### HOUSE BILL NO. 813

## INTRODUCED BY O'KEEFE, THOFT, MCCARTHY, MCCAFFREE, COBB

### IN THE HOUSE

FEBRUARY 13, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

- MARCH 8, 1991 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
- MARCH 9, 1991 PRINTING REPORT.
- MARCH 11, 1991 SECOND READING, DO PASS.
- MARCH 12, 1991 ENGROSSING REPORT.
- MARCH 14, 1991 THIRD READING, PASSED. AYES, 89; NOES, 11.

TRANSMITTED TO SENATE.

### IN THE SENATE

MARCH 15, 1991

FIRST READING.

ON LOCAL GOVERNMENT.

MARCH 22, 1991

MARCH 23, 1991

MARCH 25, 1991

CONCURRED IN. REPORT ADOPTED.

COMMITTEE RECOMMEND BILL BE

INTRODUCED AND REFERRED TO COMMITTEE

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 34; NOES, 14.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 25, 1991

SENT TO ENROLLING.

RECEIVED FROM SENATE.

REPORTED CORRECTLY ENROLLED.

LC 1848/01

INTRODUCED BY TROLOGY Contraction (1990) 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A COUNTY 4 5 RECORDS PRESERVATION FUND: INCREASING THE FEE FOR RECORDING A DOCUMENT BY MECHANICAL MEANS; AMENDING SECTION 7-4-2632, 6 MCA; AND PROVIDING AN EFFECTIVE DATE." 7 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 7-4-2632, MCA, is amended to read: 11 "7-4-2632. Fee when recording done by mechanical means. 12 Where recording is done by photographic or similar process, 13 the county clerk and recorder shall charge \$5 \$6 for each 14 page or fraction of a page of the instrument for recording." 15 NEW SECTION. Section 2. Records preservation fund authorized. (1) The board of county commissioners shall 16 17 establish a records preservation fund for the purpose of 18 preserving the records maintained by the county clerk and 19 recorder. The county clerk and recorder is responsible for 20 expenditures from the fund. 21 (2) The county clerk and recorder shall deposit \$1 of 22 the fee received under 7-4-2632 into the records 23 preservation fund.

24 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
25 effective July 1, 1991.

-End-

Nontana Legislative Council

INTRODUCED BILL HB 813

### STATE OF MONTANA - FISCAL NOTE

#### Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0813, as introduced.

#### DESCRIPTION OF PROPOSED LEGISLATION:

An act creating a county records preservation fund; increasing the fee for recording a document by mechanical means; amending section 7-4-2632, MCA; and providing an effective date.

#### ASSUMPTIONS:

1. The proposed legislation does not impact the revenues or expenditures of any state agency.

#### FISCAL IMPACT:

None

#### EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Data on the fees generated by photocopying records, as referenced in 7-4-2632, MCA, is not readily available. A telephone survey of officials at a sampling of clerk and recorder offices indicated the proposed 20% fee increase should generate sufficient revenue to microfilm records and other important documents.

12-9 DATE

ROD SUNDSTED, BUDGET DIRECTOR Office of Budget and Program Planning

PRIMARY SPONSOR MARK O'KEEFE, Fiscal Note for oduced.

#### HB 0813/02

### APPROVED BY COMM. On local government

1	HOUSE BILL NO. 813
2	INTRODUCED BY O'KEEFE, THOFT, MCCARTHY, MCCAFFREE, COBB
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A COUNTY
5	RECORDS PRESERVATION FUND; INCREASING THE FEE FOR RECORDING
6	A DOCUMENT BY MECHANICAL MEANS; AMENDING SECTION 7-4-2632,
7	MCA; AND PROVIDING AN EFFECTIVE DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 7-4-2632, MCA, is amended to read:
11	"7-4-2632. Fee when recording done by mechanical means.
12	Where recording is done by photographic or similar process,
13	the county clerk and recorder shall charge \$5 <u>\$6</u> for each
14	page or fraction of a page of the instrument for recording."
15	NEW SECTION. Section 2. Records preservation fund
16	authorized. (1) The board of county commissioners shall
17	establish a records preservation fund for the purpose of
18	preserving the records maintained by the county clerk and
19	recorder. The county clerk and recorder is responsible for
20	expenditures from the fund AND SHALL USE THE MONEY FOR
21	RECORDS PRESERVATION.
22	(2) The county clerk and recorder shall deposit \$1 of

(2) The county clerk and recorder shall deposit \$1 of
the fee received under 7-4-2632 into the records
preservation fund.

25 (3) THE GOVERNING BODY OF THE COUNTY MAY TRANSFER TO



1 THE GENERAL FUND ANY MONEY IN THE RECORDS PRESERVATION FUND

- 2 THAT IS NOT NEEDED FOR RECORDS PRESERVATION.
- 3 NEW SECTION. Section 3. Effective date. [This act] is
- 4 effective July 1, 1991.

-End-

-2-

HB 813 SECOND READING

1	HOUSE BILL NO. 813
2	INTRODUCED BY O'KEEFE, THOFT, MCCARTHY, MCCAFFREE, COBB
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5	RECORDS PRESERVATION FUND; INCREASING THE FEE FOR RECORDING
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Contana Legislative Council

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-2-

#### HB 0813/02

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24 preservation fund.

25 (3) THE GOVERNING BODY OF THE COUNTY MAY TRANSFER TO

Montana Legislative Counci

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- 3 NEW SECTION. Section 3. Effective date. [This act] is
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-End-

-2-

HB 813

# REFERENCE BILL

HB 0813/02