SENATE BILL NO. 90

INTRODUCED BY HAZELBAKER

BY REQUEST OF THE CODE COMMISSIONER

IN THE SENATE

January 12, 1979	Introduced and referred to Committee on State Administration.
January 26, 1979	Committee recommend bill do pass. Report adopted.
January 27, 1979	Printed and placed on members' desks.
January 29, 1979	Second reading, do pass.
January 30, 1979	Considered correctly engrossed.
January 31, 1979	Third reading, passed. Transmitted to second house.
IN THE HOUSE	
February 1, 1979	Introduced and referred to Committee on State Administration.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	Second reading, concurred in.
March 6, 1979	Third reading, concurred in.
IN THE SENAT	'E
March 7, 1979	Returned from second house.

Concurred in. Sent to enrolling.

Reported correctly enrolled.

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Gack BILL NO. 20 1 INTRODUCED BY BY REQUEST OF THE CODE COMMISSIONER 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENFRALLY REVISE AND CLARIFY THE LAWS RELATING TO THE LEGISLATIVE BRANCH; AMENDING SECTIONS 5-5-202+ 5-11-202 THROUGH 5-11-208+ 5-11-211, 5-11-212, AND 22-1-218, MCA." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 5-5-202, MCA, is amended to read: 11 #5-5-202. Interim activities of committees. During an 12 interim when the legislature is not in session: all 13 regularly appointed standing or select committees of either 14 house not formally discharged prior to the final adjournment 15 16 of the preceding session shall continue as such committees. They are empowered to continue to sit as such committees as 17 provided in this fact | title." 18 19 Section 2. Section 5-11-202, MCA, is amended to read: #5-11-202. Printing of the house and senate journals 20 and session laws. In-addition-to-the--duties--prescribed--in 21 5-11-112y--the--legislative--services--division--of--the Ihe 22

legislative council shall deliver to the printer entitled to

the-same them, at the earliest day practicable day after the

final adjournment of each session of the legislature, copies

of all laws, resolutions, and journals kepty passed, or adopted, or kept at such the session, with proper indexes to 2 the same." Section 3. Section 5-11-203, MCA, is amended to read: *5-11-203. Distribution of senate and house journals and session laws. (1) Immediately after the senate and house journals and the session laws mentioned-in-5-11-202 are boundy-the-legislative-services-division-of the legislative council shall distribute them. (2) It The council shall distribute the house and 10 11 senate journals as follows: (a) to each county clerk, one copy of each for the use 12 13 of the county: 14 (b) to the state historical library, such number of copies of both, not exceeding 150 of each, as may be 15 required by it for purposes of distribution and exchange; 16 17 (c) to the state law librarian, two copies of each for the use of the library and such additional copies as may be 18 19 necessary for the purposes of exchange; 20 (d) to the library of congress, two copies of each; 21 and 22

which the journals were adopted, one copy of each.

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(e) to the-lieutenent-governory each member of the

legislature, the secretary of the senate, and the chief

clerk of the house of representatives at the session at

1	(3)	łŧ	The council	shall	distribute	the	session	laws
2	as follow:	s:						

- (a) to each department of the government at Washington
 and of the government of this state; one copy;
 - (b) to the library of congress, eight copies;
 - (c) to the state library, two copies;

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- (d) to the state historical library, two copies;
- (e) to the state law librarian, four copies for the use of the state-low library and such additional copies as may be required for exchange with libraries and institutions maintained by other states, and territories, and public libraries;
- (f) to the library of each custodial institution, one copy;
 - (g) to each Montana member of congress, each United States district judge in Montana, each of the judges of the state supreme and district courts, and each of the state officers, one copy;
 - (h) to the lieutenant egovernory each member of the legislature, the secretary of the senate, and the chief clerk of the house of representatives at the session at which the laws were adopted, one copy:
- 23 (i) to each of the incorporated colleges of the state
 24 and each unit of the state Montana university system; one
 25 copy;

1	(j) to each county clerky three copies for the use of	f
2	the county; and	

- 3 (k) to each county attorney and to each clerk of a 4 district court, one copy.
 - Section 4. Section 5-11-204. MCA. is amended to read:

 #5-11-204. Secretary of state to assign chapter
 numbers to new laws. It shall be the duty of the secretary
 of state, when bills passed by any legislature of-the-state
 of Montana are filed in his office as directed in 5-4-302
 and 5-4-305, to note thereon the date of soid filing and to
 number such bills, except resolutionsy-memorialsy and bills
 appropriating money, in the order of their reception by him,
 chapter 1 and upwards, using Arabic numerals for-such
 numbering."
 - Section 5. Section 5-11-205. MCA, is amended to read:

 #5-11-205. Publication of laws -- format. {1} The

 legislative-services-division-of-the-legislative-councily-in

 pursuance of-5-11-202y-shall-couse-such-laws-as-ora-therein

 specifiedy---except---resolutionsy---memorialsy---and-bills

 appropriating-moneyy-to-be-printed-with-the-heading-of--each

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1	published-in-their-numerical-ordery-from-1-upwordyassame
2	have-been-filed-in-the-office-of-the-secretary-of-state=-The
3	chapternumbershallappear-as-part-of-each-page-he ad i ngs
4	Resolutionsy-memorialsy-end-bills-appropriating-moneyshall
5	beprintedin-the-latter-part-of-the-volume-containing-the
6	lawsyintheforwandmannerheretoforepracticedin
7	publishingsuchlawsuInallenrolledbills-containing
8	emendments-to-existing-statutesy-the-new-parts-designated-by
9	underlining shall-be printed-in-italics
10	council shall publish all laws and resolutions passed or
11	adopted by each session of the legislature in a publication
12	to be known as the "Laws of Montana".
13	(2) Laws of each session other than appropriations
14	must be printed in the Laws of Montana in the order that
15	they have been filed in the office of the secretary of state
16	with the chapter number assigned by the secretary of state
17	as the heading. The chapter number must also appear as part
16	of each page heading. In all laws containing amendments to
19	an existing laws the new parts designated in the act by
20	underlining must be printed in Italics in the Laws of
21	Montana. The senate or house bill number may be omitted from
22	each_act.
23	(2)[3] Reference to the laws of any a legislative
24	session may be made as follows: "Chapter (giving
25	number) of-the-lows Laws of (giving the year in-which

