HOUSE BILL NO. 299

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INTRODUCED BY EUDAILY

IN THE HOUSE

January 21,	1985	Introduced and referred to Committee on Local Government.
February 6,	1985	Committee recommend bill do pass. Report adopted.
		Bill printed and placed on members' desks.
February 7,	1985	Second reading, do pass.
		Considered correctly engrossed.
February 8,	1985	Third reading, passed.
		Transmitted to Senate.
	IN THE SI	ENATE
February 9,	1985	Introduced and referred to Committee on Local Government.
March 11, 19	985	Committee recommend bill be concurred in. Report adopted.
March 13, 19	85	Second reading, concurred in.
March 15, 19	985	Third reading, concurred in. Ayes, 46; Noes, 2.
		Returned to House.

IN THE HOUSE

March 16, 1985

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Received from Senate. Sent to enrolling. Reported correctly enrolled. ٠.

49th Legislature

LC 1029/01

HOUSE BILL NO. 299 INTRODUCED BY Cuchaily 1 2 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW CERTAIN COUNTY 5 PRINTING CONTRACTS TO BE AWARDED TO PRINTING ESTABLISHMENTS 6 NOT WITHIN THE COUNTY IF A RESPONSIBLE NONRESIDENT BID IS 7 MORE THAN 5 PERCENT LOWER THAN RESIDENT BIDDERS; AMENDING 8 SECTIONS 7-5-2411 AND 7-5-2412, MCA."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-5-2411, MCA, is amended to read: 11 12 "7-5-2411. County printing contract. (1) Except as provided in subsection (2), the county commissioners shall 13 contract with one newspaper to do all the printing for the 14 county, including advertising required by law and all 15 printed forms required by the county, at a rate not 16 exceeding that set by the board. The newspaper shall be one 17 18 that is published in the county and of general bona fide and paid circulation with the second-class mailing privilege and 19 20 has been published continuously as such at least once a week 21 in the county for the 12 months preceding the awarding of 22 the contract.

(2) (a) 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

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1 county commissioners may separate the printing contract into 2 two parts, one of which shall provide for the publication of 3 legal advertising only, such contract being let to a legally 4 qualified newspaper, and the other contract shall provide 5 for all printed forms, materials, and supplies required by 6 the county.

7 (b) This The contract for printed forms, materials,
8 and supplies referred to in subsection (2)(a) or one
9 separated under subsection (2)(b)(c) shall be let:

10 <u>(i)</u> to a commercial printing establishment or 11 establishments, as the case may be, which shall have been in 12 business in the county for at least 1 year and whose 13 competitive bid is not more than 5% higher than that of the 14 lowest responsible commercial printing establishment bidder 15 doing business outside the county; or

16 (ii) if no establishment qualifies under subsection 17 (2)(b)(i), to the lowest responsible commercial printing 18 establishment bidder.

19 (b)(c) The board of county commissioners for counties 20 of the first class may award separate contracts for printed 21 forms, materials, and supplies required by the counties. The 22 separate contracts may be awarded on an annual basis or may 23 be awarded for a specific printing job.

24 (3) In no case shall any contract call for payment by25 the county of any prices in excess of the maximum fixed by

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1 the board of county printing.

2 (4) Nothing in this part shall limit or restrict the 3 power of a board of county commissioners to call for 4 competitive bids from persons or firms qualified to bid on 5 county printing under the terms of this part or to let 6 contracts at prices less than the maximum fixed by the board 7 of county printing."

Section 2. Section 7-5-2412, MCA, is amended to read: 8 "7-5-2412. Details relating to printing contract. (1) 9 10 The contract shall be let to the printing establishment that 11 in the judgment of the county commissioners shall be most suitable for performing said work. The county commissioners 12 13 shall require of any contractor to do such county printing a 14 good and sufficient deposit in such sum as said 15 commissioners may deem advisable, signed by at least two sufficient sureties and conditioned to the effect that said 16 17 contractor will faithfully perform all of the conditions of said contract in accordance with this part and the terms of 18 19 such contract.

20 (2) Nothing in this part shall be construed so as to21 compel the acceptance of unsatisfactory work.

(3) Such contract for printing shall extend for a
period of not more than 2 years. All Any printing
establishments doing business in the county which may
receive any contract for printing under this part and which

1 may not be able to execute any part of such contract shall 2 be required to sublet such contract or portion of contract 3 to some printing establishment within the county if such is 4 available and, if not, within the state, which shall do the 5 work under the contract so sublet entirely within the state 6 with Montana labor."

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-End-

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APPROVED BY COMM. ON LOCAL GOVERNMENT

HOUSE BILL NO. 299 INTRODUCED BY Cudaily 1 2 3

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(2) (a) 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

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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.

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8 and supplies referred to in subsection (2)(a) or one
9 separated under subsection (2)(b)(c) shall be let:

<u>(i)</u> to a commercial printing establishment or
establishments, as the case may be, which shall have been in
business in the county for at least 1 year and whose
competitive bid is not more than 5% higher than that of the
lowest responsible commercial printing establishment bidder
doing business outside the county; or

16 (ii) if no establishment qualifies under subsection
17 (2)(b)(i), to the lowest responsible commercial printing
18 establishment bidder.
19 (b)(c) The board of county commissioners for counties
20 of the first class may award separate contracts for printed
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22 separate contracts may be awarded on an annual basis or may
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24 (3) In no case shall any contract call for payment by25 the county of any prices in excess of the maximum fixed by

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2 (4) Nothing in this part shall limit or restrict the 3 power of a board of county commissioners to call for 4 competitive bids from persons or firms qualified to bid on 5 county printing under the terms of this part or to let 6 contracts at prices less than the maximum fixed by the board 7 of county printing."

Section 2. Section 7-5-2412, MCA, is amended to read: 8 9 "7-5-2412. Details relating to printing contract. (1) The contract shall be let to the printing establishment that 10 11 in the judgment of the county commissioners shall be most 12 suitable for performing said work. The county commissioners 13 shall require of any contractor to do such county printing a good and sufficient deposit in such sum as said 14 commissioners may deem advisable, signed by at least two 15 sufficient sureties and conditioned to the effect that said 16 17 contractor will faithfully perform all of the conditions of 18 said contract in accordance with this part and the terms of 19 such contract.

20 (2) Nothing in this part shall be construed so as to21 compel the acceptance of unsatisfactory work.

22 (3) Such contract for printing shall extend for a
23 period of not more than 2 years. All Any printing
24 establishments doing business in the county which may
25 receive any contract for printing under this part and which

1 may not be able to execute any part of such contract shall 2 be required to sublet such contract or portion of contract 3 to some printing establishment within the county if such is 4 available and, if not, within the state, which shall do the 5 work under the contract so sublet entirely within the state 6 with Montana labor."

-End-

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HB 0299/02

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 REFERENCE BILL

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