

SENATE BILL NO. 31

INTRODUCED BY GAGE, LYNCH, HALLIGAN, MENAHAN,  
AKLESTAD, H.S. HANSON, WALLIN, DAVIS  
BY REQUEST OF THE LEGISLATIVE COUNCIL

IN THE SENATE

DECEMBER 3, 1993                   INTRODUCED AND REFERRED TO COMMITTEE  
ON STATE ADMINISTRATION.

FIRST READING.

DECEMBER 9, 1993                   COMMITTEE RECOMMEND BILL  
DO PASS.   REPORT ADOPTED.

DECEMBER 10, 1993                  PRINTING REPORT.

SECOND READING, DO PASS AS AMENDED.

ENGROSSING REPORT.

THIRD READING, PASSED.  
AYES, 47; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

DECEMBER 11, 1993                  INTRODUCED AND REFERRED TO COMMITTEE  
ON STATE ADMINISTRATION.

FIRST READING.

DECEMBER 15, 1993                  COMMITTEE RECOMMEND BILL BE  
CONCURRED IN.   REPORT ADOPTED.

DECEMBER 16, 1993                  SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN.  
AYES, 97; NOES, 0.

RETURNED TO SENATE.

IN THE SENATE

DECEMBER 16, 1993                  RECEIVED FROM HOUSE.

SENT TO ENROLLING.

'

REPORTED CORRECTLY ENROLLED.

1 **SENATE BILL NO. 31**  
2 INTRODUCED BY *Rep. James Buckley*  
3 *Menahay* BY REQUEST OF THE LEGISLATIVE COUNCIL *AKLESTAD*  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE  
6 LAWS GOVERNING LEGISLATIVE PUBLICATIONS; ELIMINATING THE  
7 REQUIREMENT THAT LEGISLATIVE JOURNALS BE PUBLISHED AND  
8 DISTRIBUTED IN A PRINTED FORMAT; REVISING THE CONTENT OF  
9 ANCILLARY PUBLICATIONS; REVISING THE DISTRIBUTION OF SESSION  
10 LAWS; AMENDING SECTIONS 1-11-303, 5-11-201, 5-11-202, AND  
11 5-11-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 1-11-303, MCA, is amended to read:  
15 "1-11-303. Authority to issue ancillary publications.  
16 The legislative council may issue such supplementary and  
17 ancillary publications as it considers necessary or  
18 desirable in aid of the general use and purposes of the  
19 Montana Code Annotated and the supplements or replacements  
20 thereto to the Montana Code Annotated. The legislative  
21 council shall publish a legislative review containing a  
22 summary of enactments of each session of the legislature.  
23 The legislative council shall publish a history and final  
24 status of all bills and resolutions of each session of the  
25 legislature that contains corrected voting records for bills

1 and resolutions."

2 **Section 2.** Section 5-11-201, MCA, is amended to read:

3 "5-11-201. Journals -- how authenticated -- filing. The  
4 journal of the senate must be authenticated by the signature  
5 of the president and the journal of the house of  
6 representatives by the signature of the speaker. Each  
7 authenticated journal must be filed with the secretary of  
8 state. A copy of each authenticated journal must be filed  
9 with the legislative council."

10 **Section 3.** Section 5-11-202, MCA, is amended to read:

11 "5-11-202. Printing of the--house-and-senate-journals  
12 and session laws. The legislative council shall deliver to  
13 the appropriate printer entitled-to-them, at the earliest  
14 practicable day after the final adjournment of each session  
15 of the legislature, copies of all laws, and resolutions, and  
16 journals passed, or adopted, or kept at during the session,  
17 with proper indexes to the same. The session laws must be  
18 delivered to the appropriate printer in the form provided  
19 for in 5-11-205 and 5-11-206."

20 **Section 4.** Section 5-11-203, MCA, is amended to read:

21 "5-11-203. Distribution of senate--and--house--journals  
22 and session laws -- inspection of journals. (1) Immediately  
23 after the senate and house journals and the session laws are  
24 bound published, the legislative council shall distribute  
25 them.