•	same was emocially a
2	(4) Appropriations passed by each session of th
3	legislature must be printed in a separate section of th
4	Laws of Montana with the house bill number as a beading
5	15) Resolutions adopted by each session of th
6	legislature must be printed in a separate section of th
7	Laws of Montana with the type of resolution and its number
8	as a heading.
9	(3)(6) The legislative-services-divisionofth
10	legislative council shall also have-prepared-and-publishe
11	the said-base ond-bound-in-the-same-volume publish in the
12	Laws of Montana the indexes set-forth-in required b
13	5-11-206. ^m
14	Section 6. Section 5-11-206. MCA. is amended to read
15	*5-11-206. Index. (1) Itshallbethe-duty-of-th
16	legislative-services-division-of-the <u>The</u> legislative counci
17	to shall prepare a suitable index of all the laws an
18	resolutions passed or adopted at each session of th
19	legislature. Such <u>The</u> index shall be a thorough index of
20	such the laws and resolutions and of each subject contained
21	in or covered by such the laws and resolutions, together
22	with such a cross-index as-will to assist in readily finding
23	any subject or-matter contained in such each volume.
24	(2) For the purpose of procuring—and—preserving

uniformity in such indexes, the index of each succeeding

volume publication of the session laws shall conformy as nearly as practicable with those of the volumes preceding it.

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- (3) There shall also be prepared for each volume publication of such the session laws en-additional-indexv & 5 "code_index" showing what sections of the severel-codes-of this-state-and-what-session-laws Montana Code Annotated have 7 been amendedy or repealedy-elteredy-or-changed by any laws 8 published---in---thot--volumey--which--sholl--be--known--and designated as the "Fode index" enacted by that session of the legislature."
 - Section 7. Section 5-11-207, MCA, is amended to read: *5-11-207. Description of county boundaries included in session laws. It--shott-be-the-duty-of-the-legislative services-division-of-the The legislative council to shall include in the published session laws of-the-state-of Montons a description of the county boundaries of all any new counties of the state of-Montane created by petition and election, commencing with counties so created on and after January 1, 1921, by inserting in each of-said set of session laws such new counties as that have been so created since the publication of the acts laws of the previous session." Section 8. Section 5-11-208. MCA. is amended to read: *5-11-208. Expenses. The expenses incurred by the tegislative-services-division-of-the legislative council in

- carrying into effect 5-11-202 to through 5-11-207.
- inclusives as amended, must be paid out of eny--moneys 2
- 3 specially money specifically appropriated for the that
- nurnose.*
- Section 9. Section 5-11-211. MCA. is amended to read:
- *5-11-211. Definitions. For the purposes of 5-11-212
- through-5-11-214 this part, the following definitions are
- : vings betgobe
- (1) "Person" shall--include means any person, firm,
- 10 corporation, or association.
- (2) "Proceedings of the legislature" shall--include 11
- means status sheets, daily journal journals, reproduced 12
- bills, reproduced resolutions, reproduced-memorials, printed 13
- bills, printed resolutions, printed---memorialsy and 14
- amendments thereto. 15
- (3) "One complete set" is means one copy of each item 16
- 17 of the proceedings of a session, regular or special, of the
- 18 legislature.
- 19 141 "Session Laws" for a particular year means the
- 20 laws and resolutions passed or adopted by that year's
- 21 session of the legislature."
- 22 Section 10. Section 5-11-21? MCA. is amended to read:
- 23 #5-11-212. Schedule-of-fees Fees for proceedings. (1)
- 24 A person-desiring-to-receive-one complete set of the
- 25 proceedings of a regular session of the legislature shall

the amount prescribed in the joint legislative rules. Upon receipt of the money payment, the secretary of state shall transmit the name of the person purchaser to the executive director of the legislative council, who shall supply the person purchaser with a complete set of the proceedings. Any person desiring to receive more than one-set-shall poy the session-fee-for-each-edditional-sets

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- (2) A person <u>purchaser</u> who requests that a set of the proceedings be mailed shall pay an additional fee as prescribed in the joint legislative rules to the secretary of state for each complete set that is mailed.
- (3) A-person-desiring to-receive-single Single copies of mimeographed—billsy—mimeographed—resolutionsy printed bills, printed resolutions, or amendments thereto shall purchase—them may be purchased from the legislative-services division—of the legislative council for a price varying with the length of the document as prescribed in the joint rules.
- (4) A--person-desiring-to-receive-single Single copies of status sheets or status of proceedings may purchase-them be purchased from the-legislative-services-division-of the legislative council for a price per copy as prescribed in the joint rules. A person may subscribe to receive daily copies of the status sheets or status of proceedings by mail for a fee covering the actual-costs of the service-which set

by the legislative council may-fix to cover the costs of the
service.

