

CHAPTER NO. 152

SENATE BILL NO. 213

INTRODUCED BY BLAYLOCK

BY REQUEST OF THE SECRETARY OF STATE

IN THE SENATE

January 23, 1979	Introduced and referred to Committee on State Administration.
February 12, 1979	Committee recommend bill do pass as amended. Report adopted.
February 13, 1979	Printed and placed on members' desks.
February 14, 1979	Second reading, do pass.
February 15, 1979	Considered correctly engrossed.
February 16, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 17, 1979	Introduced and referred to Committee on State Administration.
March 3, 1979	Committee recommend bill be concurred in. Report adopted.
March 5, 1979	Second reading, concurred in.
March 7, 1979	Third reading, concurred in.

IN THE SENATE

March 8, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 Senate BILL NO. 213
 2 INTRODUCED BY B. Boychuk
 3 BY REQUEST OF THE SECRETARY OF STATE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
 6 REPRODUCTION OF RECORDS KEPT BY THE SECRETARY OF STATE
 7 PURSUANT TO 2-6-111, MCA; TO PROVIDE FOR THE DISPOSAL OF THE
 8 ORIGINAL RECORDS; TO PROVIDE FOR IDENTIFICATION, INDEXING,
 9 AND SAFEKEEPING OF REPRODUCED RECORDS; TO PROVIDE FOR THE
 10 ADMISSIBILITY AS EVIDENCE OF THE REPRODUCED COPIES; AMENDING
 11 SECTION 2-6-111, MCA."

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

14 Section 1. Section 2-6-111, MCA, is amended to read:
 15 "2-6-111. Custody and reproduction of records by
 16 secretary of state. (1) The secretary of state is charged
 17 with the custody of:

- 18 ~~(a)~~ the enrolled copy of the constitution;
- 19 ~~(b)~~ all the acts and resolutions passed by the
 20 legislature;
- 21 ~~(c)~~ the journals of the legislature;
- 22 ~~(d)~~ the great seal;
- 23 ~~(e)~~ all books, records, deeds, parchments, maps,
 24 and papers kept or deposited in his office pursuant to law.
 25 (2) All records included in subsection (1), may be

1 kept and recorded by photostatic or microphotographic means,
 2 microfilm, or any other mechanical process that produces a
 3 clear, accurate, and permanent duplicate of the original
 4 record in accordance with standards not less than those
 5 approved for permanent records by the national bureau of
 6 standards.

7 (3) The state records committee created by 2-15-1013,
 8 may approve the disposal of original records once those
 9 records are reproduced as provided for in subsection (2).
 10 The reproduction, or certified copy thereof, may be used in
 11 place of the original for all purposes, including as
 12 evidence in any court or proceeding, and shall have the same
 13 force and effect as the original record.

14 (4) The secretary of state shall prepare enlarged
 15 typed or photographic copies of the records whenever their
 16 production is required by law.

17 (5) At least two copies shall be made of all records
 18 reproduced as provided for in subsection (2). The secretary
 19 of state shall place one copy in a fireproof storage place
 20 and shall retain the other copy in his office with suitable
 21 equipment for displaying such record by projection to not
 22 less than its original size and for preparing, for persons
 23 entitled thereto, copies of the record.

24 (6) All duplicates of all records shall be identified
 25 and indexed."

--end-
 -2- *SB 213*
 INTRODUCED BILL

STATE OF MONTANA

Request No. 485-79

FISCAL NOTE

Form BD-15

In compliance with a written request received March 19, 1979, there is hereby submitted a Fiscal Note for Senate Bill 213 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

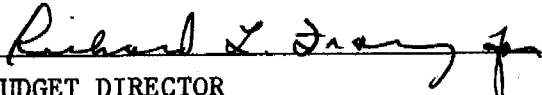
An act to authorize the reproduction of records kept by the Secretary of State.

ASSUMPTIONS:

1. Present staff will study methods and procedures during FY 80 and FY 81 for implementing the act.
2. No additional FTE will be needed in FY 80 or 81.
3. A proposal to implement the act will be presented to the next legislature.

FISCAL IMPACT:

Minimal costs will be incurred in FY 80 and 81 and they can be absorbed in the current level budget of the Secretary of State. Plans to implement the program in FY 82 and 83 will be presented to the next legislature for its consideration.


BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 3/20/79

Approved by Committee
on State Administration

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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
 6 REPRODUCTION OF RECORDS KEPT BY THE SECRETARY OF STATE
 7 PURSUANT TO 2-6-111, MCA; TO PROVIDE FOR THE DISPOSAL OF THE
 8 ORIGINAL RECORDS; TO PROVIDE FOR IDENTIFICATION, INDEXING,
 9 AND SAFEKEEPING OF REPRODUCED RECORDS; TO PROVIDE FOR THE
 10 ADMISSABILITY AS EVIDENCE OF THE REPRODUCED COPIES; AMENDING
 11 SECTION 2-6-111, MCA."
 12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 Section 1. Section 2-6-111, MCA, is amended to read:
 15 "2-6-111. Custody and reproduction of records by
 16 secretary of state. (1) The secretary of state is charged
 17 with the custody of:
 18 (3)(a) the enrolled copy of the constitution;
 19 (2)(b) all the acts and resolutions passed by the
 20 legislature;
 21 (3)(c) the journals of the legislature;
 22 (4)(d) the great seal;
 23 (5)(e) all books, records, deeds, parchments, maps,
 24 and papers kept or deposited in his office pursuant to law.
 25 (2) All records included in subsection (1), may be

