

1 HOUSE JOINT RESOLUTION NO. 5

2 INTRODUCED BY COBB

3
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.

10
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13 existing rules should be modified or repealed; and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 th
18 people's burden of complying with state law; and

19 WHEREAS, unnecessary rules place a needless burden upon the people's freedom and upo
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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