "2-8-103. Agencies to terminate. (1) The following  
 14 agencies shall terminate on July 1, 1979:

15 (a) board of abstracters, department of professional  
 16 and occupational licensing, created by 2-15-1643;

17 (b) board of public accountants, department of  
 18 professional and occupational licensing, created by  
 19 2-15-1641;

20 (c) board of architects, department of professional  
 21 and occupational licensing, created by 2-15-1651;

22 (d) state banking board, department of business  
 23 regulation, created by 2-15-1803;

24 (e) state electrical board, department of professional  
 25 and occupational licensing, created by 2-15-1654;

1 (f) board of professional engineers and land  
 2 surveyors, department of professional and occupational  
 3 licensing, created by 2-15-1653;

4 (g) office of commissioner of insurance and the  
 5 insurance department, state auditor's office, created by  
 6 2-15-1902 and 2-15-1903;

7 (h) office of the investment commissioner, state  
 8 auditor's office, created by 2-15-1901;

9 (i) board of landscape architects, department of  
 10 professional and occupational licensing, created by  
 11 2-15-1652;

12 ~~(j) board of county printing, department of community~~  
 13 ~~affairs, created by 2-15-1102;~~

14 ~~(k) board of plumbers, department of professional~~  
 15 ~~and occupational licensing, created by 2-15-1655;~~

16 ~~(l) board of real estate, department of~~  
 17 ~~professional and occupational licensing, created by~~  
 18 ~~2-15-1642;~~

19 ~~(m) state board of warm air heating, ventilation,~~  
 20 ~~and air conditioning, department of professional and~~  
 21 ~~occupational licensing, created by 2-15-1656;~~

22 ~~(n) board of institutions, department of~~  
 23 ~~institutions, created by 2-15-2303.~~

24 (2) The following agencies shall terminate on July 1,  
 25 1981:

1 (a) commission for human rights, department of labor  
 2 and industry, created by 2-15-1706;

3 (b) board of athletics, department of professional and  
 4 occupational licensing, created by 2-15-1661;

5 (c) board of barbers, department of professional and  
 6 occupational licensing, created by 2-15-1625;

7 (d) board of chiropractors, department of professional  
 8 and occupational licensing, created by 2-15-1613;

9 (e) board of cosmetologists, department of  
 10 professional and occupational licensing, created by  
 11 2-15-1626;

12 (f) board of dentists, department of professional and  
 13 occupational licensing, created by 2-15-1606;

14 (g) board of hearing aid dispensers, department of  
 15 professional and occupational licensing, created by  
 16 2-15-1616;

17 (h) board of massage therapists, department of  
 18 professional and occupational licensing, created by  
 19 2-15-1627;

20 (i) Montana state board of medical examiners,  
 21 department of professional and occupational licensing,  
 22 created by 2-15-1605;

23 (j) board of morticians, department of professional  
 24 and occupational licensing, created by 2-15-1619;

25 (k) board of nursing, department of professional and

1 occupational licensing, created by 2-15-1610;

2 (l) board of nursing home administrators, department  
 3 of professional and occupational licensing, created by  
 4 2-15-1611;

5 (m) board of optometrists, department of professional  
 6 and occupational licensing, created by 2-15-1612;

7 (n) board of osteopathic physicians, department of  
 8 professional and occupational licensing, created by  
 9 2-15-1607;

10 (o) board of pharmacists, department of professional  
 11 and occupational licensing, created by 2-15-1609;

12 (p) board of podiatry examiners, department of  
 13 professional and occupational licensing, created by  
 14 2-15-1608;

15 (q) board of psychologists, department of professional  
 16 and occupational licensing, created by 2-15-1617;

17 (r) board of radiologic technologists, department of  
 18 professional and occupational licensing, created by  
 19 2-15-1614;

20 (s) board of speech pathologists and audiologists,  
 21 department of professional and occupational licensing,  
 22 created by 2-15-1615;

23 (t) board of veterinarians, department of professional  
 24 and occupational licensing, created by 2-15-1618;

25 (u) board of veterans' affairs, department of social



1 and rehabilitation services, created by 2-15-2202.  
 2 (3) The following units of state government shall  
 3 terminate on July 1, 1983:  
 4 (a) board of aeronautics, department of community  
 5 affairs, created by 2-15-1103;  
 6 (b) state board of hail insurance, department of  
 7 agriculture, created by 2-15-3003;  
 8 (c) board of horseracing, department of professional  
 9 and occupational licensing, created by 2-15-1662;  
 10 (d) board of livestock, department of livestock,  
 11 created by 2-15-3102;  
 12 (e) board of milk control, department of business  
 13 regulation, created by 2-15-1802;  
 14 (f) board of oil and gas conservation, department of  
 15 natural resources and conservation, created by 2-15-3303;  
 16 (g) Montana outfitters council, department of fish and  
 17 game, created by 2-15-3403;  
 18 (h) public service commission, department of public  
 19 service regulation, created by 69-1-102;  
 20 (i) board of sanitarians, department of professional  
 21 and occupational licensing, created by 2-15-1631;  
 22 (j) board of water and wastewater operators,  
 23 department of health and environmental sciences, created by  
 24 2-15-2105;  
 25 (k) board of water well contractors, department of

1 professional and occupational licensing, created by  
 2 2-15-1632.

