

HOUSE BILL NO. 853

INTRODUCED BY SHONTZ, LORY
KEATING, QUILICI, VAN VALKENBURG, DOVER

IN THE HOUSE

March 24, 1981	Introduced and referred to Committee on Judiciary.
March 28, 1981	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
March 31, 1981	Second reading, do pass as amended. On motion rules suspended and bill placed on third reading this day. Third reading, passed. Ayes, 92; Noes, 3. Transmitted to Senate.

IN THE SENATE

April 1, 1981	Introduced and referred to Committee on Finance and Claims.
April 4, 1981	Committee recommend bill be concurred in. Report adopted.
April 9, 1981	Second reading, concurred in.
April 11, 1981	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

April 13, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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~~{13} distribute the bound volumes of the decisions of the supreme court in the manner provided by 3-2-604;~~

~~{14}{13}~~ report annually to the legislative council all changes of names received pursuant to 27-31-205 for publication in the Laws of Montana;

~~{15}{14}~~ report annually to the legislative council all watercourse name changes received pursuant to 85-2-134 for publication in the Laws of Montana;

~~{16}{15}~~ keep a register of all application for pardon or for commutation of any sentence, with a list of the official signatures and recommendations in favor of each application."

Section 2. Section 3-2-603, MCA, is amended to read:

"3-2-603. Duties of reporters. (1) The reporters of the decisions of the supreme court shall make careful and accurate reports of the cases decided by the supreme court. The reports of the cases shall be made under the supervision of and pursuant to rules adopted by the justices of the supreme court.

(2) Reports of all cases shall be furnished to the West Publishing Company for inclusion in its publication, the Pacific Reporter, and to any other private printing or duplicating concern requesting the reports for publication.

(3) The department of administration, on request of the supreme court, shall contract with a publishing house to

publish volumes of reports. The style, size, and format of the reports shall be determined by the justices. The department of administration shall prepare and issue a call for bids and, in accordance with the terms and specifications of the call, contract with the lowest and best bidder. The contract shall provide that the copies of the reports purchased by state or local governmental agencies of Montana, including the reports purchased by the supreme court pursuant to 3-2-604, shall be sold to them by the publisher at the cost of publication."

Section 3. Section 3-2-604, MCA, is amended to read:

"3-2-604. Distribution of reports. (1) On the publication of each volume of the reports, the ~~secretary--of~~ state supreme court shall purchase 300 171 copies from the publisher ~~for the use of the state~~. He The court shall distribute them at no charge and in the following manner:

(a) ~~to the law library of each state and territory of the United States--one copy~~ to the state library for distribution, five copies;

(b) to the library of congress, five ~~four~~ copies;

(c) ~~to each of the judges of the United States district courts of the states of Idaho, Nevada, California, Washington, Montana, Wyoming, and Oregon--one copy~~ to the university of Montana law library, two copies;

(d) to each justice of the supreme court, uistrict

1 judge, and county attorney, ~~and clerk of a district court in~~
2 ~~this state~~ one copy;

3 ~~{e}--to--each--state--officer--as--many--copies--as--the~~
4 ~~secretary--of--state--determines--are--needed;~~

5 ~~{f}{e}~~ to the law library of the state of Montana,
6 ~~three~~ four copies;

7 ~~{f}~~ to the attorney general, 11 copies;

8 ~~{2}{g}~~ He ~~shall~~ ~~also~~ ~~distribute~~ ~~the~~ ~~reports~~ to
9 ~~literary--and--scientific~~ other institutions, publishers,
10 authors, and ~~legislative-reference~~ libraries ~~of other states~~
11 with which the state law librarian has established a system
12 of exchange for materials of comparable value, up to 50
13 copies; and

14 ~~{3}{h}~~ He ~~shall~~ ~~also~~ ~~distribute~~ to the university of
15 Montana up to 50 copies to be used by the law librarian of
16 the university for the purpose of exchanges for materials of
17 comparable value with libraries, universities, and
18 institutions of higher education in other states.

19 ~~{4}{2}~~ All reports distributed to state, district, and
20 other officers in the state are for the use of their office
21 and shall be, by the person receiving them, turned over to
22 his successor in office. ~~The secretary of state shall take~~
23 ~~proper receipts for the reports."~~

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4 changes of names received pursuant to 27-31-205 for
5 publication in the Laws of Montana;

6 ~~{15}~~[14] report annually to the legislative council all
7 watercourse name changes received pursuant to 85-2-134 for
8 publication in the Laws of Montana;

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23 ~~Washington, Montana, Wyoming, and Oregon, one copy~~ to the
24 university of Montana law library, two copies;

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2 ~~this state,~~ one copy;

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22 his successor in office. ~~The secretary of state shall take~~
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3 KEATING, QUILICI, VAN VALKENBURG, DOVER

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS
6 RELATING TO DISTRIBUTION OF THE DECISIONS OF THE MONTANA
7 SUPREME COURT; PROVIDING FOR SALE OF SUCH CASE REPORTS AT
8 COST TO CERTAIN AGENCIES IN LIEU OF FREE DISTRIBUTION;
9 AMENDING SECTIONS 2-15-401, 3-2-603, AND 3-2-604, MCA."

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

12 Section 1. Section 2-15-401, MCA, is amended to read:

13 "2-15-401. Duties of secretary of state. In addition
14 to the duties prescribed by the constitution, it is the duty
15 of the secretary of state to:

16 (1) attend at every session of the legislature for the
17 purpose of receiving bills and resolutions and to perform
18 such other duties as may be devolved upon him by resolution
19 of the two houses or either of them;

20 (2) keep a register of and attest the official acts of
21 the governor, including all appointments made by him, with
22 date of commission and names of appointees and predecessors;

23 (3) affix the great seal, with his attestation, to
24 commissions, pardons, and other public instruments to which
25 the official signature of the governor is required;

1 (4) record in proper books all conveyances made to the
2 state and all articles of incorporation filed in his office;

3 (5) take and file in his office receipts for all books
4 distributed by him and direct the county clerk of each
5 county to do the same;

6 (6) certify to the governor the names of those persons
7 who have received at any election the highest number of
8 votes for any office, the incumbent of which is commissioned
9 by the governor;

10 (7) furnish, on demand, to any person paying the fees
11 therefor, a certified copy of all or any part of any law,
12 record, or other instrument filed, deposited, or recorded in
13 his office;

14 (8) keep a fee book in which must be entered all fees,
15 commissions, and compensation of whatever nature or kind by
16 him earned, collected, or charged, with the date, name of
17 payer, paid or unpaid, and the nature of the service in each
18 case, which book must be verified annually by his affidavit
19 entered therein;

20 (9) file in his office descriptions of seals in use by
21 the different state officers;

22 (10) discharge the duties of member of the board of
23 examiners and of the board of land commissioners and all
24 other duties required of him by law;

25 (11) report to the governor as prescribed in 2-7-102;

1 (12) register marks as provided in this part;

2 ~~(13) distribute the bound volumes of the decisions of~~

3 ~~the supreme court in the manner provided by 3-2-604;~~

4 ~~(14)~~(13) report annually to the legislative council all

5 changes of names received pursuant to 27-31-205 for

6 publication in the Laws of Montana;

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8 watercourse name changes received pursuant to 85-2-134 for

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