

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 1.3.307 pertaining to rulemaking)
notice requirements)

TO: All Concerned Persons

1. On August 22, 2013, the Secretary of State published MAR Notice No. 44-2-191 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 1517 of the 2013 Montana Administrative Register, Issue Number 16.

2. The Secretary of State has amended the rule as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

1.3.307 RULEMAKING, INTRODUCTION

(1) through (3)(b) remain as proposed.

(c) an agency function which is clearly and specifically included in a statute to which the agency's rulemaking authority extends, per 2-4-305~~(3)~~, MCA.

(4) Rulemaking under MAPA involves four steps.

(a) Contact with the primary sponsor. When an agency begins to work on the substantive content and the wording of a proposal notice for a rule that initially implements legislation, the agency shall contact the legislator who was the primary sponsor of the legislation. See 2-4-302~~(2)(d)~~, MCA.

(b) remains as proposed.

(c) Opportunity to be heard.

(i) The agency shall allow at least 28 days from the publication of the original notice of proposed action for interested persons to submit comments in writing via regular mail, e-mail, or fax to the agency. The agency shall extend the response time in the event an amended or supplemental notice is filed to amend a statement of reasonable necessity, pursuant to 2-4-305~~(8)(e)~~, MCA.

(ii) The agency shall schedule a hearing to be held at least 20 days from the publication of the notice of proposed action if the proposed rules affect matters which are of significant interest to the public as defined at 2-4-102~~(12)~~, MCA.

(iii) through (7) remain as proposed.

3. The Secretary of State has eliminated the citation earmarks in (3) and (4) to conform to the guidelines advising against the use of citation earmarks in rule text.

4. No comments or testimony were received.

/s/ JORGE QUINTANA
Jorge Quintana
Rule Reviewer

/s/ LINDA MCCULLOCH
Linda McCulloch
Secretary of State

Dated this 7th day of October, 2013.