

HOUSE BILL NO. 893

INTRODUCED BY QUILICI, LORY, CONNELLY, BARDANOUVE

BY REQUEST OF THE HOUSE APPROPRIATIONS
COMMITTEE

IN THE HOUSE

February 19, 1985	Introduced and referred to Committee on State Administration.
February 20, 1985	Fiscal Note requested.
February 22, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 25, 1985	Fiscal Note returned. Second reading, do pass as amended. Correctly engrossed.
February 27, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 5, 1985	Introduced and referred to Committee on State Administration.
March 26, 1985	Committee recommend bill be concurrent in. Report adopted.
March 29, 1985	Second reading, concurred in.

March 30, 1985

Third reading, concurred in.
Ayes, 49; Noes, 0.

Returned to House.

IN THE HOUSE

March 30, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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HOUSE BILL NO. 893

INTRODUCED BY

Julian J. Connelly

BY REQUEST OF THE HOUSE APPROPRIATIONS

COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE NUMBER OF COPIES OF THE ADMINISTRATIVE RULES OF MONTANA TO BE PROVIDED TO COUNTIES; REMOVING THE PROVISION FOR PROVIDING A COPY TO THE CLERK OF EACH COURT OF RECORD; AMENDING SECTION 2-4-313, MCA."

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

Section 1. Section 2-4-313, MCA, is amended to read:

"2-4-313. Distribution, costs, and maintenance. (1)

The secretary of state shall distribute copies of ARM and supplements or revisions thereto, with costs paid as provided in 2-4-312(2), to the following:

- (a) attorney general, one copy;
- ~~(b) clerk of each court of record of this state, one copy;~~
- ~~(c) clerk of United States district court for the district of Montana, one copy;~~
- ~~(d) clerk of United States court of appeals for the ninth circuit, one copy;~~
- ~~(e) county commissioners or governing body of each~~

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county of this state, for use of county officials and the public, ~~at least one but not more than two copies~~ copy, which may be maintained in a public library in the county seat or in the county offices as the county commissioners or governing body of the county may determine;

- ~~(f)~~ (e) state law library, one copy;
- ~~(g)~~ (f) state historical society, one copy;
- ~~(h)~~ (g) each unit of the Montana university system, one copy;
- ~~(i)~~ (h) law library of the university of Montana, one copy;
- ~~(j)~~ (i) legislative council, two copies;
- ~~(k)~~ (j) library of congress, one copy;
- ~~(l)~~ (k) state library, one copy.

(2) The secretary of state, ~~clerk of each court of record in the state~~, each county in the state, and the librarians for the state law library and the university of Montana law library shall maintain a complete, current set of ARM, including supplements or revisions thereto. Such persons shall also maintain the register issues published during the preceding 2 years. The secretary of state shall also maintain a permanent set of the registers.

(3) The secretary of state shall make copies of and subscriptions to ARM and supplements or revisions thereto and the register available to any person at prices fixed in



1 accordance with subsection (4).

2 (4) The secretary of state, in consultation with the
3 administrative code committee, shall determine the cost of
4 supplying copies of ARM and supplements or revisions thereto
5 and the register. The cost shall be the approximate cost of
6 publication, including indexing, printing or duplicating,
7 and mailing, less fees charged agencies pursuant to
8 subsection (6) and money appropriated for 2-4-312(2) and
9 2-4-313(1). However, a uniform price per page or group of
10 pages may be established without regard to differences in
11 cost of printing different parts of ARM and supplements or
12 revisions thereto and the register.

13 (5) The secretary of state shall deposit all fees he
14 collects in an account within the state special revenue fund *
15 created for paying the expenses of publication of ARM and
16 the register.

17 (6) The secretary of state may charge agencies a
18 filing fee for all material to be published in ARM or the
19 register. He shall fix, in consultation with the
20 administrative code committee, the fee to cover a portion of
21 the costs of publication and mailing."

