

SENATE BILL NO. 196

INTRODUCED BY VAN VALKENBURG, MAZUREK, STIMATZ,
KEATING, OCHSNER, BOYLAN, B. BROWN,
DANIELS, CRIPPEN, MCCALLUM

IN THE SENATE

January 18, 1983	Introduced and referred to Committee on Judiciary.
January 19, 1983	Fiscal Note requested.
January 24, 1983	Fiscal Note returned.
February 3, 1983	Committee recommend bill do pass as amended. Report adopted.
February 4, 1983	Bill printed and placed on members' desks.
February 7, 1983	Second reading, do pass.
February 8, 1983	Correctly engrossed.
February 9, 1983	Third reading, passed. Ayes, 38; Noes, 11. Transmitted to House.

IN THE HOUSE

February 10, 1983	Introduced and referred to Committee on Judiciary.
March 5, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 7, 1983	Second reading, pass consideration.
March 8, 1983	Second reading, concurred in.
March 9, 1983	Third reading, concurred in.

IN THE SENATE

March 10, 1983	Returned to Senate with amendments.
March 11, 1983	Second reading, amendments concurred in.
March 12, 1983	Third reading, amendments concurred in. Ayes, 44; Noes, 3. Sent to enrolling. Reported correctly enrolled.

1 *Senate* BILL NO. *196*
 2 INTRODUCED BY *La. Talkington, Frank, Stewart, Feist, C. Channer, S. J. Bob Brown, D. W. McCallum*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN
 5 INCREASE IN COURT REPORTERS' SALARIES AND FOR AN ANNUAL
 6 COST-OF-LIVING INCREASE; REQUIRING THAT OFFICIAL NOTES OF
 7 PROCEEDINGS BE STORED FOR 10 YEARS IN THE COUNTY WHERE THE
 8 PROCEEDINGS WERE HELD; AND PROVIDING FOR CHANGES IN COURT
 9 REPORTERS' DUTIES CONCERNING TRANSCRIPTS AND TRANSCRIPT
 10 FEES; AMENDING SECTIONS 3-5-602 THROUGH 3-5-604, MCA."
 11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 3-5-602, MCA, is amended to read:
 14 "3-5-602. Salary and expenses -- apportionment. (1)
 15 Each reporter is entitled to receive ~~on a base~~ annual salary
 16 of not less than ~~\$14,000~~ \$18,000 or more than ~~\$28,000~~
 17 \$26,000 and no other compensation except as provided in
 18 3-5-604. The salary shall be set by the judge ~~in--the~~
 19 ~~district--in--which~~ for whom the reporter works. ~~The judge~~
 20 shall, on or before July 1, 1984, and on or before July 1 of
 21 each year thereafter, adjust and fix the salary of the court
 22 reporter for a cost-of-living increase by adding to his
 23 annual salary on July 1 of each year an increment of 70% of
 24 the previous calendar year's consumer price index for all
 25 urban consumers, U.S. department of labor, bureau of labor

1 statistics, or other index that the bureau of business and
 2 economic research of the university of Montana may in the
 3 future recognize as the successor to that index. The
 4 cost-of-living increment for the fiscal year beginning July
 5 1, 1984, and for each subsequent fiscal year shall be added
 6 to all cost-of-living increments granted for previous years.
 7 ~~14~~ The salary is payable in monthly installments out of the
 8 general funds of the counties comprising the district for
 9 which the reporter is appointed. Each county shall pay its
 10 portion of the salary based on its proportion of the total
 11 number of civil and criminal actions commenced in the
 12 district courts in the district in the preceding year. The
 13 judge of the district shall, on January 1 of each year or as
 14 soon thereafter as possible, apportion the amount of the
 15 salary to be paid by each county in his district on the
 16 basis prescribed in this subsection. The salary is a
 17 district court expense within the meaning of 7-6-2351,
 18 7-6-2352, and 7-6-2511.

19 (2) In judicial districts comprising more than one
 20 county, the reporter is allowed, in addition to the salary
 21 and fees provided for in subsection (1), his actual and
 22 necessary travel expenses, as defined and provided in
 23 2-18-501 through 2-18-503, when he goes on official business
 24 to a county of his judicial district other than the county
 25 in which he resides, from the time he leaves his place of

1 residence until he returns thereto. The expenses shall be
2 apportioned and payable in the same way as the salary."