3 (5) The executive director of the legislative council
4 and the secretary of state shall account for all funds
5 collected by their respective offices under this section and
6 shall transmit such the funds to the treasurer of the state
7 of Montana, who shall credit them to the general fund.**

Section 11. Section 22-1-218, MCA, is amended to read:

"22-1-218. Exemptions. This part shall does not apply
to officers of or affect the duties concerning publications
distributed by:

- 12 (1) the state law library;
- 13 (2) the secretary of state in connection with his 14 duties under 2-15-401(16);
- 15 (3) the code commissioner in connection with his 16 duties under Title 1, chapter 11, as amended; and
- 17 (4) the -- legislative --- services -- division -- of the
 18 legislative council in connection with its duties under
 19 5-11-203, as amended.

-End-

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Approved by Committee on State Adminastration

1 INTRODUCED BY 2 BY REQUEST OF THE CODE COMMISSIONER 3

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND 5 CLARIFY THE LAWS RELATING TO THE LEGISLATIVE BRANCH; 6 AMENDING SECTIONS 5-5-202. 5-11-202 THROUGH 5-11-208. 7

5-11-211, 5-11-212, AND 22-1-218, MCA." 8

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

Section 1. Section 5-5-202, MCA, is amended to read: #5-5-202. Interim activities of committees. During an interim when the legislature is not in session, all regularly appointed standing or select committees of either house not formally discharged prior to the final adjournment of the preceding session shall continue as such committees. They are empowered to continue to sit as such committees as provided in this fact | title."

Section 2. Section 5-11-202, MCA, is amended to read: *5-11-202. Printing of the house and senate journals and session laws. In-addition-to-the--duties--prescribed--in 5-11-112v--the--legislative--services--division--of--the Ihe legislative council shall deliver to the printer entitled to the-same them, at the earliest day practicable day after the final adjournment of each session of the legislature, copies

of all laws, resolutions, and journals kepty passed, or 1 adopted, or kept at such the session, with proper indexes to 3 the same."

Section 3. Section 5-11-203. MCA. is amended to read: *5-11-203. Distribution of senate and house journals and session laws. (1) Immediately after the senate and house 7 iournals and the session laws mentioned in 5-11-202 are boundy-the-legislative-services-division-of the legislative council shall distribute them-

- (2) It The council shall distribute the house and 10 11 senate journals as follows:
 - (a) to each county clerk, one copy of each for the use of the county:
 - (b) to the state historical library, such number of copies of both, not exceeding 150 of each, as may be required by it for purposes of distribution and exchange;
- 17 (c) to the state law librarian, two copies of each for 18 the use of the library and such additional copies as may be 19 necessary for the purposes of exchange;
- 20 (d) to the library of congress, two copies of each; 21 and
 - (e) to the lieutenant governory each member of the legislature, the secretary of the senate, and the chief clerk of the house of representatives at the session at which the journals were adopted, one copy of each.

SECOND READING

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1	(3) #1	The council	shall	distribute	the	session	laws
,	as follows:						

- (a) to each department of the government at Washington
 and of the government of this state, one copy;
 - (b) to the library of congress, eight copies;
 - (c) to the state library, two copies;

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- (d) to the state historical library, two copies;
- (e) to the state law librarian, four copies for the use of the state-law library and such additional copies as may be required for exchange with libraries and institutions main(ained by other states, and territories, and public libraries:
- 13 (f) to the library of each custodial institution, one 14 copy:
 - (g) to each Montana member of congress, each United States district judge in Montana, each of the judges of the state supreme and district courts, and each of the state officers, one copy;
 - (h) to the--lieutenant--governory each member of the legislature, the secretary of the senate, and the chief clerk of the house of representatives at the session at which the laws were adopted, one copy;
- 23 (i) to each of the incorporated colleges of the state
 24 and each unit of the state <u>Montana</u> university system, one
 25 copy;

1 (j) to each county clerk, three copies for the use of 2 the county; and

3 (k) to each county attorney and to each clerk of a
4 district court, one copy.

Section 4. Section 5-11-204. MCA, is amended to read:

"5-11-204. Secretary of state to assign chapter
numbers to new laws. It shall be the duty of the secretary
of state, when bills passed by any legislature of—the—state
of Montana are filed in his office as directed in 5-4-302
and 5-4-305, to note thereon the date of soid filing and to
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Section 5. Section 5-11-205, MCA, is amended to read:

#5-11-205. Publication of laws -- format. (1) The legislative-services-division-of-the-legislative-councily-in pursuance-of-5-11-202y-shall-couse-such-laws-as-are--therein specifiedy---except---resolutionsy---memorialsy---and-bills appropriating moneyy to be printed with the heading-of--each laws

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numbered from 1 upwardy using Arabic numerals for such numbering it shall nomit from the laws the statement Senate Bill Now www second as said in the statement of the statement

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have-been-filad-in-the-office-of-the-secretary-of-statev-The
chapternumbershallappear-as-part-of-each-page-heading
Resolutionsy-memorialsy-and-bills-app copriating-moneyshall
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underlining shall be printed in italics. The legislative
council shall publish all laws and resolutions passed or
adopted by each session of the legislature in a publication
to be known as the "Laws of Montana".
(2) Laws of each session other than appropriations
must be printed in the Laws of Montana in the order that
they have been filed in the office of the secretary of state
with the chapter number assigned by the secretary of state
as the heading. The chapter number must also appear as part
of each page heading. In all laws containing amendments to
an existing laws the new parts designated in the act by
underlining must be printed in italics in the Laws of
Montana. The senate or house bill number may be omitted from
each act.
(2)(3) Reference to the laws of any a legislative
session may be made as follows: "Chapter (giving
number) of the laws Laws of (giving the year in-which