1 (2) The council shall distribute make the house and  
2 senate journals as follows:

3 {a}--to each county clerk, one copy of each for the use  
4 of the county;

5 {b}--to the Montana state library, 20 copies of each for  
6 the use of the library and distribution to depository  
7 libraries, of which two copies will be deposited with the  
8 state historical library for security purposes;

9 {c}--to the state law librarian, two copies of each for  
10 the use of the library and such additional copies as may be  
11 necessary for the purposes of exchange;

12 {d}--to the library of congress and each public officer  
13 as defined in 2-2-102, two copies of each; and

14 {e}--to each member of the legislature, the secretary of  
15 the senate, and the chief clerk of the house of  
16 representatives from the session at which the journals were  
17 adopted, one copy of each available for inspection or  
18 copying by the public as provided in Title 2, chapter 6,  
19 part 1. The council may publish the journals in an  
20 electronic format.

21 (3) The council shall distribute the session laws as  
22 follows following entities may receive the number of copies  
23 of session laws listed at no cost:

24 {a}--to each cabinet level department of the executive  
25 branch of the United States, one copy each; to any agency,

1 commission, conference, or corporation established by the  
2 United States government or any other subdivision thereof  
3 upon request and approval by the legislative council; one  
4 copy;

5 {b}(a) to the library of congress, eight copies;

6 {c}(b) to the state library, two copies;

7 {d}(c) to the state historical library, two copies;

8 {e}(d) to the state law librarian, four copies for the  
9 use of the library and such additional copies as may be  
10 required for exchange with libraries and institutions  
11 maintained by other states and territories and public  
12 libraries;

13 {f}(e) to the library of each custodial institution,  
14 one copy;

15 {g}(f) to each Montana member of congress, each United  
16 States district judge in Montana, each of the judges of the  
17 state supreme and district courts, and each of the state  
18 officers as defined in 2-2-102(8), one copy;

19 {h}(g) to any agency, board, commission, or office of  
20 the state, other than a state officer, and to any other  
21 subdivision of the state upon request and approval by the  
22 legislative council, one copy;

23 {i}(h) to each member of the legislature, the secretary  
24 of the senate, and the chief clerk of the house of  
25 representatives from the session at which the laws were

1 adopted, one copy;

2 {fj}(i) to each of the community college districts of  
3 the state, as defined in 20-15-101, and each unit of the  
4 Montana university system, one copy;

5 {k}(j) to each county clerk, three copies for the use  
6 of the county; and

7 {l}(k) to each county attorney and to each clerk of a  
8 district court, one copy."

9 NEW SECTION. **Section 5.** Effective date. [This act] is  
10 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 SB0031, as introduced.

**DESCRIPTION OF PROPOSED LEGISLATION:** Generally revising laws governing legislative publications; eliminating the requirement that legislative journals be published and distributed in a printed format; revising the content of ancillary publications.

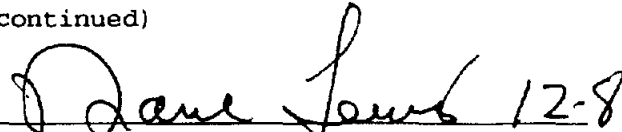
**ASSUMPTIONS:**

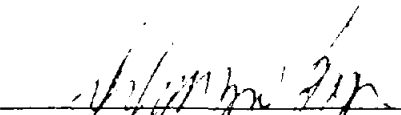
1. The Legislative Review would become part of the ancillary publications to the Montana Code Annotated, rather than part of the Legislative Council feed bill, and would be sold. Revenue from sales would be special revenue funds (reimbursable activities account) and would be used to pay for the costs of preparing and publishing the document. For FY93, general fund costs for the Legislative Review were \$14,174. The proposed changes would shift approximately \$15,000 in general fund costs to state special revenue in FY95 and subsequent biennia.
2. The History and Final Status would be expanded to include the record of votes on bills, and would replace general post-session publication of the Journals for vote-record purposes. The FY93 general fund cost for the History and Final Status was \$8,875. This amount is removed from the 1995 feed bill estimate because this would be considered an ancillary publication. Adding voting record information would increase the size of the document (perhaps tripling the number of pages) and increasing the total FY95 cost to approximately \$26,625 (\$8,875 x 3). Of the \$26,625, about \$10,800 would be used by the legislative branch as a general fund expense. The balance of \$15,825 would be funded by state special revenue. The entire cost is shown as an increase in the Legislative Council Operations program because it would be considered an ancillary publication. The increased state special revenue of \$15,825 is recognized in FY95.
3. The estimated general fund expense for printing and distributing the 1993 Journals is \$41,000. Elimination of the requirement to print and distribute would reduce the 1995 Legislative Council feed bill by about \$41,000.
4. The bill allows the Legislative Council to publish the Journals in an electronic format. The text would be prepared and processed to make the text computer searchable. The publication would be in a CD ROM format made to order at nominal cost. Therefore, there will be no new net cost or savings.
5. The estimated cost of printing and distributing the 1993 Session Laws is \$40,000. Current law authorizes distribution of numerous copies to the federal government; about 16 copies are actually distributed. The elimination of the right to free copies would have no immediate impact, but would remove a large potential liability. The changes also remove distribution requirements, thereby providing flexibility to send only those sets that are requested.

