

HOUSE BILL NO. 66

INTRODUCED BY C. HARRIS

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~~A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A COMMISSION ON LEGISLATION MONTANA CODE ANNOTATED REFORM REQUIRING CERTAIN STATE AGENCIES TO REVIEW THE MONTANA CODE ANNOTATED AND, IDENTIFY OBSOLETE, ILLOGICAL, INCONSISTENT, POORLY ORGANIZED, OR UNCONSTITUTIONAL LAWS, AND DRAFT LEGISLATION TO ADDRESS LAWS IN NEED OF AMENDMENT OR REPEAL; PROVIDING FOR A REPORT TO THE LEGISLATURE CREATING A COMMISSION ON MONTANA CODE ANNOTATED REFORM TO REVIEW PROPOSED AGENCY LEGISLATION AND RECOMMEND LEGISLATION FOR SUBMISSION TO INTERIM COMMITTEES BY JUNE 30, 2002; PROVIDING FOR THE APPOINTMENT OF THE COMMISSION; PROVIDING FOR THE REIMBURSEMENT OF COMMISSIONERS FOR EXPENSES; PROVIDING FOR THE STAFFING OF THE COMMISSION BY THE LEGISLATIVE SERVICES DIVISION SECRETARY OF STATE'S OFFICE; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."~~

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

NEW SECTION. SECTION 1. AGENCY REVIEW OF MONTANA CODE ANNOTATED. (1) THE FOLLOWING STATE AGENCIES SHALL REVIEW THE MONTANA CODE ANNOTATED AND IDENTIFY OBSOLETE, ILLOGICAL, INCONSISTENT, POORLY ORGANIZED, OR UNCONSTITUTIONAL LAWS THAT THE AGENCY IS REQUIRED TO ADMINISTER:

(A) DEPARTMENT OF AGRICULTURE;

(B) DEPARTMENT OF COMMERCE;

(C) DEPARTMENT OF JUSTICE;

(D) OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION;

(E) SECRETARY OF STATE'S OFFICE; AND

(F) STATE AUDITOR'S OFFICE.

(2) EACH AGENCY SHALL:

(A) DRAFT LEGISLATION TO AMEND OR REPEAL LAWS IDENTIFIED UNDER SUBSECTION (1); AND

(B) SUBMIT ITS PROPOSED LEGISLATION TO THE COMMISSION ON MONTANA CODE ANNOTATED REFORM

PROVIDED FOR IN [SECTION 2].



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2 NEW SECTION. Section 2. Commission on ~~legislation~~ MONTANA CODE ANNOTATED reform. (1)3 There is a commission on ~~legislation~~ MONTANA CODE ANNOTATED reform. The commission shall:4 (A) review the ~~Montana Code Annotated~~ to identify obsolete, illogical, inconsistent, ~~POORLY~~  
5 ~~ORGANIZED,~~ or unconstitutional laws. The commission shall prepare a report containing its findings for6 submission to the 58th legislature as provided in 5-11-210. The report may include suggested legislation7 to address laws identified by the commission as in need of amendment or repeal PROPOSED LEGISLATION8 SUBMITTED BY AN AGENCY UNDER [SECTION 1]; AND9 (B) RECOMMEND PROPOSED AGENCY LEGISLATION FOR SUBMISSION TO THE APPROPRIATE INTERIM COMMITTEE10 PROVIDED FOR IN 5-5-202(2).11 (2) The commission consists of ~~five~~ SEVEN WORKING members appointed as follows:

12 (a) one member, who shall serve as presiding officer, appointed by the governor;

13 (b) one member appointed by the attorney general;

14 (c) one member appointed by the state auditor;

15 (D) ONE MEMBER APPOINTED BY THE SECRETARY OF STATE;16 (E) ONE MEMBER APPOINTED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION;

17 (f) one member appointed by the speaker of the house of representatives; and

18 (g) one member appointed by the president of the senate.

19 (3) (a) Except as provided in subsection (3)(b), commission members are not entitled to  
20 compensation but must receive reimbursement for expenses as provided in Title 2, chapter 18, part 5.21 (b) If legislators are appointed to the commission, they are entitled to compensation and expenses  
22 as provided in 5-2-302.

23 (4) A vacancy on the commission must be filled by the appropriate appointing authority.

24 (5) The ~~legislative services division~~ SECRETARY OF STATE'S OFFICE shall, WITHIN EXISTING RESOURCES,  
25 provide staff support for the commission.

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27 NEW SECTION. SECTION 3. AGENCY SUBMISSION OF PROPOSED LEGISLATION. PROPOSED LEGISLATION28 RECOMMENDED BY THE COMMISSION UNDER [SECTION 2] MUST BE SUBMITTED BY THE AGENCY TO THE APPROPRIATE29 INTERIM COMMITTEE FOR REVIEW BY JUNE 30, 2002.

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