1	same-was enacted)".
2	(4) Appropriations passed by each session of the
3	legislature must be printed in a separate section of the
4	taws of Montana with the house bill number as a beading.
5	(5) Resolutions adopted by each session of the
6	legislature must be printed in a separate section of the
7	Laws of Montana with the type of resolution and its number
8	as a heading.
9	(3)[6] The legislative-services-divisionof -the
10	legislative council shall also heve-prepared-and-published
11	with-said-lows-and-bound-in-the-same-volume publish in the
12	<u>Laws of Montana</u> the indexes set-forth in required by
13	5-11-206 ."
14	Section 6. Section 5-11-206, MCA, is amended to read:
15	#5-11-206. Index. (1) Itshallbethe duty-of-the
16	legislative services division of the <u>The</u> legislative council
17	to shall prepare a suitable index of all the laws and
18	resolutions passed or adopted at each session of the
19	legislature. Such <u>The</u> index shall be a thorough index of
20	auch the laws and resolutions and of each subject contained
21	in or covered by such the laws and resolutions, together
22	with such a cross-index as-will to assist in readily finding
23	any subject or-matter contained in such each volume.
24	(2) For the purpose of procuring—and—preserving
25	uniformity in such indexes, the index of each succeeding

volume <u>publication</u> of the session laws shall conformy as nearly as practicable with those of the volumes preceding it.

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- publication of such the session laws an additional index a "code index" showing what sections of the several codes of this state and what session laws Montana Code Annotated have been awanded or repealed stered or changed by any laws published—in—that volumey—which—shall—be known—and designated as the "Gode Index" enacted by that sassion of the legislature."
- Section 7. Section 5-11-207, MCA. is amended to read:

 #5-I1-207. Description of county boundaries included
 in session laws. It shall be the duty of the legislative
 services division of the Ine legislative council to shall
 include in the published session laws of the state of
 Montane a description of the county boundaries of all any
 new counties of the state of-Montane created by petition and
 election, commencing with counties so created on and after
 January 1, 1921, by inserting in each of-said set of session
 laws such new counties as that have been so created since
 the publication of the acts laws of the previous session.*
 Section 8. Section 5-11-208, MCA, is amended to read:

 #5-I1-208. Expenses. The expenses incurred by the

- l carrying into effect 5-11-202 to through 5-11-207.
- 2 inclusives as amended, must be paid out of eny-moneys
- 3 specially money specifically appropriated for the that
- 4 purpose."
- 5 Section 9. Section 5-11-211, MCA, is amended to read:
- 6 *5-11-211. Definitions. For the purposes of 5-11-212
- 7 through 5-11-214 this part, the following definitions are
- s edopted apply:
- 9 (1) "Person" shaft--include means any person, firm,
- 10 corporation, or association.
- 11 (2) "Proceedings of the legislature" shell--include
- 12 means status sheets, daily journal journals, reproduced
- 13 bills, reproduced resolutions, reproduced-memorials, printed
- 14 bills, printed resolutions, printed---memorials, and
- 15 amendments thereto.
- 16 (3) *One complete set* +s means one copy of each item
- 17 of the proceedings of a session, regular or special, of the
- 18 legislature.
- 19 14) "Session Laws" for a particular year means the
- 20 laws and resolutions passed or adopted by that year's
- 21 session of the lagislature.*
- 22 Section 10. Section 5-11-212, MCA, is amended to read:
- 23 *5-11-212. Schedule-of-fees Eees for proceedings. (1)
- A person destring to receive one complete set of the
- proceedings of a regular session of the legislature shall

tegislative-services-division-of-the legislative council in

may pay-to-the be purchased from the secretary of state for the amount prescribed in the joint legislative rules. Upon receipt of the money payment, the secretary of state shall transmit the name of the person purchaser to the executive director of the legislative council, who shall supply the person purchaser with a complete set of the proceedings. Any person-desiring-to-receive-more than one set shall—pay—the session-fee for-each additional set.

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- (2) A person purchaser who requests that a set of the proceedings be mailed shal? pay an additional fee as prescribed in the joint legislative rules to the secretary of state for each complete set that is mailed.
- (3) A-person-desiring to-receive single Single copies of minmingraphed—billsy-mineographed—resolutionsy-printed billsy printed resolutionsy or amendments thereto shall purchase them may be purchased from the legislative services division—of the legislative council for a price varying with the length of the document as prescribed in the joint rules.
- of status sheets or status of proceedings may purchase—them

 be purchased from the legislative services division of the

 legislative council for a price per copy as prescribed in

 the joint rules. A person may subscribe to receive daily

 copies of the status sheets or status of proceedings by mail

 for a fee covering the actual costs of the service which set

- by the legislative council may-fix to cover the costs of the
 service-
- 3 (5) The executive director of the legislative council
 4 and the secretary of state shall account for all funds
 5 collected by their respective offices under this section and
 6 shall transmit such the funds to the treasurer of the state
 7 of Montana, who shall credit them to the general fund.
- Section 11. Section 22-1-218. MCA. is amended to read:

 "ZZ-1-218. Exemptions. This part shall does not apply
 to officers of or affect the duties concerning publications
 distributed by:
 - (1) the state law library:

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- 13 (2) the secretary of state in connection with his 14 duties under 2-15-401(16);
- 15 (3) the code commissioner in connection with his 16 duties under Title 1. chapter 11. as amended; and
- 17 (4) the—legislative—services—division—of the 18 legislative council in connection with its duties under 19 5-11-203, as amended.**

-End-

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1 2	INTRODUCED BY Hallok
3	BY REQUEST OF THE CODE COMMISSIONER
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AN
6	CLARIFY THE LAWS RELATING TO THE LEGISLATIVE BRANCH

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

5-11-211, 5-11-212, AND 22-1-218, MCA.