**FISCAL IMPACT:****Legislative Council- 1995 Feed Bill**

	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<b>Expenditures:</b>						
Personal Services	0	0	0	113,500	113,500	0
Operating	0	0	0	587,400	522,525	(64,875)
Equipment	0	0	0	13,400	13,400	0
Total	0	0	0	714,300	649,425	(64,875)
<b>Funding:</b>						
General Fund	0	0	0	714,300	649,425	(64,875)

(continued)

  
 DAVID LEWIS, BUDGET DIRECTOR DATE  
 Office of Budget and Program Planning

  
 DELWYN GAGE, PRIMARY SPONSOR DATE  
 Fiscal Note for SB0031, as introduced.

SB 31

Fiscal Note Request, SB0031, as introduced  
Form BD-15 page 2  
(continued)

Legislative Council - Legislative Council Program

	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
FTE	40.50	40.50	0	45.67	45.67	0
Personal Services	1,583,844	1,583,844	0	1,727,637	1,727,637	0
Operating	855,478	855,478	0	520,632	562,257	41,625
Equipment	<u>329,031</u>	<u>329,031</u>	<u>0</u>	<u>362,231</u>	<u>362,231</u>	<u>0</u>
Total	2,768,353	2,768,353	0	2,610,500	2,652,125	41,625
<u>Funding:</u>						
General Fund	1,848,002	1,848,002	0	2,162,118	2,172,918	10,800
State Special	<u>920,351</u>	<u>920,351</u>	<u>0</u>	<u>448,382</u>	<u>479,207</u>	<u>30,825</u>
Total	2,768,353	2,768,353	0	2,610,500	2,652,125	41,625
<u>Revenue:</u>						
State Special (Reimb. Activities)	1,100,000	1,100,000	0	70,000	100,825	30,825
<u>Net Impact:</u>						
General Fund (01)			0			(54,075)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

None.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The FY95 general fund reductions and state special revenue increases are expected to continue in future biennia at approximately the same level.

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

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4 AKLESTAD W. S. Hansen William Jones  
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22 summary of enactments of each session of the legislature.  
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15 of the legislature, copies of all laws, and resolutions, and  
16 journals passed, or adopted, or kept at during the session,  
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4 of the county;

5 {b}--to the Montana state library, 20 copies of each for  
6 the use of the library and distribution to depository  
7 libraries, of which two copies will be deposited with the  
8 state historical library for security purposes;

9 {c}--to the state law librarian, two copies of each for  
10 the use of the library and such additional copies as may be  
11 necessary for the purposes of exchange;

12 {d}--to the library of congress and each public officer  
13 as defined in 2-2-102, two copies of each; and

14 {e}--to each member of the legislature, the secretary of  
15 the senate, and the chief clerk of the house of  
16 representatives from the session at which the journals were  
17 adopted, one copy of each available for inspection or  
18 copying by the public as provided in Title 2, chapter 6,  
19 part 1. The council may publish the journals in an  
20 electronic format.

