

House Bill 39

In The House

January 6, 1981

Introduced and referred
to Committee on State
Administration.

April 23, 1981

Died in Committee.

1 HOUSE BILL NO. 39
 2 INTRODUCED BY STOBIE
 3 BY REQUEST OF THE ADMINISTRATIVE CODE COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 6 2-4-412, MCA, RELATING TO LEGISLATIVE REVIEW OF RULES."

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

9 Section 1. Section 2-4-412, MCA, is amended to read:

10 "2-4-412. Legislative review of rules. (1) The
 11 legislature may, by ~~joint-resolution law~~, repeal any rule in
 12 ARM. If a rule is repealed, the legislature shall in the
 13 ~~joint--resolution bill~~ state its objections to the repealed
 14 rule. If an agency adopts a new rule to replace the repealed
 15 rule, the agency shall adopt the new rule in accordance with
 16 the objections stated by the legislature in the ~~joint~~
 17 ~~resolution bill~~. If the legislature does not repeal a rule
 18 filed with it before the adjournment of that regular
 19 session, the rule remains valid.

20 (2) The legislature may also, by ~~joint-resolution law~~,
 21 direct a change to be made in any rule in ARM or direct the
 22 adoption of an additional rule. If a change in any rule or
 23 the adoption of an additional rule is directed to be made,
 24 the legislature shall in the ~~joint-resolution bill~~ state the
 25 nature of the change or the additional rule to be made and

1 its reasons therefor. The agency shall, in the manner
 2 provided in the Montana Administrative Procedure Act, adopt
 3 a new rule in accordance with the legislative direction.
 4 (3) Rules made by agencies and changes in rules
 5 directed by the legislature under subsection (2) of this
 6 section shall conform and be pursuant to statutory
 7 authority."

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