HOUSE BILL NO. 901

INTRODUCED BY REHBERG

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

IN THE HOUSE

MARCH 26, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 30, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 31, 1987	PRINTING REPORT.
APRIL 1, 1987	SECOND READING, DO PASS.
	ON MOTION, RULES SUSPENDED AND BILL PLACED ON THIRD READING THIS DAY.
	THIRD READING, PASSED. AYES, 87; NOES, 7.
	TRANSMITTED TO SENATE.
	IN THE SENATE
APRIL 3, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
APRIL 8, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
APRIL 10, 1987	SECOND READING, CONCURRED IN.
APRIL 11, 1987	THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
	RETURNED TO HOUSE.
	IN THE HOUSE
APRIL 13, 1987	RECEIVED FROM SENATE.
	SENT TO ENROLLING.

Nontana Legislative Council

House BILL NO. 901 1 1 INTRODUCED BY Relling 2 2 3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE 3 4 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE 5 6 REQUIREMENT OF A GENERAL FUND TRANSFER TO PAY FOR CERTAIN 6 7 COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA 7 8 ADMINISTRATIVE REGISTER; AMENDING SECTIONS 2-4-312 AND 8 9 2-4-313, MCA; AND PROVIDING AN EFFECTIVE DATE." q 10 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 11 Section 1. Section 2-4-312, MCA, is amended to read: 12 12 13 *2-4-312. Publication and arrangement of register. (1) 13 14 The secretary of state shall publish in the register all 14 15 notices, rules, and interpretations filed with him at least 15 16 once a month or as directed by the administrative code 16 17 committee but not more often than twice a month. 17 18 (2) He shall send the register without charge to each 18 19 person listed in 2-4-313(1) and to each member of the 19 20 legislature requesting the same. The--costy--determined--in 20 21 accordance--with--2-4-313(4)7--must-be-paid-by-appropriation 21 22 from-the-general--fund--to--the--account--within--the--state 22 23 special--revenue--fund--created-in-2-4-313(5); He shall send 23 24 the register to any other person who pays a subscription fee 24 25 which he shall fix in accordance with 2-4-313(4). 25

(3) The register must contain three sections, a rules section, a notice section, and an interpretation section: (a) The rules section of the register must contain all rules filed since the compilation and publication of the preceding issue of the register, together with the concise statement of reasons required under 2-4-305(1). (b) The notice section of the register must contain all rulemaking notices filed with the secretary of state pursuant to 2-4-302 since the compilation and publication of the preceding register. (c) The interpretation section of the register must contain all opinions of the attorney general and all declaratory rulings of agencies issued since the publication of the preceding register. (4) Each issue of the register must contain the issue number and date of the register and a table of contents. Each page of the register must contain the issue number and date of the register of which it is a part. The secretary of state may include with the register information to help the user in relating the register to ARM." Section 2. 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 thereto7--with--costs--paid---as provided-in-2-4-312(2), to the following:

> -2- INTRODUCED BILL HB.901

1 (a) attorney general, one copy; 1 (b) clerk of United States district court for the 2 2 district of Montana, one copy; 3 registers. 3 (c) clerk of United States court of appeals for the 4 4 ninth circuit, one copy; 5 5 (d) county commissioners or governing body of each 6 6 county of this state, for use of county officials and the 7 7 public, at least one but not more than two copies, which may 8 8 be maintained in a public library in the county seat or in 9 9 the county offices as the county commissioners or governing 10 10 body of the county may determine; 11 11 (e) state law library, one copy; 12 12 (f) state historical society, one copy; 13 13 (g) each unit of the Montana university system, one 14 14 15 copy; 15 (h) law library of the university of Montana, one 16 16 copy; 17 17 (i) legislative council, two copies; 18 18 (j) library of congress, one copy; 19 19 (k) state library, one copy. 20 20 (2) The secretary of state, each county in the state, 21 21 and the librarians for the state law library and the 22 22 university of Montana law library shall maintain a complete, 23 the register. 23 current set of ARM, including supplements or revisions 24 24 thereto. Such persons shall also maintain the register 25 25

issues published during the preceding 2 years. The secretary of state shall also maintain a permanent set of the registers.

4 (3) The secretary of state shall make copies of and 5 subscriptions to ARM and supplements or revisions thereto 6 and the register available to any person at prices fixed in 7 accordance with subsection (4).