3 ~~(4) The following agency shall terminate on July 1,~~  
 4 ~~1985; the board of county printing created by 2-15-1102."~~

5 Section 3. Effective date. This act is effective on  
 6 passage and approval.

-End-

HB 881

1 STATEMENT OF INTENT RE: HB 881

2

3

4 A statement of intent is required for HB 881 in that it  
5 continues rulemaking authority for the Board of County  
6 Printing in Section 1.

7 1. Section 1 continues the rulemaking authority of the  
8 Board of County Printing. It is the intent of the  
9 Legislature that the Board of County Printing continue to  
10 resolve differences between County Commissioners and  
11 individuals performing county printing by establishing  
12 maximum prices for such printing. All rules promulgated by  
13 the Board of County Printing shall be subject to the Montana  
14 Administrative Procedure Act.

HB 881

1 HOUSE BILL NO. 881

2 INTRODUCED BY QUILICI, BUSINESS AND INDUSTRY COMMITTEE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE  
5 BOARD OF COUNTY PRINTING; REVISING THE COUNTY PRINTING LAW;  
6 AMENDING SECTION SECTIONS 2-8-103 AND 7-5-2411, MCA; AND  
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Reestablishment. The board of  
11 county printing is reestablished for 6 years pursuant to  
12 2-8-122 with its existing statutory authority and rules.

13 Section 2. Section 2-8-103, MCA, is amended to read:

14 "2-8-103. Agencies to terminate. (1) The following  
15 agencies shall terminate on July 1, 1979:

16 (a) board of abstracters, department of professional  
17 and occupational licensing, created by 2-15-1643;

18 (b) board of public accountants, department of  
19 professional and occupational licensing, created by  
20 2-15-1641;

21 (c) board of architects, department of professional  
22 and occupational licensing, created by 2-15-1651;

23 (d) state banking board, department of business  
24 regulation, created by 2-15-1803;

25 (e) state electrical board, department of professional

1 and occupational licensing, created by 2-15-1654;

2 (f) board of professional engineers and land  
3 surveyors, department of professional and occupational  
4 licensing, created by 2-15-1653;

5 (g) office of commissioner of insurance and the  
6 insurance department, state auditor's office, created by  
7 2-15-1902 and 2-15-1903;

8 (h) office of the investment commissioner, state  
9 auditor's office, created by 2-15-1901;

10 (i) board of landscape architects, department of  
11 professional and occupational licensing, created by  
12 2-15-1652;

13 ~~{j}--board-of-county-printing-department-of--community~~  
14 ~~affairs--created-by-2-15-1102~~

15 ~~{k}{ll}~~ board of plumbers, department of professional  
16 and occupational licensing, created by 2-15-1655;

17 ~~{l}{kl}~~ board of real estate, department of  
18 professional and occupational licensing, created by  
19 2-15-1642;

20 ~~{m}{ll}~~ state board of warm air heating, ventilation,  
21 and air conditioning, department of professional and  
22 occupational licensing, created by 2-15-1656;

23 ~~{n}{ml}~~ board of institutions, department of  
24 institutions, created by 2-15-2303.

25 (2) The following agencies shall terminate on July 1,

1 1981:

2 (a) commission for human rights, department of labor  
3 and industry, created by 2-15-1706;

4 (b) board of athletics, department of professional and  
5 occupational licensing, created by 2-15-1661;

6 (c) board of barbers, department of professional and  
7 occupational licensing, created by 2-15-1625;

8 (d) board of chiropractors, department of professional  
9 and occupational licensing, created by 2-15-1613;

10 (e) board of cosmetologists, department of  
11 professional and occupational licensing, created by  
12 2-15-1626;

13 (f) board of dentists, department of professional and  
14 occupational licensing, created by 2-15-1606;

15 (g) board of hearing aid dispensers, department of  
16 professional and occupational licensing, created by  
17 2-15-1616;

18 (h) board of massage therapists, department of  
19 professional and occupational licensing, created by  
20 2-15-1627;

21 (i) Montana state board of medical examiners,  
22 department of professional and occupational licensing,  
23 created by 2-15-1605;

24 (j) board of morticians, department of professional  
25 and occupational licensing, created by 2-15-1619;

1 (k) board of nursing, department of professional and  
2 occupational licensing, created by 2-15-1610;

3 (l) board of nursing home administrators, department  
4 of professional and occupational licensing, created by  
5 2-15-1611;

6 (m) board of optometrists, department of professional  
7 and occupational licensing, created by 2-15-1612;

8 (n) board of osteopathic physicians, department of  
9 professional and occupational licensing, created by  
10 2-15-1607;