3 Section 2. Section 3-5-603, MCA, is amended to read:
4 "3-5-603. Duties. ~~(1)~~ Each reporter must, under the
5 direction of the judge, attend all sittings of the court and
6 take full stenographic notes of the testimony and of all
7 proceedings given or had thereat except when the judge
8 dispenses with ~~his~~ the reporter's services in a particular
9 cause or with respect to a portion of the proceedings
10 therein. The reporter must file with the clerk forthwith the
11 original stenographic notes taken upon a trial or hearing
12 required to be taken by this subsection. The county in which
13 the proceedings are held shall provide a safe and secure
14 place for the clerk to store all official notes of the
15 proceedings. The official notes must be kept for a period of
16 10 years.

17 ~~(2) All objections made during the trial or hearing~~
18 ~~and the rulings, decisions, and opinions of the court must~~
19 ~~be written out at length or printed in type by the reporter~~
20 ~~and filed with the clerk immediately after the close of the~~
21 ~~trial or hearing."~~

22 Section 3. Section 3-5-604, MCA, is amended to read:
23 "3-5-604. Copies Transcript of proceedings. (1) Each
24 reporter must furnish, upon request, with all reasonable
25 diligence, ~~to the defendant in a criminal case or~~ a party or

1 his attorney in a ~~civil~~ case in which he has attended the
2 trial or hearing a ~~copy written out at length or in~~
3 ~~narrative form transcript~~ from his stenographic notes of
4 the testimony and proceedings upon ~~of~~ the trial or hearing
5 or a part thereof for purposes of perfecting an appeal, upon
6 payment by the person requiring the same ~~of 10 cents per~~
7 ~~folio \$2.00 per page for the original transcript, 50 cents~~
8 ~~per page for the first copy, 25 cents per page for each~~
9 ~~additional copy or at the maximum ordinary transcript rates~~
10 ~~authorized by the U.S. judicial conference, whichever is~~
11 ~~greater.~~

12 (2) If the county attorney, attorney general, or judge
13 requires a copy transcript in a criminal case, the reporter
14 is entitled to his fees therefor, but he must furnish it.
15 Upon furnishing it, he shall receive a certificate of the
16 sum to which he is so entitled, which is a county charge and
17 must be paid by the county treasurer upon the certificate
18 like other county charges.

19 (3) ~~If the judge requires a copy in a civil case to~~
20 ~~assist him in rendering a decision, the reporter must~~
21 ~~furnish the same without charge therefor.~~ In civil cases,
22 all transcripts required by the judge or the county shall be
23 furnished ~~without cost, and only the reporter's actual costs~~
24 of preparation may be paid by the county.

25 (4) If it appears to the judge that a defendant in a

LC 0360/01

- 1 criminal case is unable to pay for a copy transcript, it
- 2 shall be furnished to him and paid for by the county."

-End-

STATE OF MONTANA

REQUEST NO. 146-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 19, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 196 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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:

Senate Bill 196 is an act providing for:

- a) an increase in Court Reporters' salaries with annual cost-of-living adjustments;
- b) requiring that official notes of proceedings be stored for 10 years in the county where the proceedings were held; and
- c) changes in Court Reporters' duties concerning transcripts and transcript fees.

ASSUMPTIONS:

- 1) The number of county funded Court Reporters statewide is the same as the number of District Court Judges; 32.
- 2) All Court Reporters are now receiving the maximum salary allowable under the current law (\$20,000/yr.).
- 3) The CPI will be approximately the same in 1983 as it is in 1982; about 6%.

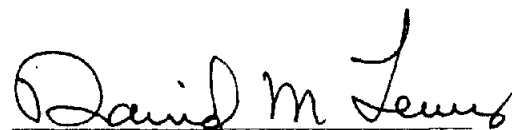
FISCAL IMPACT:

This bill would have an impact on the county or local level only.

