

HOUSE BILL NO. 646

INTRODUCED BY PETERSON, FORRESTER, QUILICI, FRITZ
BY REQUEST OF THE SUBCOMMITTEE ON GENERAL GOVERNMENT
AND HIGHWAYS

IN THE HOUSE

FEBRUARY 17, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 10, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 11, 1993	PRINTING REPORT.
MARCH 13, 1993	SECOND READING, DO PASS AS AMENDED.
MARCH 15, 1993	ENGROSSING REPORT.
MARCH 16, 1993	THIRD READING, PASSED. AYES, 97; NOES, 2.
MARCH 17, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 18, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
MARCH 24, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 26, 1993	SECOND READING, CONCURRED IN.
MARCH 27, 1993	THIRD READING, CONCURRED IN. AYES, 43; NOES, 6.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 29, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 646
 2 INTRODUCED BY Stetson
 3 BY REQUEST OF THE SUBCOMMITTEE ON GENERAL GOVERNMENT

4 Forester Quilley Freely AND HIGHWAYS
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE
 7 ALLOWABLE SALE PRICE OF THE MONTANA CODE ANNOTATED TO THE
 8 COST PRICE PLUS 25 PERCENT; PROVIDING THAT SALES TO STATE
 9 AND LOCAL GOVERNMENT AGENCIES MAY BE AT COST PLUS 5 PERCENT;
 10 AMENDING SECTION 1-11-301, MCA; AND PROVIDING AN IMMEDIATE
 11 EFFECTIVE DATE."
 12

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

14 **Section 1.** Section 1-11-301, MCA, is amended to read:

15 "1-11-301. Publication and sale of Montana Code
 16 Annotated -- free distribution. (1) The legislative council
 17 with the advice of the code commissioner shall decide on the
 18 quantity, quality, style, format, and grade of all
 19 publications prior to having the code commissioner call for
 20 bids for the printing and binding and contract for their
 21 publication. The code commissioner shall follow the
 22 requirements of state law relating to contracts and bids,
 23 except as herein provided in this section.

24 (2) The methods of sale to the public of the Montana
 25 Code Annotated and supplements or other subsequent and

1 ancillary publications thereto may be included as an
 2 alternative specification and bid and as a part of a
 3 contract to be let by bids by the code commissioner.

4 (3) The sales price to the public shall must be fixed
 5 by the legislative council but may not exceed the cost price
 6 plus ~~20%~~ 25%. All ~~revenues~~ revenue generated from the sale
 7 of the Montana Code Annotated or ancillary publications
 8 shall must be deposited in the state special revenue fund,
 9 ~~from which fund appropriations~~ Appropriations from the fund
 10 may be made for the use of the office and facilities of the
 11 legislative council under this chapter.

12 (4) Sets of the Montana Code Annotated purchased by the
 13 state or Montana local governmental agencies that are
 14 supported by public funds shall ~~be for~~ may not exceed the
 15 cost price of the sets plus 5%.

16 (5) (a) The Montana Code Annotated and supplements and
 17 other subsequent and ancillary publications except
 18 annotations shall must be provided at no cost to the
 19 following:

20 (i) each library designated as a depository library
 21 under 22-1-214, one copy;

22 (ii) each library designated as a federation
 23 headquarters library under 22-1-402, one copy.

24 (b) The state law library in Helena shall must be
 25 provided with four copies of the Montana Code Annotated and

LC 1565/01

1 supplements including annotations and other subsequent and
2 ancillary publications.

3 (c) The legislative council shall include in the cost
4 price of the code the cost of providing the copies under
5 this subsection."

6 NEW SECTION. **Section 2.** Effective date. [This act] is
7 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0646, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

Increasing the allowable sale price of the Montana Code Annotated (MCA) to the cost plus 25 percent (25%); providing that sales to state and local government may be at cost plus 5 percent (5%).

ASSUMPTIONS:

1. The 1995 biennium sales volume of MCA products by the Legislative Council will remain constant with the 1993 biennium sales.
2. Biennial revenue for the 1993 biennium is estimated at \$1,215,041.
3. The Legislative Council will use the authority provided in HB0646 in setting MCA product prices to generate approximately \$1,338,980 in revenue for the 1995 biennium. This amounts to about a 10% increase in total biennial MCA revenue over the 1993 biennium. The executive budget revenue estimate for the 1995 biennium is \$1,288,980.
4. The revenue impact is biennial and is shown in FY94 only, although a small percentage of the revenue is received in FY95.
5. All revenue and corresponding expenditures in the Legislative Council are in a state special revenue account.
6. The additional costs of purchase by state and local government agencies will be less than the 5% maximum markup allowed by the bill and is not considered material for individual agencies.

FISCAL IMPACT:

Legislative Council:

	FY94			FY95		
Revenue:	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
State Special (Reimb.Activities)	1,288,980	1,338,980	50,000	0	0	0

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The additional costs to local governments for the purchase of the MCA will be less than 5% which will not have a material fiscal impact.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The Legislative Council will continue to generate a profit of about 15.7% over the cost of producing the MCA.

David Lewis 2-20-93
 DAVID LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

Mary Lou Peterson 2-22-93
 MARY LOU PETERSON, PRIMARY SPONSOR DATE

Fiscal Note for HB0646, as introduced

HB 646

APPROVED BY COMMITTEE
ON APPROPRIATIONS

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2 INTRODUCED BY Peterson

3 BY REQUEST OF THE SUBCOMMITTEE ON GENERAL GOVERNMENT

4 Forests Timber AND HIGHWAYS and
5 and

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20 bids for the printing and binding and contract for their
21 publication. The code commissioner shall follow the
22 requirements of state law relating to contracts and bids,
23 except as herein provided in this section.

24 (2) The methods of sale to the public of the Montana
25 Code Annotated and supplements or other subsequent and

1 ancillary publications thereto may be included as an
2 alternative specification and bid and as a part of a
3 contract to be let by bids by the code commissioner.

4 (3) The sales price to the public shall must be fixed
5 by the legislative council but may not exceed the cost price
6 plus 20% 25%. All revenues revenue generated from the sale
7 of the Montana Code Annotated or ancillary publications
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9 from-which-fund-appropriations Appropriations from the fund
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11 legislative council under this chapter.

12 (4) Sets of the Montana Code Annotated purchased by the
13 state or Montana local governmental agencies that are
14 supported by public funds shall be-for may not exceed the
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