-End-

STATE OF MONTANA

REQUEST NO. FNN490-85

FISCAL NOTE

Form BD-15

In compliance with a written request received February 20 19 85, there is hereby submitted a Fiscal Note for H.B. 893 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.

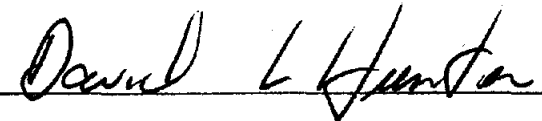
DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 893 will limit the number of copies of the Administrative Rules of Montana to be provided to counties and will remove the provision for providing a copy to the clerk of each court of record.

FISCAL IMPACT:

	<u>FY1986</u>	<u>FY1987</u>
Current Law	\$51,600	\$51,600
Proposed Law	<u>30,600</u>	<u>30,600</u>
General Fund Savings	\$21,000	\$21,000

Maintenance of current fees will supply sufficient revenues for program operation.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 25, 1985

HB 893

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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2 INTRODUCED BY Julian Log Connolly
3 BY REQUEST OF THE HOUSE APPROPRIATIONS
4 COMMITTEE

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8 TO COUNTIES; REMOVING THE PROVISION FOR PROVIDING A COPY TO
9 THE CLERK OF EACH COURT OF RECORD; AMENDING SECTION 2-4-313,
10 MCA."

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18 (a) attorney general, one copy;

19 ~~(b) --clerk-of-each-court-of-record-of-this--state;--one~~
20 ~~copy;~~

21 ~~(c)~~(b) clerk of United States district court for the
22 district of Montana, one copy;

23 ~~(d)~~(c) clerk of United States court of appeals for the
24 ninth circuit, one copy;

25 ~~(e)~~(d) county commissioners or governing body of each

1 county of this state, for use of county officials and the
2 public, ~~at-least one but-not--more--than--two--copies~~ copy,
3 which may be maintained in a public library in the county
4 seat or in the county offices as the county commissioners or
5 governing body of the county may determine;

6 ~~(f)~~(e) state law library, one copy;

7 ~~(g)~~(f) state historical society, one copy;

8 ~~(h)~~(g) each unit of the Montana university system, one
9 copy;

10 ~~(i)~~(h) law library of the university of Montana, one
11 copy;

12 ~~(j)~~(i) legislative council, two copies;

13 ~~(k)~~(j) library of congress, one copy;

14 ~~(l)~~(k) state library, one copy.

15 (2) The secretary of state, ~~clerk-of-each-court-of~~
16 ~~record-in-the-state;~~ each county in the state, and the
17 librarians for the state law library and the university of
18 Montana law library shall maintain a complete, current set
19 of ARM, including supplements or revisions thereto. Such
20 persons shall also maintain the register issues published
21 during the preceding 2 years. The secretary of state shall
22 also maintain a permanent set of the registers.

23 (3) The secretary of state shall make copies of and
24 subscriptions to ARM and supplements or revisions thereto
25 and the register available to any person at prices fixed in

1 accordance with subsection (4).

2 (4) The secretary of state, in consultation with the
3 administrative code committee, shall determine the cost of
4 supplying copies of ARM and supplements or revisions thereto
5 and the register. The cost shall be the approximate cost of
6 publication, including indexing, printing or duplicating,
7 and mailing, less fees charged agencies pursuant to
8 subsection (6) and money appropriated for 2-4-312(2) and
9 2-4-313(1). However, a uniform price per page or group of
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13 (5) The secretary of state shall deposit all fees he
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16 the register.

17 (6) The secretary of state may charge agencies a
18 filing fee for all material to be published in ARM or the
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county of this state, for use of county officials and the public, at least AT LEAST one but not more than two copies copy BUT NOT MORE THAN TWO COPIES, which may be maintained in a public library in the county seat or in the county offices as the county commissioners or governing body of the county may determine;

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