LOCAL IMPACT:

Proposed Law	<u>FY84</u>	<u>FY85</u>
Personal Services (4.2%/yr)*		
Under Proposed Law	800,256	833,867
Under Current Law	<u>768,000</u>	<u>768,000</u>
Increased Expenditures		
under Proposed Law	<u>\$ 32,256</u>	<u>\$ 65,867</u>

Continued



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-24-83

NOTE:

A dollar amount for the fee increase is not included above because base information on what counties statewide currently expend on transcripts is not available. However, the amount each county paid out in transcript fees would increase by 94% for criminal and 116% for civil, determined as follows:

<u>Transcript</u>	<u>Rate Under</u> <u>Current Law</u>	<u>Rate Under</u> <u>Proposed Law</u>	<u>% Increase</u>
Criminal	1.80/pg.	3.50/pg.	94%
Civil	1.50/pg.	3.25/pg.	116%

* (1982 CPI = 6%) x 70% = 4.2% FY84, (1983 CPI = 6%) x 70% = 4.2% FY85.

Approved by Committee
on Judiciary

SENATE BILL NO. 196

INTRODUCED BY VAN VALKENBURG, MAZUREK, STIMATZ,

KEATING, OCHSNER, BOYLAN, B. BROWN,

DANIELS, CRIPPEN, MCCALLUM

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INCREASE IN COURT REPORTERS' SALARIES AND FOR AN ANNUAL COST-OF-LIVING INCREASE; REQUIRING THAT OFFICIAL NOTES OF PROCEEDINGS BE STORED FOR 10 YEARS IN THE COUNTY WHERE THE PROCEEDINGS WERE HELD; AND PROVIDING FOR CHANGES IN COURT REPORTERS' DUTIES CONCERNING TRANSCRIPTS AND TRANSCRIPT FEES; AMENDING SECTIONS 3-5-602 THROUGH 3-5-604, MCA."

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

Section 1. Section 3-5-602, MCA, is amended to read:

"3-5-602. Salary and expenses -- apportionment. (1) Each reporter is entitled to receive on a base annual salary of not less than ~~\$14,000~~ ~~\$18,000~~ \$16,000 or more than ~~\$20,000~~ \$26,000 and no other compensation except as provided in 3-5-604. The salary shall be set by the judge ~~in the~~ ~~district in which for whom~~ the reporter works. ~~The judge shall on or before July 1, 1984, and on or before July 1 of each year thereafter, adjust and fix the salary of the court reporter for a cost-of-living increase by adding to his annual salary on July 1 of each year an increment of 70% of~~

~~the previous calendar year's consumer price index for all urban consumers as published by the department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost-of-living increment for the first year beginning July 1, 1984, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.~~ If the salary is payable in monthly installments out of the general funds of the counties comprising the district for which the reporter is appointed, Each county shall pay its portion of the salary based on its proportion of the total number of civil and criminal actions commenced in the district courts in the district in the preceding year. The judge of the district shall, on January 1 of each year or as soon thereafter as possible, apportion the amount of the salary to be paid by each county in his district on the basis prescribed in this subsection. The salary is a district court expense within the meaning of 7-6-2351, 7-6-2352, and 7-6-2511.

(2) In judicial districts comprising more than one county, the reporter is allowed, in addition to the salary and fees provided for in subsection (1), his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, when he goes on official business

1 to a county of his judicial district other than the county
2 in which he resides, from the time he leaves his place of
3 residence until he returns thereto. The expenses shall be
4 apportioned and payable in the same way as the salary."

5 Section 2. Section 3-5-603, MCA, is amended to read:

6 "3-5-603. Duties. (1) Each reporter must, under the
7 direction of the judge, attend all sittings of the court and
8 take full stenographic notes of the testimony and of all
9 proceedings given or had thereat except when the judge
10 dispenses with his ~~the reporter's~~ services in a particular
11 cause or with respect to a portion of the proceedings
12 therein. The reporter must file with the clerk forthwith the
13 original stenographic notes taken upon a trial or hearing
14 required to be taken by this subsection. ~~The county in which~~
15 ~~the proceedings are held shall provide a safe and secure~~
16 ~~place for the clerk to store all official notes of the~~
17 ~~proceedings. The official notes must be kept for a period of~~
18 ~~10 years.~~

19 (2) ~~All objections made during the trial or hearing~~
20 ~~and the rulings, decisions, and opinions of the court must~~
21 ~~be written out at length or printed in type by the reporter~~
22 ~~and filed with the clerk immediately after the close of the~~
23 ~~trial or hearing.~~"