1 kept and recorded by photostatic or microphotographic means,
 2 microfilm, or any other mechanical process that produces a
 3 clear, accurate, and permanent duplicate of the original
 4 record in accordance with standards not less than those
 5 approved for permanent records by the national--bureau--of
 6 standards AMERICAN NATIONAL STANDARDS INSTITUTE.
 7 (3) The state records committee created by 2-15-1013,
 8 may approve the disposal of original records once those
 9 records are reproduced as provided for in subsection (2),
 10 UNLESS DISPOSAL TAKES THE FORM OF TRANSFER OF RECORDS; IN
 11 THAT CASE, REPRODUCTION WILL NOT BE NECESSARY. The
 12 reproduction, or certified copy thereof, may be used in
 13 place of the original for all purposes, including as
 14 evidence in any court or proceeding, and shall have the same
 15 force and effect as the original record.
 16 (4) The secretary of state shall prepare enlarged
 17 typed or photographic copies of the records whenever their
 18 production is required by law.
 19 (5) At least two copies shall be made of all records
 20 reproduced as provided for in subsection (2). The secretary
 21 of state shall place one copy in a fireproof storage place
 22 and shall retain the other copy in his office with suitable
 23 equipment for displaying such record by projection to not
 24 less than its original size and for preparing, for persons
 25 entitled thereto, copies of the record.

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1 (6) All duplicates of all records shall be identified
2 and indexed."

-End-

SENATE BILL NO. 213

INTRODUCED BY BLAYLOCK

BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE REPRODUCTION OF RECORDS KEPT BY THE SECRETARY OF STATE PURSUANT TO 2-6-111, MCA; TO PROVIDE FOR THE DISPOSAL OF THE ORIGINAL RECORDS; TO PROVIDE FOR IDENTIFICATION, INDEXING, AND SAFEKEEPING OF REPRODUCED RECORDS; TO PROVIDE FOR THE ADMISSIBILITY AS EVIDENCE OF THE REPRODUCED COPIES; AMENDING SECTION 2-6-111, MCA."

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

Section 1. Section 2-6-111, MCA, is amended to read:

"2-6-111. Custody and reproduction of records by secretary of state. (1) The secretary of state is charged with the custody of:

(1) (a) the enrolled copy of the constitution;

(2) (b) all the acts and resolutions passed by the legislature;

(3) (c) the journals of the legislature;

(4) (d) the great seal;

(5) (e) all books, records, deeds, parchments, maps, and papers kept or deposited in his office pursuant to law.

(2) All records included in subsection (1), may be

~~kept and recorded by photostatic or microphotographic means, microfilm, or any other mechanical process that produces a clear, accurate, and permanent duplicate of the original record in accordance with standards not less than those approved for permanent records by the national--bureau--of standards AMERICAN NATIONAL STANDARDS INSTITUTE.~~

~~(3) The state records committee created by 2-15-1013, may approve the disposal of original records once those records are reproduced as provided for in subsection (2), UNLESS DISPOSAL TAKES THE FORM OF TRANSFER OF RECORDS; IN THAT CASE, REPRODUCTION WILL NOT BE NECESSARY. The reproduction, or certified copy thereof, may be used in place of the original for all purposes, including as evidence in any court or proceeding, and shall have the same force and effect as the original record.~~

~~(4) The secretary of state shall prepare enlarged typed or photographic copies of the records whenever their production is required by law.~~

~~(5) At least two copies shall be made of all records reproduced as provided for in subsection (2). The secretary of state shall place one copy in a fireproof storage place and shall retain the other copy in his office with suitable equipment for displaying such record by projection to not less than its original size and for preparing, for persons entitled thereto, copies of the record.~~

1 (b) All duplicates of all records shall be identified
2 and indexed."

-End-

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
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16 secretary of state. (1) The secretary of state is charged
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- 18 ~~1~~(a) the enrolled copy of the constitution;
19 ~~2~~(b) all the acts and resolutions passed by the
20 legislature;
21 ~~3~~(c) the journals of the legislature;
22 ~~4~~(d) the great seal;
23 ~~5~~(e) all books, records, deeds, parchments, maps,
24 and papers kept or deposited in his office pursuant to law.
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1 ~~kept and recorded by photostatic or microphotographic means,~~
2 ~~microfilm, or any other mechanical process that produces a~~
3 ~~clear, accurate, and permanent duplicate of the original~~
4 ~~record in accordance with standards not less than those~~
5 ~~approved for permanent records by the national bureau of~~
6 ~~standards AMERICAN NATIONAL STANDARDS INSTITUTE.~~

7 ~~(3) The state records committee created by 2-15-1013,~~
8 ~~may approve the disposal of original records once those~~
9 ~~records are reproduced as provided for in subsection (2),~~
10 ~~UNLESS DISPOSAL TAKES THE FORM OF TRANSFER OF RECORDS; IN~~
11 ~~THAT CASE, REPRODUCTION WILL NOT BE NECESSARY. The~~
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14 ~~evidence in any court or proceedings, and shall have the same~~
15 ~~force and effect as the original records.~~

16 ~~(4) The secretary of state shall prepare enlarged~~
17 ~~typed or photographic copies of the records whenever their~~
18 ~~production is required by law.~~

19 ~~(5) At least two copies shall be made of all records~~
20 ~~reproduced as provided for in subsection (2). The secretary~~
21 ~~of state shall place one copy in a fireproof storage place~~
22 ~~and shall retain the other copy in his office with suitable~~
23 ~~equipment for displaying such record by projection to not~~
24 ~~less than its original size and for preparing, for persons~~
25 ~~entitled thereto, copies of the records.~~

SB 0213/03

1 ~~(b) All duplicates of all records shall be identified~~
2 ~~and indexed.~~"

-End-