AMENDING SECTIONS 5-5-202. 5-11-202 THROUGH 5-11-208.

Section 1. Section 5-5-202. MCA, is amended to read:

#5-5-202. Interim activities of committees. During an interim when the legislature is not in session, all regularly appointed standing or select committees of either house not formally discharged prior to the final adjournment of the preceding session shall continue as such committees. They are empowered to continue to sit as such committees as provided in this fact-j title.**

Section 2. Section 5-11-202. MCA, is amended to read:

*5-11-202. Printing of the house and senate journals
and session laws. In-addition-to-the-duties-prescribed-in

5-11-112v-the-legislative-services-division-of-the Ine
legislative council shall deliver to the printer entitled to
the-same them, at the earliest day practicable day after the
final adjournment of each session of the legislature, copies

of all laws resolutions, and journals kepty passed, or adopted, or kept at such the session, with proper indexes to the same." Section 3. Section 5-11-203, MCA, is amended to read: ■5-11-203. Distribution of senate and house journals and session laws. (1) Immediately after the senate and house journals and the session laws mentioned in 5-11-202 are boundy-the-legislative-services-division-of the legislative council shall distribute them. (2) #t The council shall distribute the house and 10 senate journals as follows: 11 (a) to each county clerk, one copy of each for the use 12 13 of the county: (b) to the state historical library, such number of 14 copies of both, not exceeding 150 of each, as may be 15 16 required by it for purposes of distribution and exchange; 17 (c) to the state law librarian, two copies of each for 18 the use of the library and such additional copies as may be 19 necessary for the purposes of exchange; 20 (d) to the library of congress, two copies of each; 21 and

(e) to the-lieutenent-governors each member of the

legislature, the secretary of the senate, and the chief

clerk of the house of representatives at the session at

which the journals were adopted, one copy of each.

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1	(3)	łŧ	The council	shall	distribute	the	session	laws
2	as follows	s :						

- (a) to each department of the government at Washington and of the government of this state, one Copy:
 - (b) to the library of congress, eight copies;
 - (c) to the state library, two copies;

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- (d) to the state historical library, two copies;
- (e) to the state law librarian, four copies for the use of the state-law library and such additional copies as may be required for exchange with libraries and institutions maintained by other statesy and territoriesy and public libraries;
- 13 (f) to the library of each custodial institution, one
 14 copy;
 - (g) to each Montana member of congress, each United States district judge in Montana, each of the judges of the state supreme and district courts, and each of the state officers, one copy;
 - (h) to the--lieutenant--governory each member of the legislature, the secretary of the senate, and the chief clerk of the house of representatives at the session at which the laws were adopted, one copy:
- 23 (i) to each of the incorporated colleges of the state
 24 and each unit of the state <u>Montana</u> university system, one
 25 copy;

1	(į)	to each	county	clerk,	three	copies	for	the us	e	01
2	the county	; and								

- (k) to each county attorney and to each clerk of a district court, one copy.**
 - Section 4. Section 5-11-204. MCA, is amended to read:

 "5-11-204. Secretary of state to assign chapter
 numbers to new laws. It shall be the duty of the secretary
 of state, when bills passed by any legislature of-the-state
 of Montana are filed in his office as directed in 5-4-302
 and 5-4-305, to note thereon the date of seid filing and to
 number such bills, except resolutions, memorials, and bills
 appropriating money, in the order of their reception by hims
 chapter 1 and upwards, using Arabic numerals for-such
 numbering."
 - Section 5. Section 5-11-205, MCA, is amended to read:

 #5-11-205. Publication of laws -- format. (1) The

 legislative-services-division-of-the-legislative-councily-i
 pursuance of-5-11-202y-shall-cause-such-laws-as-are-therein

 specifiedy---except---resolutionsy---memorialsy---and-bills

 appropriating-moneyy-to-be-printed-with-the-heading-of--each

CHAPTER-wwww

numbered--from-1--upward--using--Arabic--numerals-for-such
numbering--It-shall-omit-from-the-laws-the-statement-#Senate
Bill-Now-www--and-#House-Bill-Now-www-#w-Such-laws-shall-be

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published in their numerical orders from 1 upwards - as - same have been filed in the office of the secretary of states. The chapter - number - shall - appear as - part - of each - page - headings Resolutions - memorials - and bills - appropriating - money - shall be - printed - in the latter - part - of the volume containing the laws - in - the - form - and - manner - heretofore - practiced - in publishing - such - lows - in - all - enrolled - bills - containing amendments to existing - statutes - the new parts - designated by underlining - shall - publish - all - laws - in - italies - Ihe - legislative council - shall - publish - all - laws - and resolutions - passed - or adopted by each session of the legislature in a - publication to be known as the "Laws of Montana".