24 Section 3. Section 3-5-604, MCA, is amended to read:

25 "3-5-604. Copies Transcript of proceedings. (1) Each

1 reporter must furnish, upon request, with all reasonable
2 diligence, to ~~the defendant in a criminal case or~~ a party or
3 his attorney in a ~~civil~~ case in which he has attended the
4 trial or hearing a ~~copy written out at length or in~~
5 ~~narrative form transcript~~ from his stenographic notes of
6 the testimony and proceedings ~~upon~~ of the trial or hearing
7 or a part thereof ~~for purposes of perfecting an appeal,~~ upon
8 payment by the person requiring the same ~~of 10 cents per~~
9 ~~folio \$2.00 per page for the original transcript, 50 cents~~
10 ~~per page for the first copy, 25 cents per page for each~~
11 ~~additional copy or at the maximum ordinary transcript rates~~
12 ~~authorized by the House of Representatives, whichever is~~
13 ~~greater.~~

14 (2) If the county attorney, attorney general, or judge
15 requires a copy transcript in a criminal case, the reporter
16 is entitled to his fees therefor, but he must furnish it.
17 Upon furnishing it, he shall receive a certificate of the
18 sum to which he is so entitled, which is a county charge and
19 must be paid by the county treasurer upon the certificate
20 like other county charges.

21 (3) ~~If the judge requires a copy in a civil case to~~
22 ~~assist him in rendering a decision, the reporter must~~
23 ~~furnish the same without charge therefor.~~ In civil cases,
24 all transcripts required by ~~the judge or~~ the county shall be
25 furnished ~~without cost, and only the reporter's actual costs~~

1 ~~of preparation may be paid by the county.~~

2 (4) If it appears to the judge that a defendant in a
3 criminal case is unable to pay for a ~~copy transcript~~, it
4 shall be furnished to him and paid for by the county."

-End-

SENATE BILL NO. 196

INTRODUCED BY VAN VALKENBURG, MAZUREK, STINATZ,

KEATING, OCHSNER, BOYLAN, B. BROWN,

DANIELS, CRIPPEN, MCCALLUM

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INCREASE IN COURT REPORTERS' SALARIES AND FOR AN ANNUAL COST-OF-LIVING INCREASE; REQUIRING THAT OFFICIAL NOTES OF PROCEEDINGS BE STORED FOR 10 YEARS IN THE COUNTY WHERE THE PROCEEDINGS WERE HELD; AND PROVIDING FOR CHANGES IN COURT REPORTERS' DUTIES CONCERNING TRANSCRIPTS AND TRANSCRIPT FEES; AMENDING SECTIONS 3-5-602 THROUGH 3-5-604, MCA."

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

Section 1. Section 3-5-602, MCA, is amended to read:

"3-5-602. Salary and expenses -- apportionment. (1)

Each reporter is entitled to receive on a base annual salary of not less than ~~\$14,000~~ ~~\$18,000~~ \$16,000 or more than ~~\$20,000~~ \$26,000 and no other compensation except as provided in 3-5-604. The salary shall be set by the judge ~~in the~~ district ~~in which for whom~~ the reporter works. ~~The judge shall on or before July 1, 1981, and on or before July 1 of each year thereafter, adjust and fix the salary of the court reporter for cost of living increase by adding to his annual salary on July 1 of each year an increment of 7% of~~

~~the previous calendar year's consumer price index for all urban consumers by the department of labor, bureau of labor statistics or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost of living increment for the fiscal year beginning July 1, 1981, and for each subsequent fiscal year shall be added to all cost of living increments granted for previous years.~~ If the salary is payable in monthly installments out of the general funds of the counties comprising the district for which the reporter is appointed. Each county shall pay its portion of the salary based on its proportion of the total number of civil and criminal actions commenced in the district courts in the district in the preceding year. The judge of the district shall, on January 1 of each year or as soon thereafter as possible, apportion the amount of the salary to be paid by each county in his district on the basis prescribed in this subsection. The salary is a district court expense within the meaning of 7-6-2351, 7-6-2352, and 7-6-2511.

(2) In judicial districts comprising more than one county, the reporter is allowed, in addition to the salary and fees provided for in subsection (1), his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, when he goes on official business

1 to a county of his judicial district other than the county
2 in which he resides, from the time he leaves his place of
3 residence until he returns thereto. The expenses shall be
4 apportioned and payable in the same way as the salary."

