

HOUSE BILL 899

IN THE HOUSE

March 5, 1979

On motion, rules suspended, bill
allowed to be introduced.

Introduced and referred to
Committee on Judiciary.

1 House BILL NO. 899
 2 INTRODUCED BY Sully
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUSPEND FOR TWO
 5 BIENNIUMS THE DUTY OF THE CODE COMMISSIONER TO PROPOSE
 6 CLEANUP LEGISLATION; AMENDING SECTION 1-11-204, MCA."
 7

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

9 Section 1. Section 1-11-204, MCA, is amended to read:

10 "1-11-204. Duties of code commissioner. (1) Prior to
 11 January 1, 1979, the code commissioner shall recodify all
 12 the laws of a general and permanent nature appearing in the
 13 codes and session laws and prepare them for publication.

14 (2) Prior to January 1, 1979, the commissioner shall
 15 prepare and submit to the legislature a report which is
 16 certified by the commissioner as the "Official Report of the
 17 Montana Code Commissioner", together with a bill enacting
 18 the Montana Code Annotated. A copy of the report and bill
 19 shall be deposited with the secretary of state. The report
 20 shall explain and indicate, in tabular or other form, all
 21 changes made during recodification, other than punctuation
 22 and capitalization, to clearly indicate the character of
 23 each change.

24 (3) Prior to November 1, 1976 1984, and prior to
 25 November 1 of each year thereafter, the commissioner shall

1 prepare and submit to the legislative council a report, in
 2 tabular or other form, indicating the commissioner's
 3 recommendations for legislation which will:

- 4 (a) eliminate archaic or outdated laws;
- 5 (b) eliminate obsolete or redundant wording of laws;
- 6 (c) eliminate any duplications in law and any laws
 7 repealed directly or by implication;
- 8 (d) clarify existing laws;
- 9 (e) correct errors and inconsistencies within the
 10 laws.

11 (4) The commissioner shall cause to be prepared for
 12 publication with the Montana Code Annotated the following
 13 material:

- 14 (a) Statutory history of each code section;
- 15 (b) Annotations of state and federal court decisions
 16 relating to the subject matter of the code;
- 17 (c) Such editorial notes, cross-references, and other
 18 matter as the commissioner considers desirable or
 19 advantageous;
- 20 (d) The Declaration of Independence;
- 21 (e) The Constitution of the United States of America
 22 and amendments thereto;
- 23 (f) Acts of congress relating to the authentication of
 24 laws and records;
- 25 (g) The Organic Act of the Territory of Montana;

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1 (h) The Enabling Act;

2 (i) The 1972 Constitution of the State of Montana and
3 any amendments thereto;

4 (j) The Ordinances relating to federal relations and
5 elections;

6 (k) Rules of civil, criminal, and appellate procedure
7 and such other rules of procedure as the Montana supreme
8 court may adopt; and

9 (l) A complete subject index, a popular name index,
10 and comparative disposition tables or cross-reference
11 indexes relating sections of the Montana Code Annotated to
12 prior compilations and session laws.

13 (5) After publication of the Montana Code Annotated,
14 the code commissioner shall:

15 (a) annotate, arrange, and prepare for publication all
16 laws of a general and permanent nature enacted at each
17 legislative session and assign catchlines and code section
18 numbers to each new section;

19 (b) continue to codify, index, arrange, rearrange, and
20 generally update the Montana Code Annotated to maintain an
21 orderly and logical arrangement of the laws in order to
22 avoid future need for bulk revision;

23 (c) prepare and submit to each legislature a report
24 certified as the "Official Report of the Montana Code
25 Commissioner--(year)" which indicates, in tabular or other

1 form, all changes made during the continuous recodification,
2 other than punctuation and capitalization, to clearly
3 indicate the character of each change made since the first
4 publication of the Montana Code Annotated.

5 (6) From time to time the commissioner shall confer
6 with members of the judiciary and the state bar relative to
7 recodification procedures."

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