(2) - Laws - of - each - session - other than appropriations

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(2) Laws of each session other than appropriations must be printed in the Laws of Montana in the order that they have been filed in the office of the secretary of state with the chapter number assigned by the secretary of state as the heading. The chapter number must also appear as part of each page heading. In all laws containing amendments to an existing laws the new parts designated in the act by underlining must be printed in italics in the laws of Montana. The senate or house bill number may be omitted from each act.

f2)(3) Reference to the laws of eny a legislative session may be made as follows: "Chapter (giving number): of-the-laws Laws of (giving the year in-which

2	14) Appropriations passed by each session of the
3	legislature sust be printed in a separate section of the
4	Laws of Montana with the house bill number as a beading.
5	(5) Resolutions adopted by each session of the
6	legislature must be printed in a separate section of the
7	Laws of Montana with the type of resolution and its number
8	as a heading.
9	(3)[6] The legislative—services—division——of—— -the
10	legislative council shall also have-prepared-and-published
11	with-said-laws-and-bound-in-the-same-volume <u>publish_in_the</u>
12	Laws of Montana the Indexes set forth in required by
13	5-11-206.**
14	Section 6. Section 5-11-206. MCA, is amended to read:
15	#5-11-206. Index. (1) Itshallbethe-duty-of-the
16	legislative-services-division-of-the <u>The</u> legislative council
17	to shall prepare a suitable index of all the laws and
18	resolutions passed or adopted at each session of the
19	legislature. Such <u>The</u> index shall be a thorough index of
20	such $\underline{\text{the}}$ laws and resolutions and of each subject contained
21	in or covered by such the laws and resolutions, together
25	with such a cross-index es-will to assist in readily finding
23	any subject or-motter contained in such <u>each</u> volume.
24	(2) For the purpose of procuringendpreserving

same-was enacted) ".

uniformity in such indexes, the index of each succeeding

volume <u>publication</u> of the session laws shall conformy as nearly as practicable with those of the volumes preceding it.

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- publication of such the session laws en-additional-indexy a "code index" showing what sections of the several-codes of this state and what session laws Montana Code Annotated have been amendedy or repealedy-alteredy-or-changed by any laws published—in—that volumey—which—shall—be—known—and designated as the "Gode Index" enacted by that session of the legislature."
- Section 7. Section 5-11-207, MCA, is amended to read:

 #5-11-207. Description of county boundaries included
 in session laws. It—shell—be—the duty of—the—legislative
 services—division—of—the The legislative council to shall
 include in the published session laws of—the-state—of
 Montana a description of the county boundaries of all any
 new counties of the state of—Montana created by petition and
 election, commencing with counties so created on—and after
 January 1. 1921. by inserting in each of—said set of session
 laws such new counties as that have been so created since
 the publication of the acts laws of the previous session.*
 Section 8. Section 5-11-208, MCA, is amended to read:
- 23 Section 8. Section 5-11-208. MCA, is amended to read:
 24 #5-11-208. Expenses. The expenses incurred by the
 25 **Tegislative services-division-of-the legislative council in

- carrying into effect 5-11-202 to through 5-11-207.
- 2 inclusives as amended, must be paid out of any--moneys
- 3 specially money specifically appropriated for the that
- 4 purpose."
- 5 Section 9. Section 5-11-211, MCA, is amended to read:
- 6 "5-11-211. Definitions. For the purposes of 5-11-212
- 7 through-5-11-214 this part: the following definitions are
- 8 adopted apply:
- 9 (1) "Person" shall—include means any person, firm,
- 10 corporation, or association.
- 11 (2) "Proceedings of the legislature" shall--include
- 12 means status sheets, daily fournet iournals, reproduced
- 13 bills, reproduced resolutions, reproduced-memorialsy printed
- 14 bills, printed resolutions, printed---memorials, and
- 15 amendments thereto.
- 16 (3) *One complete set* +s means one copy of each item
- 17 of the proceedings of a session, regular or special, of the
- 18 legislature.
- 19 (4) "Session Laws" for a particular year means the
- 20 laws and resolutions passed or adopted by that year's
- Zl session of the legislature.*
- 22 Section 10. Section 5-11-212, MCA, is amended to read:
- 23 #5-11-212. Schedule-of-fees Fees for proceedings. (1)
- 24 A person-desiring-to-receive-one complete set of the
- 25 proceedings of a regular session of the legislature sholl

may pay-to-the <u>be purchased from the</u> secretary of state for the amount prescribed in the joint legislative rules. Upon receipt of the money <u>payment</u>, the secretary of state shall transmit the name of the <u>person purchaser</u> to the executive director of the legislative council, who shall supply the <u>person purchaser</u> with a complete set of the proceedings. Any person-desiring-to-receive more-than one-set-shall—psy—the <u>session-fee-for-each additional-set</u>

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- (2) A person purchaser who requests that a set of the proceedings be mailed shall pay an additional fee as prescribed in the joint legislative rules to the secretary of state for each complete set that is mailed.
- (3) A-person-desiring to-receive-single Single copies of mimeographed—billsy-mimeographed—resolutionsy-printed bills, printed resolutions, or amendments thereto shall purchase-them may be purchased from the-legislative-services division-of the legislative council for a price varying with the length of the document as prescribed in the joint rules.
- (4) A--person-desiring to-receive-single Single copies of status sheets or status of proceedings may purchase--them be purchased from the-legislative-services-division-of the legislative council for a price per copy as prescribed in the joint rules. A person may subscribe to receive daily copies of the status sheets or status of proceedings by mail for a fee covering the-actual-costs-of-the-service-which set

- by the legislative council may fix to cover the costs of the service.
- 3 (5) The executive director of the legislative council
 4 and the secretary of state shall account for all funds
 5 collected by their respective offices under this section and
 6 shall transmit such the funds to the treasurer of the state
 7 of Montana, who shall credit them to the general fund.
- Section 11. Section 22-1-218, MCA, is amended to read:

 "22-1-218. Exemptions. This part shell does not apply
 to officers of or affect the duties concerning publications
 distributed by:
- 12 (1) the state law library;
- 13 (2) the secretary of state in connection with his 14 duties under 2-15-401(16);
- 15 (3) the code commissioner in connection with his 16 duties under Title 1, chapter II, as amended; and
- 17 (4) the——legislative——services——division——of the 18 legislative council in connection with its duties under 19 5—11-203, as amended.**

