

IN THE SENATE

SENATE BILL NO. 1234

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION
67-5205, IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN ELECTRONIC COPIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-5205, Idaho Code, be, and the same is hereby
amended to read as follows:

67-5205. FORMAT -- COSTS -- DISTRIBUTION -- FUNDS. (1) The administra-
tive code and the permanent supplements thereto shall be published in such
a manner that every agency has an opportunity to procure at reasonable cost
from the coordinator, individual electronic copies of the rules and state-
ments of policy of such agency published by authority of this chapter. No
administrative rule or statement of policy published in the administrative
code or the permanent supplements shall be reset or otherwise reprinted at
public expense upon a format distinct from that of the administrative code
without a certification by the coordinator that such special format is nec-
essary for the effective performance by the agency of its functions.

(2) The prices to be charged for individual electronic copies of and
subscriptions to the administrative code, the permanent supplements thereto
and the bulletin, and for rules and statements of policy, which prices may
be fixed without reference to the restrictions placed upon and fixed for the
sale of other publications of the state, ~~and the number of electronic copies
which shall be distributed free for official use, in addition to those free
copies required to be as provided in this section,~~ shall be set by rules pro-
mulgated by the coordinator. The coordinator may set prices without refer-
ence to the restrictions placed upon the sale of other publications of the
state. ~~Free electronic copies shall be distributed by the coordinator, as
follows:~~

- ~~(a) One (1) to each county clerk for the use of the county law library.~~
- ~~(b) One (1) each to the senate and the house of representatives.~~
- ~~(c) One (1) to the attorney general.~~
- ~~(d) One (1) to the legislative services office.~~
- ~~(e) One (1) each to the state universities and colleges, and one (1) to
each community college.~~
- ~~(f) One (1) to the state law library.~~
- ~~(g) One (1) to the commission for libraries.~~
- ~~(h) One (1) each to the following state depository libraries: Boise
Public Library, East Bonner County Library, Idaho Falls Public Library,
Lewiston City Library, Pocatello Library, The College of Idaho Library,
Brigham Young University-Idaho Library and Twin Falls Public Library.~~

(3) ~~In addition to those free electronic copies required to be dis-
tributed by this section, t~~The coordinator shall provide to the legislature
free electronic copies of all rules subject to review by the legislature

1 pursuant to section 67-5291, Idaho Code, and may distribute other free elec-
2 tronic copies for official use.

3 (34) Without limiting the generality of the provisions of subsection
4 (2) of this section, the rules of the coordinator may provide for volume dis-
5 counts to be available to established law book publishers who agree to in-
6 corporate fully administrative rules, the permanent supplements thereto and
7 the bulletin into their general scheme of promotion and distribution, and
8 may provide for the free reciprocal exchange of publications between this
9 state and other states and foreign jurisdictions. The provisions of this
10 section include the authority to exchange, display, access and publish texts
11 through electronic media.

12 (45) There is hereby created in the state treasury the administrative
13 code fund. All moneys received from the production of rules, the sale of the
14 administrative code, the permanent supplements thereto, or the bulletin,
15 and for providing electronic access, shall be deposited in the fund. All
16 agencies which have any material published electronically in the bulletin,
17 administrative code or supplements thereto, or newspapers, are hereby au-
18 thorized and directed to pay out of their appropriations to the coordinator
19 their respective shares of the costs of such publication and distribution
20 of such material. All moneys placed in the fund may be appropriated to the
21 coordinator for the administration of the provisions of this chapter, and
22 for the publication and distribution of the bulletin, administrative code or
23 supplements thereto, as authorized in this chapter.

24 The coordinator shall charge an annual fee to each participating agency
25 for each page published electronically in the administrative code not to
26 exceed fifty-six dollars (\$56.00) per page. In addition, the coordinator
27 shall charge a fee to each participating agency for each page published
28 electronically in the bulletin not to exceed sixty-one dollars (\$61.00) per
29 page. A fee per page may be charged even though less than a full page of pub-
30 lication is required, and each participating agency shall promptly pay into
31 the administrative code fund such charge.