5 Section 2. Section 3-5-603, MCA, is amended to read:

6 "3-5-603. Duties. ~~(1)~~ Each reporter must, under the
7 direction of the judge, attend all sittings of the court and
8 take full stenographic notes of the testimony and of all
9 proceedings given or had thereat except when the judge
10 dispenses with ~~his~~ the reporter's services in a particular
11 cause or with respect to a portion of the proceedings
12 therein. The reporter must file with the clerk forthwith the
13 original stenographic notes taken upon a trial or hearing
14 required to be taken by this subsection. The county in which
15 the proceedings are held shall provide a safe and secure
16 place for the clerk to store all official notes of the
17 proceedings. The official notes must be kept for a period of
18 10 years.

19 ~~(2) All objections made during the trial or hearing~~
20 ~~and the rulings, decisions, and opinions of the court must~~
21 ~~be written out at length or printed in type by the reporter~~
22 ~~and filed with the clerk immediately after the close of the~~
23 ~~trial or hearings"~~

24 Section 3. Section 3-5-604, MCA, is amended to read:

25 "3-5-604. Copies Transcript of proceedings. (1) Each

1 reporter must furnish, upon request, with all reasonable
2 diligence, ~~to the defendant in a criminal case or a party or~~
3 ~~his attorney in a civil case in which he has attended the~~
4 ~~trial or hearing a copy written out at length or in~~
5 ~~narrative form transcript~~ from his stenographic notes, of
6 the testimony and proceedings upon of the trial or hearing
7 or a part thereof ~~for purposes of perfecting an appeal~~, upon
8 payment by the person requiring the same of ~~10 cents per~~
9 ~~folio \$2.00 per page for the original transcripts, 50 cents~~
10 ~~per page for the first copy, 25 cents per page for each~~
11 ~~additional copy or at the maximum ordinary transcript rates~~
12 ~~authorized by the U.S. judicial conference, whichever is~~
13 ~~greater.~~

14 (2) If the county attorney, attorney general, or judge
15 requires a copy transcript in a criminal case, the reporter
16 is entitled to his fees therefor, but he must furnish it.
17 Upon furnishing it, he shall receive a certificate of the
18 sum to which he is so entitled, which is a county charge and
19 must be paid by the county treasurer upon the certificate
20 like other county charges.

21 (3) ~~If the judge requires a copy in a civil case to~~
22 ~~assist him in rendering a decision, the reporter must~~
23 ~~furnish the same without charge therefor.~~ In civil cases,
24 all transcripts required by the judge or the county shall be
25 furnished without cost, and only the reporter's actual costs

1 ~~of preparation may be paid by the county.~~

2 (4) If it appears to the judge that a defendant in a
3 criminal case is unable to pay for a copy transcript, it
4 shall be furnished to him and paid for by the county."

-End-

HOUSE JUDICIARY COMMITTEE

AMENDMENTS TO SENATE BILL 196, THIRD READING COPY (BLUE)

MARCH 5, 1983

1) Page 1, line 19

Strike: "\$26,000"

Insert: "\$23,000"

2) Page 4, line 23

Following: "~~therefor.~~"

Insert: "If the judge requires a copy in a civil case to assist him in rendering a decision, the reporter must furnish the same without charge therefor."

3) Page 4, line 24

Following: "by"

Strike: "the judge or"

AND AS AMENDED

BE CONCURRED IN

SENATE BILL NO. 196

INTRODUCED BY VAN VALKENBURG, MAZUREK, STIMATZ,

KEATING, OCHSNER, BOYLAN, B. BROWN,

DANIELS, CRIPPEN, MCCALLUM

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN INCREASE IN COURT REPORTERS' SALARIES AND FOR AN ANNUAL COST-OF-LIVING INCREASE; REQUIRING THAT OFFICIAL NOTES OF PROCEEDINGS BE STORED FOR 10 YEARS IN THE COUNTY WHERE THE PROCEEDINGS WERE HELD; AND PROVIDING FOR CHANGES IN COURT REPORTERS' DUTIES CONCERNING TRANSCRIPTS AND TRANSCRIPT FEES; AMENDING SECTIONS 3-5-602 THROUGH 3-5-604, MCA."