8 (4) The secretary of state, in consultation with the 9 administrative code committee, shall determine the cost of 10 supplying copies of ARM and supplements or revisions thereto 11 and the register to persons not listed in subsection (1). 12 The cost shall be the approximate cost of publication of 13 such copies, including indexing, printing or duplicating, 14 and mailing,--iess-fees--charged--agencies---pursuant---to 15 subsection--(6)--and--money--appropriated-for-2-4-312(2)-and 16 2-4-313(1). However, a uniform price per page or group of 17 pages may be established without regard to differences in 18 cost of printing different parts of ARM and supplements or 19 revisions thereto and the register.

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

24 (6) The secretary of state may charge agencies a 25 filing fee for all material to be published in ARM or the

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1 register. He shall fix, in consultation with the 2 administrative code committee, the fee to cover a-portion-of 3 the costs of publication-and-mailing- supplying copies of 4 ARM and supplements or revisions thereto and the register to 5 the persons listed in subsection (1). The cost shall be the 6 approximate cost of publication of such copies, including 7 indexing, printing or duplicating, and mailing. However, a 8 uniform price per page or group of pages may be established 9 without regard to differences in cost of printing different 10 parts of ARM and supplements or revisions thereto and the 11 register." NEW_SECTION. Section 3. Effective date. This act is 12

13 effective July 1, 1987.

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-End-

50th Legislature

LC 1844/01

APPROVED BY COMMITTEE ON APPROPRIATIONS

House BILL NO. QOI 1 INTRODUCED BY Relling 2 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE 5 REQUIREMENT OF A GENERAL FUND TRANSFER TO PAY FOR CERTAIN 6 7 COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA ADMINISTRATIVE REGISTER: AMENDING SECTIONS 2-4-312 AND 8 2-4-313, MCA; AND PROVIDING AN EFFECTIVE DATE." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 12 Section 1. Section 2-4-312, MCA, is amended to read: "2-4-312. Publication and arrangement of register. (1) 13 14 The secretary of state shall publish in the register all 15 notices, rules, and interpretations filed with him at least once a month or as directed by the administrative code 16 committee but not more often than twice a month. 17 (2) He shall send the register without charge to each 18 person listed in 2-4-313(1) and to each member of the 19 legislature requesting the same. The--cost;--determined--in 20 accordance--with--2-4-313(4);--must-be-paid-by-appropriation 21 from-the-general--fund--to--the--account--within--the--state 22 special--revenue--fund--created-in-2-4-313(5); He shall send 23 the register to any other person who pays a subscription fee 24 25 which he shall fix in accordance with 2-4-313(4).

(3) The register must contain three sections, a rules
 section, a notice section, and an interpretation section:

3 (a) The rules section of the register must contain all
4 rules filed since the compilation and publication of the
5 preceding issue of the register, together with the concise
6 statement of reasons required under 2-4-305(1).

7 (b) The notice section of the register must contain 8 all rulemaking notices filed with the secretary of state 9 pursuant to 2-4-302 since the compilation and publication of 10 the preceding register.

11 (c) The interpretation section of the register must 12 contain all opinions of the attorney general and all 13 declaratory rulings of agencies issued since the publication 14 of the preceding register.

15 (4) Each issue of the register must contain the issue 16 number and date of the register and a table of contents. 17 Each page of the register must contain the issue number and 18 date of the register of which it is a part. The secretary of 19 state may include with the register information to help the 20 user in relating the register to ARM."

Section 2. 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 thereto7--with--costs--paid---as provided-in-2-4-312(2); to the following:

____ SECOND READING



1 (a) attorney general, one copy; 2 (b) clerk of United States district court for the 3 district of Montana, one copy: 4 (c) clerk of United States court of appeals for the 5 minth circuit, one copy; 6 (d) county commissioners or governing body of each 7 county of this state, for use of county officials and the 8 public, at least one but not more than two copies, which may 9 be maintained in a public library in the county seat or in 10 the county offices as the county commissioners or governing body of the county may determine; 11 12 (e) state law library, one copy; 13 (f) state historical society, one copy; (g) each unit of the Montana university system, one 14 15 copy; 16 (h) law library of the university of Montana, one 17 copy; 18 (i) legislative council, two copies; 19 (j) library of congress, one copy; 20 (k) state library, one copy. 21 (2) The secretary of state, each county in the state, 22 and the librarians for the state law library and the 23 university of Montana law library shall maintain a complete, 24 current set of ARM, including supplements or revisions 25 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.

4 (3) The secretary of state shall make copies of and 5 subscriptions to ARM and supplements or revisions thereto 6 and the register available to any person at prices fixed in 7 accordance with subsection (4).

