

HOUSE JOINT RESOLUTION NO. 5

INTRODUCED BY COBB

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING THE GOVERNOR TO ASK EACH EXECUTIVE BRANCH AGENCY THAT HAS  
6 ADOPTED ADMINISTRATIVE RULES, WHETHER OR NOT THE MONTANA ADMINISTRATIVE PROCEDURE  
7 ACT APPLIES TO THE AGENCY, TO REVIEW THE AGENCY'S RULES AND DELETE UNNECESSARY  
8 PROVISIONS BY JANUARY 1, 1996, WITH A VIEW TO DECREASING THE NUMBER AND PAGES OF THE  
9 AGENCY'S RULES BY A MINIMUM OF 5 PERCENT, WITH A GOAL OF 10 PERCENT.

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11        WHEREAS, section 2-4-314, MCA, requires each Executive Branch agency subject to the Montana  
12      Administrative Procedure Act to at least biennially review its administrative rules to determine whether  
13      existing rules should be modified or repealed; and

14 WHEREAS, one of the purposes of section 2-4-314, MCA, is the deletion of rules that are no longer  
15 necessary; and

16 WHEREAS, on the whole, agencies are not complying with section 2-4-314, MCA; and

17 WHEREAS, the number of administrative rules is constantly increasing, thereby adding to the  
18 people's burden of complying with state law; and

19 WHEREAS, unnecessary rules place a needless burden upon the people's freedom and upon  
20 personal and economic activity.

21  
22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
23 STATE OF MONTANA:

24 That the Legislature request the Governor to ask each Executive Branch agency that has adopted  
25 administrative rules, whether or not the Montana Administrative Procedure Act applies to the agency, to  
26 review the agency's rules and delete unnecessary provisions by January 1, 1996, with a view to decreasing  
27 the number and pages of the agency's rules by a minimum of 5%, with a goal of 10%.

28 -END-



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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE GOVERNOR TO ASK EACH EXECUTIVE BRANCH AGENCY THAT HAS ADOPTED ADMINISTRATIVE RULES, WHETHER OR NOT THE MONTANA ADMINISTRATIVE PROCEDURE ACT APPLIES TO THE AGENCY, TO REVIEW THE AGENCY'S RULES AND DELETE UNNECESSARY PROVISIONS BY JANUARY 1, 1996, WITH A VIEW TO DECREASING THE NUMBER AND PAGES OF THE AGENCY'S RULES BY A MINIMUM OF 5 PERCENT, WITH A GOAL OF 10 PERCENT.

WHEREAS, section 2-4-314, MCA, requires each Executive Branch agency subject to the Montana Administrative Procedure Act to at least biennially review its administrative rules to determine whether existing rules should be modified or repealed; and

WHEREAS, one of the purposes of section 2-4-314, MCA, is the deletion of rules that are no longer necessary; and

WHEREAS, on the whole, agencies are not complying with section 2-4-314, MCA; and

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**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:**

That the Legislature request the Governor to ask each Executive Branch agency that has adopted administrative rules, whether or not the Montana Administrative Procedure Act applies to the agency, to review the agency's rules and delete unnecessary provisions by January 1, 1996, with a view to decreasing the number and pages of the agency's rules by a minimum of 5%, with a goal of 10%.

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