-End-

46th Legislature SB 0090/02 SB 0090/02

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1	SENATE BILL NO. 90
2	INTRODUCED BY HAZELBAKER
3	BY REQUEST OF THE CODE COMMISSIONER
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
6	CLARIFY THE LAWS RELATING TO THE LEGISLATIVE BRANCH;
7	AMENDING SECTIONS 5-5-202. 5-11-202 THROUGH 5-11-208.
8	5-11-211+ 5-11-212+ AND 22-1-218+ HCA+*
9	
0	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
1	Section 1. Section 5-5-202. MCA, is amended to read:
2	*5-5-202. Interim activities of committees. During an
.3	interim when the legislature is not in session; all
4	regularly appointed standing or select committees of either
5	house not formally discharged prior to the final adjournment
6	of the preceding session shall continue as such committees.
١7	They are empowered to continue to sit as such committees as
.8	provided in this feet] title."
9	Section 2. Section 5-11-202, MCA, is amended to read:
20	#5-11-202. Printing of the house and senate journals
21	and session laws. In-addition-to-thedutiesprescribedin
2.2	5-11-112thelegislativeservicesdivisionofthe <u>Ihe</u>
23	legislative council shall deliver to the printer entitled to
4	the-some them, at the earliest day practicable day after the
25	final adjournment of each session of the legislature, copies

2	adopted_ <u>or_kept</u> at such <u>the</u> session, with proper indexes to
3	the same.**
4	Section 3. Section 5-11-203, MCA, is amended to read:
5	#5-11-203. Distribution of senate and house journals
6	and session laws. (1) Immediately after the senate and house
7	journals and the session laws me ntioned-in-5-11-202 are
8	boundy-the-legislative-services-division-of the legislative
9	council shall distribute them.
10	(2) It The council shall distribute the house and

of all laws, resolutions, and journals kepty passed, or

- 10 (2) It <u>The council</u> shall distribute the house and 11 senate journals as follows:
- 12 (a) to each county clerk, one copy of each for the use 13 of the county;
 - (b) to the state historical library, such number of copies of both, not exceeding 150 of each, as may be required by it for purposes of distribution and exchange;
- 17 (c) to the state law librarian, two copies of each for 18 the use of the library and such additional copies as may be 19 necessary for the purposes of exchange;
- 20 (d) to the library of congress, two copies of each; 21 and
- 22 (e) to the-figurement-governory each member of the 23 legislature, the secretary of the senate, and the chief 24 clerk of the house of representatives at the session at 25 which the journals were adopted, one copy of each.

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l	(3)	łŧ	Iba_council	shall	distribute	the	session	1 aws
2	as follows	s :						

- (a) to each department of the government at Washington and of the government of this state, one copy;
 - (b) to the library of congress, eight copies;
- (c) to the state library, two copies;

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- (d) to the state historical library, two copies;
- (e) to the state law librarian, four copies for the use of the state-lew library and such additional copies as may be required for exchange with libraries and institutions maintained by other statesy and territoriesy and public libraries;
- (f) to the library of each custodial institution, one copy;
 - (g) to each Montana member of congress, each United States district judge in Montana, each of the judges of the state supreme and district courts, and each of the state officers, one copy;
 - (h) to the--lieutenest--governory each sember of the legislature, the secretary of the senate, and the chief clerk of the house of representatives at the session at which the laws were adopted, one copy:
- 23 (i) to each of the incorporated colleges of the state
 24 and each unit of the state <u>Montana</u> university system, one
 25 copy;

1	(1)	to each	county	cierk,	three	copies	for	the use	01
2	the county	y; and							

- 3 (k) to each county attorney and to each clerk of a 4 district court, one copy."
 - Section 4. Section 5-11-204, MCA, is amended to read:

 "5-11-204. Secretary of state to assign chapter
 numbers to new laws. It shall be the duty of the secretary
 of state, when bills passed by any legislature of-the-state
 of Montana are filed in his office as directed in 5-4-302
 and 5-4-305, to note thereon the date of said filing and to
 number such bills, except resolutions, memorials, and bills
 appropriating money, in the order of their reception by him,
 chapter 1 and upwards, using Arabic numerals for-such
 numbering."
 - Section 5. Section 5-11-205, MCA, is amended to read:

 "5-11-205." Publication of laws -- format. (1) The

 legislative-services-division-of-the-legislative-councily-in

 pursuance-of-5-tl-202y-shall-cause-such-laws-as-are--therein

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published—in—their—numerical—ordery—from—l—upwardy——os——same have—been—filed—in—the—office—of—the—secretary—of—statev—The chapter—number——shall—appear—as—part—of—each—page—headings Resolutionsy—memorialsy—and—bills—appropriating—money——shall be——printed——in—the—latter—part—of—the—volume—containing—the lawsy——in—the—form——and—monner—heretofore——practiced——in publishing——such——laws——in——all—enrolled——bills—containing amendments—to—existing—statutesy—the—new—parts—designated—by underlining—shall—be—printed——in—itelicss——The—lagislative council—shall—publish—all—laws—and resolutions—passed or adopted by each session of the lagislature—in—a—publication to be known—as—the—"Laws—of—Montana"s—

(2) Laws—of—each—session—other—than appropriations

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must be printed in the Laws of Montana in the order that they have been filed in the office of the secretary of state with the chapter number assigned by the secretary of state as the heading. The chapter number must also appear as part of each page heading. In all laws containing amendments to an existing law, the new parts designated in the act by underlining must be printed in italics in the laws of Montana. The senate or house bill number may be omitted from each act.