21 (3) The council shall distribute the session laws as  
22 follows following entities may receive the number of copies  
23 of session laws listed at no cost:

24 {a}--to each cabinet-level department of the executive  
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1 commission, conference, or corporation established by the  
2 United States government or any other subdivision thereof  
3 upon request and approval by the legislative council, one  
4 copy;

5 {b}(a) to the library of congress, eight copies;

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9 use of the library and such additional copies as may be  
10 required for exchange with libraries and institutions  
11 maintained by other states and territories and public  
12 libraries;

13 {f}(e) to the library of each custodial institution,  
14 one copy;

15 {g}(f) to each Montana member of congress, each United  
16 States district judge in Montana, each of the judges of the  
17 state supreme and district courts, and each of the state  
18 officers as defined in 2-2-102(8), one copy;

19 {h}(g) to any agency, board, commission, or office of  
20 the state, other than a state officer, and to any other  
21 subdivision of the state upon request and approval by the  
22 legislative council, one copy;

23 {i}(h) to each member of the legislature, the secretary  
24 of the senate, and the chief clerk of the house of  
25 representatives from the session at which the laws were

1 adopted, one copy;  
2       †j†(i) to each of the community college districts of  
3 the state, as defined in 20-15-101, and each unit of the  
4 Montana university system, one copy;  
5       †k†(j) to each county clerk, three copies for the use  
6 of the county; and  
7       ††(k) to each county attorney and to each clerk of a  
8 district court, one copy."  
9       NEW SECTION. **Section 5.** Effective date. [This act] is  
10 effective on passage and approval.

-End-

SENATE BILL NO. 31

INTRODUCED BY GAGE, LYNCH, HALLIGAN, MENAHAN,

AKLESTAD, H.S. HANSON, WALLIN, DAVIS

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING LEGISLATIVE PUBLICATIONS; ELIMINATING THE REQUIREMENT THAT LEGISLATIVE JOURNALS BE PUBLISHED AND DISTRIBUTED IN A PRINTED FORMAT; REVISING THE CONTENT OF ANCILLARY PUBLICATIONS; REVISING THE DISTRIBUTION OF SESSION LAWS; AMENDING SECTIONS 1-11-303, 5-11-201, 5-11-202, AND 5-11-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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**Section 2.** Section 5-11-201, MCA, is amended to read:

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**Section 3.** Section 5-11-202, MCA, is amended to read:

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**Section 4.** Section 5-11-203, MCA, is amended to read:

"5-11-203. Distribution of senate--and--house--journals and session laws -- inspection of journals. (1) Immediately after the senate and house journals and the session laws are bound published, the legislative council shall distribute

1 them.

2 (2) The council shall distribute make the house and  
3 senate journals as follows:

4 {a}--to each county clerk, one copy of each for the use  
5 of the county;

6 {b}--to the Montana state library, 20 copies of each for  
7 the use of the library and distribution to depository  
8 libraries, of which two copies will be deposited with the  
9 state historical library for security purposes;

10 {c}--to the state law librarian, two copies of each for  
11 the use of the library and such additional copies as may be  
12 necessary for the purposes of exchange;

13 {d}--to the library of congress and each public officer  
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15 {e}--to each member of the legislature, the secretary of  
16 the senate, and the chief clerk of the house of  
17 representatives from the session at which the journals were  
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21 electronic format.

22 (3) The council shall distribute the session laws as  
23 follows following entities may receive the number of copies  
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1 branch of the United States, one copy each, to any agency,  
2 commission, conference, or corporation established by the  
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7 {c}(b) to the state library, two copies;

8 {d}(c) to the state historical library, two copies;

9 {e}(d) to the state law librarian, four copies for the  
10 use of the library and such additional copies as may be  
11 required for exchange with libraries and institutions  
12 maintained by other states and territories and public  
13 libraries;

14 {f}(e) to the library of each custodial institution,  
15 one copy;

16 {g}(f) to each Montana member of congress, each United  
17 States district judge in Montana, each of the judges of the  
18 state supreme and district courts, and each of the state  
19 officers as defined in 2-2-102(8), one copy;

20 {h}(g) to any agency, board, commission, or office of  
21 the state, other than a state officer, and to any other  
22 subdivision of the state upon request and approval by the  
23 legislative council, one copy;

24 {i}(h) to each member of the legislature, the secretary  
25 of the senate, and the chief clerk of the house of

1 representatives from the session at which the laws were  
2 adopted, one copy;

3       †j†(i) to each of the community college districts of  
4 the state, as defined in 20-15-101, and each unit of the  
5 Montana university system, one copy;

6       †k†(j) to each county clerk, ~~three-copies~~ ONE COPY for  
7 the use of the county; and

8       †l†(k) to each county attorney and to each clerk of a  
9 district court, one copy."

10       NEW SECTION. **Section 5.** **Effective date.** [This act] is  
11 effective on passage and approval.

-End-