

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.

1 House BILL NO. 901
 2 INTRODUCED BY Reid
 3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
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5 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE
 6 REQUIREMENT OF A GENERAL FUND TRANSFER TO PAY FOR CERTAIN
 7 COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA
 8 ADMINISTRATIVE REGISTER; AMENDING SECTIONS 2-4-312 AND
 9 2-4-313, MCA; AND PROVIDING AN EFFECTIVE DATE."
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 2-4-312, MCA, is amended to read:

13 "2-4-312. Publication and arrangement of register. (1)
 14 The secretary of state shall publish in the register all
 15 notices, rules, and interpretations filed with him at least
 16 once a month or as directed by the administrative code
 17 committee but not more often than twice a month.

18 (2) He shall send the register without charge to each
 19 person listed in 2-4-313(1) and to each member of the
 20 legislature requesting the same. ~~The cost, determined in~~
 21 ~~accordance with 2-4-313(4), 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
 24 the register to any other person who pays a subscription fee
 25 which he shall fix in accordance with 2-4-313(4).

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.

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."

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

22 "2-4-313. Distribution, costs, and maintenance. (1)
 23 The secretary of state shall distribute copies of ARM and
 24 supplements or revisions thereto ~~with costs paid as~~
 25 ~~provided in 2-4-312(2),~~ to the following:



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
 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
 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

1 issues published during the preceding 2 years. The secretary
 2 of state shall also maintain a permanent set of the
 3 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, ~~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
 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.

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 a
 25 filing fee for all material to be published in ARM or the

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."

12 NEW SECTION. Section 3. Effective date. This act is
13 effective July 1, 1987.

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 901
2 INTRODUCED BY Redding
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
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5 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE
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7 COPIES OF ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA
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15 notices, rules, and interpretations filed with him at least
16 once a month or as directed by the administrative code
17 committee but not more often than twice a month.

18 (2) He shall send the register without charge to each
19 person listed in 2-4-313(1) and to each member of the
20 legislature requesting the same. ~~The cost, determined in~~
21 ~~accordance with 2-4-313(4), must be paid by appropriation~~
22 ~~from the general fund to the account within the state~~
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24 the register to any other person who pays a subscription fee
25 which he shall fix in accordance with 2-4-313(4).

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.

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
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16 number and date of the register and a table of contents.
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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."

21 Section 2. Section 2-4-313, MCA, is amended to read:
22 "2-4-313. Distribution, costs, and maintenance. (1)
23 The secretary of state shall distribute copies of ARM and
24 supplements or revisions thereto ~~with costs paid as~~
25 ~~provided in 2-4-312(2)~~ to the following:



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
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
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;

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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

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

4 (3) The secretary of state shall make copies of and
5 subscriptions to ARM and supplements or revisions thereto
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7 accordance with subsection (4).

8 (4) The secretary of state, in consultation with the
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12 The cost shall be the approximate cost of publication of
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18 cost of printing different parts of ARM and supplements or
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20 (5) The secretary of state shall deposit all fees he
21 collects in an account within the state special revenue fund
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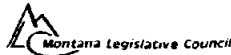
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