f2)(3) Reference to the laws of eny a legislative session may be made as follows: "Chapter ... (giving number): of-the-lows Laws of ... (giving the year in-which

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same-was enacted)". 141 Appropriations passed by each session of the legislature sust be printed in a separate section of the Laws of Montana with the house bill number as a beading. 15) Resolutions adopted by each session of the legislature must be printed in a separate section of the Laws of Montana with the type of resolution and its number as a heading. (3)(6) The legislative--services--division---of---the legislative council shall also have-prepared-and-published 10 11 with-said-laws-end-bound-in-the-same-volume <u>nublish_in_the</u> 12 Laws of Montana the indexes set--forth--in required by 13 5-11-206.* Section 6. Section 5-11-206, MCA, is amended to read: 14 15 "5-11-206. Index. (1) ft--shell-be--the-duty-of-the tenistative-services-division-of-the Ihe legislative council 16 17 to shall prepare a suitable index of all the laws and 18 resolutions passed or adopted at each session of the 19 legislature. Such The index shall be a thorough index of 20 such the laws and resolutions and of each subject contained in or covered by such the laws and resolutions, together 21 with such a cross-index as-will to assist in readily finding 22 23 any subject or-matter contained in such each volume.

(2) For the purpose of procuring--and--preserving

uniformity in such indexes, the index of each succeeding

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volume <u>publication</u> of the session laws shall conformy as nearly as practicable with those of the volumes preceding it.

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publication of such the session laws an-edditional-indexy a "code_index" showing what sections of the several-codes-of this-state-and-whot-session-laws Montana Code Annotated have been amendedy or repealedy-alteredy-or-changed by any laws published---in---that--volumey--which--shall-be--known--and designated-as-the-"Eode-Index" enacted by that session of the legislature."

Section 7. Section 5-11-207. MCA. is amended to read:

"5-11-207. Description of county boundaries included in session laws. It--shell-be-the-duty-of-the-legislative services-division-of-the The legislative council to shall include in the published session laws of--the-state-of Montana a description of the county boundaries of ell any new counties of the state of-Montana created by petition and election; commencing with countles so created on-end after January 1, 1921, by inserting in each of-seid set of session laws such new counties as that have been so created since the publication of the acts laws of the previous session."

Section 8. Section 5-11-208, MCA, is amended to read:

"5-11-208. Expenses. The expenses incurred by the

tenistative-services-division-of-the legislative council in

1 carrying into effect 5-11-202 to through 5-11-207,
2 inclusives as amended, must be paid out of eny-meneys
3 specially money specifically appropriated for the that
4 purpose.**

Section 9. Section 5-11-211. MCA, is amended to read:

"5-11-211. Definitions. For the purposes of 5-11-212

through-5-11-214 this part, the following definitions are

depted apply:

- 9 (1) "Person" shall—rinclude means any person firm.

 10 corporation or association.
 - (2) "Proceedings of the legislature" shall—include means status sheets, daily journel journals, reproduced bills, reproduced resolutions, reproduced-memorials, printed bills, printed resolutions, printed—--memorials, and emendments thereto.
- 16 (3) "One complete set" is means one copy of each item
 17 of the proceedings of a session, regular or special, of the
 18 legislature.
- 19 (4) "Session laws" for a particular year means the
 20 laws and resolutions passed or adopted by that year's
 21 session of the legislature."
- Section 10. Section 5-11-212, MCA, is amended to read:

 "5-11-212. Schedula-of-fees Fees for proceedings. (1)

 A person-desiring-to-receive-one complete set of the proceedings of a regular session of the legislature shell

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may pay-to-the <u>be purchased from the</u> secretary of state <u>for</u>
the amount prescribed in the joint legislative rules. Upon
receipt of the-money payment, the secretary of state shall
transmit the name of the person purchaser to the executive
director of the legislative council, who shall supply the
person <u>purchaser</u> with a complete set of the proceedings. Any
person-desiring-to-receive-more-than-one-set-shallpaythe
session-fee-for-each-additional-setu

(2) A person <u>purchaser</u> who requests that a set of the proceedings be mailed shall pay an additional fee as prescribed in the joint legislative rules to the secretary of state for each complete set that is mailed.

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- (3) A-person-desiring-to-receive-single Single copies of mimeographed--billsy--mimeographed--resolutionsy-printed billsy printed resolutionsy or amendments thereto shall purchase-them may be purchased from the-legislative-services division-of the legislative council for a price varying with the length of the document as prescribed in the joint rulesy
- (4) A--person-desiring-to-receive-single Single copies of status sheets or status of proceedings may purchase--them be__purchased from the-legislative-services-division-of the legislative council for a price per copy as prescribed in the joint rules. A person may subscribe to receive daily copies of the status sheets or status of proceedings by mail for a fee covering-the-sectual-costs-of-the-service-which set

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1	by the legislative council may-f+x to cover the costs of the
2	service.

- (5) The executive director of the legislative council and the secretary of state shall account for all funds collected by their respective offices under this section and shall transmit such the funds to the treasurer of the state of Montana, who shall credit them to the general fund.
- Section 11. Section 22-1-218, MCA, is amended to read:

 #22-1-218. Exemptions. This part shall does not apply
 to officers of or affect the duties concerning publications
 distributed by:
- (1) the state law library;
- (2) the secretary of state in connection with his duties under 2-15-401(16);
- 15 (3) the code commissioner in connection with his 16 duties under Title 1, chapter 11, as amended; and
- 17 (4) the---legislative---services---division---of the 18 legislative council in connection with its duties under 19 5-11-203, as amended.**

-End-

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