11 (o) board of pharmacists, department of professional  
12 and occupational licensing, created by 2-15-1609;

13 (p) board of podiatry examiners, department of  
14 professional and occupational licensing, created by  
15 2-15-1608;

16 (q) board of psychologists, department of professional  
17 and occupational licensing, created by 2-15-1617;

18 (r) board of radiologic technologists, department of  
19 professional and occupational licensing, created by  
20 2-15-1614;

21 (s) board of speech pathologists and audiologists,  
22 department of professional and occupational licensing,  
23 created by 2-15-1615;

24 (t) board of veterinarians, department of professional  
25 and occupational licensing, created by 2-15-1618;

1 (u) board of veterans' affairs, department of social  
 2 and rehabilitation services, created by 2-15-2202.  
 3 (3) The following units of state government shall  
 4 terminate on July 1, 1983:  
 5 (a) board of aeronautics, department of community  
 6 affairs, created by 2-15-1103;  
 7 (b) state board of hail insurance, department of  
 8 agriculture, created by 2-15-3003;  
 9 (c) board of horseracing, department of professional  
 10 and occupational licensing, created by 2-15-1662;  
 11 (d) board of livestock, department of livestock,  
 12 created by 2-15-3102;  
 13 (e) board of milk control, department of business  
 14 regulation, created by 2-15-1802;  
 15 (f) board of oil and gas conservation, department of  
 16 natural resources and conservation, created by 2-15-3303;  
 17 (g) Montana outfitters council, department of fish and  
 18 game, created by 2-15-3403;  
 19 (h) public service commission, department of public  
 20 service regulation, created by 69-1-102;  
 21 (i) board of sanitarians, department of professional  
 22 and occupational licensing, created by 2-15-1631;  
 23 (j) board of water and wastewater operators,  
 24 department of health and environmental sciences, created by  
 25 2-15-2105;

1 (k) board of water well contractors, department of  
 2 professional and occupational licensing, created by  
 3 2-15-1632.  
 4 ~~(4) The following agency shall terminate on July 1,~~  
 5 ~~1985: the board of county printing created by 2-15-1102."~~  
 6 SECTION 3. SECTION 7-5-2411, MCA, IS AMENDED TO READ:  
 7 "7-5-2411. County printing contract. (1) ~~The Except as~~  
 8 ~~provided in subsection (2), the~~ county commissioners shall  
 9 contract with one newspaper to do all the printing for the  
 10 county, including advertising required by law and all  
 11 printed forms required by the county, at a rate not  
 12 exceeding that set by the board. The newspaper shall be:  
 13 (a) of general circulation;  
 14 (b) published at least once a week;  
 15 (c) published in the county;  
 16 (d) published continuously in the county for the 12  
 17 months preceding the awarding of the contract.  
 18 (2) In any county in which no newspaper owns or  
 19 operates a commercial printing establishment, the county  
 20 commissioners shall ~~and in counties of the first class, the~~  
 21 ~~county commissioners may~~ separate the printing contract into  
 22 two parts, one of which shall provide for the publication of  
 23 legal advertising only, such contract being let to a legally  
 24 qualified newspaper, and the other contract shall provide  
 25 for all printed forms, materials, and supplies required by

HB 0881/02

1 the county, which contract shall be let to a commercial  
2 printing establishment which shall have been in business in  
3 the county for at least 1 year.

4 (3) In no case shall any contract call for payment by  
5 the county of any prices in excess of the maximum fixed by  
6 the board of county printing.

7 (4) Nothing in this part shall limit or restrict the  
8 power of a board of county commissioners to call for  
9 competitive bids from persons or firms qualified to bid on  
10 county printing under the terms of this part or to let  
11 contracts at prices less than the maximum fixed by the board  
12 of county printing."

13 Section 4. Effective date. This act is effective on  
14 passage and approval.

-End-

March 8, 1979

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 881 be amended as follows:

1. Title, line 5.

Following: "PRINTING"

Insert: "; REVISING THE COUNTY PRINTING LAW"

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "2-8-103"

Insert: "AND 7-5-2411"

2. Page 6, line 5.

Following: line 4

Insert: "Section 3. Section 7-5-2411, MCA, is amended to read:

"7-5-2411. County printing contract. (1) Except as provided in subsection (2), the county commissioners shall contract with one newspaper to do all the printing for the county, including advertising required by law and all printed forms required by the county, at a rate not exceeding that set by the board. The newspaper shall be:

(a) of general circulation;

(b) published at least once a week;

(c) published in the county;

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

(2) In any county in which no newspaper owns or operates a commercial printing establishment, the county commissioners shall and in counties of the first class, the county commissioners may separate the printing contract into two parts, one of which shall provide for the publication of legal advertising only, such contract being let to a legally qualified newspaper, and the other contract shall provide for all printed forms, materials, and supplies required by the county, which contract shall be let to a commercial printing establishment which shall have been in business in the county for at least 1 year.

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

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

Renumber: subsequent section