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Operator's Signature

19/03

2003 HOUSE JUDICIARY

HB 1178

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10/2/03

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Date

#### 2003 HOUSE STANDING COMMITTEE MINUTES

#### **BILL/RESOLUTION NO. HB 1178**

House Judiciary Committee

☐ Conference Committee

Hearing Date 1-27-03

Tape Number	Side A	Side B	Meter#
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Committee Clerk Signature	Stems	se	

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1178.

John Walstad, L.C.: Explained the bill.

Rep. Delmore: Is there a deadline by which to publish, say 30 days or 60 days, is that a statute now, so we would know what the time frame and they could publish it.

Mr. Walstad: There is a statutory minimum of 30 days after a public hearing.

Chairman DeKrey: Thank you. Anyone else in support? Anyone in opposition?

Rev. Maragos: I move a Do Pass.

Rep. Delmore: I second the motion.

Chairman DeKrey: Any discussion. The clerk will call the vote.

13 YES ONO OABSENT

DO PASS

CARRIER: Rep. Bernstein

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19503

Date: 1/27/03
Roll Call Vote #:

# 2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 1178

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REPORT OF STANDING COMMITTEE (410) January 28, 2003 11:42 a.m.

Module No: HR-18-1180 Carrier: Burnstein Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1178: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-16-1180

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2003 SENATE POLITICAL SUBDIVISIONS

HB 1178

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Operator's Signature

10/2/03

Date

### 2003 SENATE STANDING COMMITTEE MINUTES

#### BILL/RESOLUTION NO. HB 1178

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date March 7, 2003

administrative rulemaking.

Tape Number	Side A	Side B	Meter#
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	- Charles		
Committee Clerk Signatu	re Sula e	, Bra	

Minutes:

CHAIRMAN COOK called the committee to order. All members (6) were in attendance.

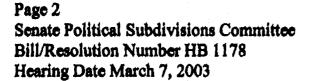
CHAIRMAN COOK opened the hearing on HB 1178 relating to the contents of a notice of

John Walstad, Legislative Council, appeared neither in support or opposed to HB 1178. This bill originated with a request from the Attorney Generals Office, pointing out a couple of problems we have with the administrative rule making notice contents. When an agency begins an administrative rule making proceeding it is necessary for the agency to prepare two kinds of notice; one is what is called a full notice, which requires a greater amount of information on what the rule making will involve, an explanation of what the rules will be, a statement of whether there is going to be an impact on the regulated community of fifty thousand dollars or more, a place where interested parties can see a copy of the rule and a place where interested parties can obtain a copy. Under existing law interested parties have thirty days after the public hearing on

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Operator's Signature

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rules to submit written comments to the agency. The notice does not require under current law a statement of what that deadline is, the notice is to advise people that they can submit written comments, but it doesn't say that you have to have them in by this date or the agency won't accept them, so on page one of the bill with regard of the full notice, is going to have to contain a deadline saying, if you want to submit written comments they have to be into the agency by this date. The second page of the bill draft relates to the abbreviated notice of administrative rule making. This is the notice that gets published in the official county newspaper for each county in the state. About four years ago a change was made so agencies did not have to publish this full blown notice because it got expensive publishing all that information and the abbreviated notice is much shorter. It has to have a headline describing the general topic of the rules and then there is a requirement for an address and phone number. The phrasing has been changed so you do not use both the address and phone number to get a copy; you use one or the another. What the attorney general observe was missing from this is there was nothing about where to send written comments and the deadline for written comments and because most of the members of the public are going to see the newspaper notice and not the full notice, the attorney general thought it is important that they be giving an address and the deadline date has to be indicated.

No opposition to HB 1178.

CHAIRMAN COOK closed the hearing on HB 1178.

SENATOR JUDY LEE moved a DO PASS on HB 1178.

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SENATOR SYVERSON seconded the motion.

Roll call vote. 6 Yes 0 No 0 Absent

Carrier: SENATOR JUDY LEE

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Roll Call Vote #:

## 2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. HB 1178

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Check here for Conference Cor	nmittee			
egislative Council Amendment Nu	mber			
Action Taken  Jo P  Motion Made By Souther Jala 1	255			
lotion Made By Sousier Jola 1	ee	Second	led By Saustor &	<i>squerson</i>
Senators	Yes	No	Senators	Yes N
Senator Dwight Cook, Chairman	L X			
Senator John O. Syverson, V C	l X			
Senator Gary A. Lec	X			
Senator Judy Lee	X			
Senator Linda Christenson	X			
Senator Michael Polovitz	X			
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REPORT OF STANDING COMMITTEE (410) March 7, 2003 12:08 p.m.

Module No: SR-41-4216 Carrier: J. Lee Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1178: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO

PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the

Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-41-4216

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Operator's Signature

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