8 (4) The secretary of state, in consultation with the administrative code committee, shall determine the cost of 9 10 supplying copies of ARM and supplements or revisions thereto and the register to persons not listed in subsection (1). 11 The cost shall be the approximate cost of publication of 12 such copies, including indexing, printing or duplicating, 13 and mailing,--less--fees--charged--agencies---pursuant---to 14 subsection--+6)--and--money--appropriated-for-2-4-312(2)-and 15 16 2-4-3+3+3+1. However, a uniform price per page or group of 17 pages may be established without regard to differences in cost of printing different parts of ARM and supplements or 18 revisions thereto and the register. 19

20 (5) The secretary of state shall deposit all fees he 21 collects in an account within the state special revenue fund 22 created for paying the expenses of publication of ARM and 23 the register.

24 (6) The secretary of state may charge agencies a25 filing fee for all material to be published in ARM or the

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1	register. He shall fix, in consultation with the
2	administrative code committee, the fee to cover a-portion-of
3	the costs of publication-and-mailing. supplying copies of
4	ARM and supplements or revisions thereto and the register to
5	the persons listed in subsection (1). The cost shall be the
6	approximate cost of publication of such copies, including
7	indexing, printing or duplicating, and mailing. However, a
8	uniform price per page or group of pages may be established
9	without regard to differences in cost of printing different
10	parts of ARM and supplements or revisions thereto and the
11	register."
1 2	NEW SECTION. Section 3. Effective date. This act is
13	effective July 1, 1987.

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House BILL NO. GOI 1 INTRODUCED BY Reland 2 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE 3 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE REQUIREMENT OF A GENERAL FUND TRANSFER TO PAY FOR CERTAIN 6 COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA 7 ADMINISTRATIVE REGISTER: AMENDING SECTIONS 2-4-312 AND 8 2-4-313, MCA; AND PROVIDING AN EFFECTIVE DATE." 9 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 2-4-312, MCA, is amended to read: 12 "2-4-312. Publication and arrangement of register. (1) 13 The secretary of state shall publish in the register all 14 notices, rules, and interpretations filed with him at least 15 once a month or as directed by the administrative code 16 17 committee but not more often than twice a month. (2) He shall send the register without charge to each 18 19 person listed in 2-4-313(1) and to each member of the legislature requesting the same. The--costy--determined--in 20 21 accordance--with--2-4-313(4)y--must-be-paid-by-appropriation 22 from-the-general--fund--to--the--account--within--the--state 23 special--revenue--fund--created-in-2-4-313(5). He shall send the register to any other person who pays a subscription fee 24 25 which he shall fix in accordance with 2-4-313(4).

tana Legislative Council

1 (3) The register must contain three sections, a rules 2 section, a notice section, and an interpretation section:

3 (a) The rules section of the register must contain all 4 rules filed since the compilation and publication of the 5 preceding issue of the register, together with the concise 6 statement of reasons required under 2-4-305(1).

7 (b) The notice section of the register must contain 8 all rulemaking notices filed with the secretary of state 9 pursuant to 2-4-302 since the compilation and publication of 10 the preceding register.

(c) The interpretation section of the register must
contain all opinions of the attorney general and all
declaratory rulings of agencies issued since the publication
of the preceding register.

15 (4) Each issue of the register must contain the issue 16 number and date of the register and a table of contents. 17 Each page of the register must contain the issue number and 18 date of the register of which it is a part. The secretary of 19 state may include with the register information to help the 20 user in relating the register to ARM."

Section 2. 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:

> -2- THIRD READING HB 901

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1 (a) attorney general, one copy; 2 (b) clerk of United States district court for the 3 district of Montana, one copy; 4 (c) clerk of United States court of appeals for the 5 ninth circuit, one copy; 6 (d) county commissioners or governing body of each 7 county of this state, for use of county officials and the а public, at least one but not more than two copies, which may 9 be maintained in a public library in the county seat or in 10 the county offices as the county commissioners or governing 11 body of the county may determine; 12 (e) state law library, one copy; 13 (f) state historical society, one copy; 14 (g) each unit of the Montana university system, one 15 copy; 16 (h) law library of the university of Montana, one 17 copy; 18 (i) legislative council, two copies; 19 (j) library of congress, one copy; 20 (k) state library, one copy. 21 (2) The secretary of state, each county in the state, 22 and the librarians for the state law library and the 23 university of Montana law library shall maintain a complete, 24 current set of ARM, including supplements or revisions 25 thereto. Such persons shall also maintain the register

issues published during the preceding 2 years. The secretary 1 2 of state shall also maintain a permanent set of the registers.

