



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee
FROM: K. Virginia Aldrich
DATE: September 14, 2015
RE: Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 44-2-206

AGENCY/BOARD: Secretary of State

RULE CLASSIFICATION: (e.g. substantive/interpretative/emergency/temporary):
Substantive

SUBJECT: Fees charged by the Secretary of State

NOTICE DESCRIPTION: (e.g. proposal notice/adoption notice): Amended Notice and extension of comment period on proposed adoption and amendment

UPDATE: The Secretary of State has updated the rule proposal notice to include the cumulative fee amount for the proposed changes to ARM 44.5.122. Specifically, the Secretary of State notes that the decreases for members of the Legislature or other public officers will result in a decrease of \$20,500 annually, and it will affect between 15 and 20 state agencies. The Secretary of State has extended the comment period until September 25, 2015, because the proposed amendments did not originally include the fee statement required by section 2-4-302(1)(c), MCA.

The updated notice does not specifically withdraw New Rule I, concerning the refundability of fees charged by the Secretary of State, but the Secretary of State's counsel has represented to staff that New Rule I will be withdrawn (it simply would not appear in the adoption notice).

FULL TEXT OF NOTICE: The full text of the notice proposal may be found online at http://www.mtrules.org/gateway/Cycle_Home.asp?CID=2152