

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 44.6.111 pertaining to fees) PROPOSED AMENDMENT
charged by the Business Services)
Division for the Farm Bill Master List)

TO: All Concerned Persons

1. On April 1, 2010, at 10:00 a.m., the Secretary of State will hold a public hearing in the Secretary of State's Conference Room, Room 206, State Capitol Building, at Helena, Montana, to consider the proposed amendment of the above-stated rule.

2. The Secretary of State will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Secretary of State no later than 5:00 p.m. on March 25, 2010, to advise us of the nature of the accommodation that you need. Please contact Jorge Quintana, Secretary of State's Office, P.O. Box 202801, Helena, Montana, 59620-2801; telephone (406) 461-5173; fax (406) 444-4240; TDD/Montana Relay Service (406) 444-9068; or e-mail jquintana@mt.gov.

3. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

44.6.111 LIENS APPEARING ON THE FARM BILL MASTER LIST AND FEES FOR OBTAINING THE FARM BILL MASTER LIST (1) An effective financing statement lien that meets the requirements set forth in ARM 44.6.109 and has been submitted with the appropriate filing fee(s) will appear on the farm bill master list.

(2) The Secretary of State shall charge and collect for the following for providing the farm bill master list:

- (a) on CD ROM, per month \$ 20.00
- (b) on paper, per farm product category 5.00
- (for any report over 50 pages, the buyer will pay the vendor directly for any third party printing and shipping costs)
- ~~(i) over 50 pages, per additional page .10~~
- (c) on microfiche, per farm product category 5.00
- ~~(i) over 25 pages, per additional page .20~~

AUTH: ~~30-9A-525~~ 30-9A-526, MCA
IMP: 30-9A-525, MCA

REASON: The rule amendment is reasonably necessary to meet the requirement for paying at the time of service, to avoid invoicing, to facilitate the ease payment, and to reduce confusion to registered buyers by providing them with a set monthly fee.

This change does not increase fee revenue, but reduces what would be charged should the Farm Bill Master List exceed the number of pages/jackets indicated. The rule authority statute was reviewed and updated.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Jorge Quintana, Secretary of State's Office, P.O. Box 202801, Helena, Montana 59620-2801; telephone (406) 461-5173; fax (406) 444-4240; or e-mail jquintana@mt.gov, and must be received no later than 5:00 p.m., April 8, 2010.

5. Jorge Quintana, Secretary of State's Office, has been designated to preside over and conduct this hearing.

6. The Secretary of State maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the Secretary of State.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the Notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Jorge Quintana
JORGE QUINTANA
Rule Reviewer

/s/ Linda McCulloch
LINDA MCCULLOCH
Secretary of State

Dated this 1st day of March, 2010.