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(4) The secretary of state, in consultation with the 8 administrative code committee, shall determine the cost of 9 supplying copies of ARM and supplements or revisions thereto 10 and the register to persons not listed in subsection (1). 11 12 The cost shall be the approximate cost of publication of such copies, including indexing, printing or duplicating, 13 14 and mailing -- less -- fees -- charged -- agencies -- - pursuant --- to 15 subsection--+6+--and--money--appropriated-for-2-4-312+2+-and 16 2-4-313(1). However, a uniform price per page or group of pages may be established without regard to differences in 17 18 cost of printing different parts of ARM and supplements or revisions thereto and the register. 19

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13 effective July 1, 1987.

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HB 0901/02

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1 HOUSE BILL NO. 901 2 INTRODUCED BY REHBERG 3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE 4 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING 5 THE 6 REQUIREMENT OF A GENERAL FUND TRANSFER TO PAY FOR CERTAIN COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA 7 ADMINISTRATIVE REGISTER; AMENDING SECTIONS 2-4-312 AND 8 9 2-4-313, MCA: AND PROVIDING AN EFFECTIVE DATE." 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 2-4-312, MCA, is amended to read: 12 13 "2-4-312. Publication and arrangement of register. (1) The secretary of state shall publish in the register all 14 notices, rules, and interpretations filed with him at least 15 once a month or as directed by the administrative code 16 committee but not more often than twice a month. 17 (2) He shall send the register without charge to each 18 person listed in 2-4-313(1) and to each member of the 19 legislature requesting the same. The--cost;--determined--in 20 accordance--with--2-4-313(4);--must-be-paid-by-appropriation 21 22 from-the-general--fund--to--the--account--within--the--state 23 special--revenue--fund--created-in-2-4-313(5). He shall send the register to any other person who pays a subscription fee 24 which he shall fix in accordance with 2-4-313(4). 25

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REFERENCE BILL

HB 901

(a) attorney general, one copy; issues published during the preceding 2 years. The secretary 1 1 (b) clerk of United States district court for the of state shall also maintain a permanent set of the 2 2 district of Montana, one copy; 3 registers. 3 (c) clerk of United States court of appeals for the (3) The secretary of state shall make copies of and 4 4 ninth circuit, one copy; subscriptions to ARM and supplements or revisions therete 5 5 (d) county commissioners or governing body of each 6 and the register available to any person at prices fixed in 6 county of this state, for use of county officials and the 7 accordance with subsection (4). 7 public, at least one but not more than two copies, which may 8 8 (4) The secretary of state, in consultation with the be maintained in a public library in the county seat or in 9 administrative code committee, shall determine the cost of 9 the county offices as the county commissioners or governing 10 supplying copies of ARM and supplements or revisions thereto 10 body of the county may determine; 11 and the register to persons not listed in subsection (1). 11 (e) state law library, one copy; The cost shall be the approximate cost of publication of 12 12 (f) state historical society, one copy; such copies, including indexing, printing or duplicating, 13 13 (g) each unit of the Montana university system, one 14 and mailing --- tess--fees--charged--agencies---pursyant---to 14 subsection--(6)--and--money--appropriated-for-2-4-312(2)-and 15 copy; 15 (h) law library of the university of Montana, one 2-4-3+3+3+1. However, a uniform price per page or group of 16 16 17 pages may be established without regard to differences in 17 copy; (i) legislative council, two copies; 18 18 cost of printing different parts of ARM and supplements or (j) library of congress, one copy; revisions thereto and the register. 19 19 (k) state library, one copy. (5) The secretary of state shall deposit all fees he 20 20 (2) The secretary of state, each county in the state, 21 collects in an account within the state special revenue fund 21 and the librarians for the state law library and the 22 created for paying the expenses of publication of ARM and 22 university of Montana law library shall maintain a complete, 23 23 the register. current set of ARM, including supplements or revisions 24 (6) The secretary of state may charge agencies a 24 thereto. Such persons shall also maintain the register 25 filing fee for all material to be published in ARM or the 25

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HB 0901/02

HB 901

HB 901

1	register. He shall fix, in consultation with the
2	administrative code committee, the fee to cover a-portion-of
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4	ARM and supplements or revisions thereto and the register to
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8	uniform price per page or group of pages may be established
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10	parts of ARM and supplements or revisions thereto and the
11	register."
12	NEW SECTION. Section 3. Effective date. This act is

13 effective July 1, 1987.

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