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

Section 1. Section 3-5-602, MCA, is amended to read:

"3-5-602. Salary and expenses -- apportionment. (1)

Each reporter is entitled to receive on a ~~base~~ annual salary of not less than ~~\$14,000~~ ~~\$18,000~~ ~~\$16,000~~ or more than ~~\$20,000~~ ~~\$26,000~~ ~~\$23,000~~ and no other compensation except as provided in 3-5-604. The salary shall be set by the judge in the district in which for whom the reporter works. ~~The judge shall, on or before July 1, 1981, and on or before July 1 of each year thereafter, adjust and fix the salary of the court reporter for a cost-of-living increase by adding to his annual salary on July 1 of each year an increment of 7% of~~

~~the previous calendar year's consumer price index for all urban consumers, U.S. department of labor bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost-of-living increment for the fiscal year beginning July 1, 1981, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.~~

The salary is payable in monthly installments out of the general funds of the counties comprising the district for which the reporter is appointed. Each county shall pay its portion of the salary based on its proportion of the total number of civil and criminal actions commenced in the district courts in the district in the preceding year. The judge of the district shall, on January 1 of each year or as soon thereafter as possible, apportion the amount of the salary to be paid by each county in his district on the basis prescribed in this subsection. ~~The salary is a district court expense within the meaning of 7-6-2351, 7-6-2352, and 7-6-2511.~~

(2) In judicial districts comprising more than one county, the reporter is allowed, in addition to the salary and fees provided for in subsection (1), his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, when he goes on official business

1 to a county of his judicial district other than the county
2 in which he resides, from the time he leaves his place of
3 residence until he returns thereto. The expenses shall be
4 apportioned and payable in the same way as the salary."

5 Section 2. Section 3-5-603, MCA, is amended to read:
6 "3-5-603. Duties. (1) Each reporter must, under the
7 direction of the judge, attend all sittings of the court and
8 take full stenographic notes of the testimony and of all
9 proceedings given or had thereat except when the judge
10 dispenses with his ~~the reporter's~~ services in a particular
11 cause or with respect to a portion of the proceedings
12 therein. The reporter must file with the clerk forthwith the
13 original stenographic notes taken upon a trial or hearing
14 required to be taken by this subsection. The county in which
15 the proceedings are held shall provide a safe and secure
16 place for the clerk to store all official notes of the
17 proceedings. The official notes must be kept for a period of
18 10 years.

19 ~~(2) All objections made during the trial or hearing~~
20 ~~and the rulings, decisions, and opinions of the court must~~
21 ~~be written out at length or printed in type by the reporter~~
22 ~~and filed with the clerk immediately after the close of the~~
23 ~~trial or hearings"~~

24 Section 3. Section 3-5-604, MCA, is amended to read:
25 "3-5-604. Copies Transcript of proceedings. (1) Each

1 reporter must furnish, upon request, with all reasonable
2 diligence, to ~~the defendant in a criminal case or~~ a party or
3 his attorney in a ~~civil~~ case in which he has attended the
4 trial or hearing a ~~copy written out at length or in~~
5 ~~narrative form transcript~~ from his stenographic notes, of
6 the testimony and proceedings ~~upon~~ of the trial or hearing
7 or a part thereof ~~for purposes of perfecting an appeal~~, upon
8 payment by the person requiring the same of ~~10 cents per~~
9 ~~folio~~ \$2.00 per page for the original transcript, 50 cents
10 per page for the first copy, 25 cents per page for each
11 additional copy or at the maximum ordinary transcript rates
12 authorized by the U.S. judicial conference, whichever is
13 greater.

14 (2) If the county attorney, attorney general, or judge
15 requires a copy transcript in a criminal case, the reporter
16 is entitled to his fees therefor, but he must furnish it.
17 Upon furnishing it, he shall receive a certificate of the
18 sum to which he is so entitled, which is a county charge and
19 must be paid by the county treasurer upon the certificate
20 like other county charges.

21 ~~(3) If the judge requires a copy in a civil case to~~
22 ~~assist him in rendering a decision, the reporter must~~
23 ~~furnish the same without charge therefore. IF THE JUDGE~~
24 REQUIRES A COPY IN A CIVIL CASE TO ASSIST HIM IN RENDERING A
25 DECISION, THE REPORTER MUST FURNISH THE SAME WITHOUT CHARGE

1 ~~HEREEQR.~~ In civil cases, all transcripts required by the
2 ~~judge or~~ the county shall be furnished without--costs and
3 ~~only the reporter's actual costs of preparation may be paid~~
4 ~~by the county.~~

5 (4) If it appears to the judge that a defendant in a
6 criminal case is unable to pay for a copy transcript, it
7 shall be furnished to him and paid for by the county."

-End-