



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee

**FROM:** K. Virginia Aldrich

**DATE:** August 8, 2014

**RE:** Legislative Administrative Rule Review Report

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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:** 44-2-199

**AGENCY/BOARD:** Secretary of State

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

**SUBJECT:** Returned Check Service Fees

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice): Proposal Notice

**SUMMARY OF RULE(S):**

The Secretary of State proposes to adopt a new rule concerning returned check service fees. These fees will allow the Secretary of State to charge a fee when checks are returned for lack of funds. The rule allows two exceptions: when the payer's financial institution confirms that the check was returned due to an error on the part of the financial institution and when the check cannot be processed through the Secretary of State's online payment processor due to an invalid routing or account number.

**NOTES:** (e.g. hearing dates)

A public hearing is scheduled on the above-referenced rule on August 28, 2014, at 9:30 a.m. in Room 260, Secretary of State's Conference Room, State Capitol Building, Helena, Montana. The public comment period ends on September 5, 2014.



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee  
**FROM:** K. Virginia Aldrich  
**DATE:** July 2, 2014  
**RE:** Legislative Administrative Rule Review Report

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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:** 2-43-510

**AGENCY/BOARD:** Public Employees' Retirement Board of the State of Montana

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

**SUBJECT:** Notice of Proposed Amendment - Adoption by Reference of the State of Montana Public Employee Defined Contribution Plan Document and the State of Montana Public Employee Deferred Compensation (457) Plan Document

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice):  
Notice of proposed amendment

**SUMMARY OF RULE(S):**

The Public Employees' Retirement Board of the State of Montana is proposing to amend two rules. The proposed amendments update current rules that adopt by reference the State of Montana Public Employee Defined Contribution Plan Document and the State of Montana Public Employee Deferred Compensation Plan Document from previous versions to versions approved on May 8, 2014. The Montana Public Employees' Retirement Board revised the documents to incorporate recent changes to federal law requirements and processes. While neither rule contains a statement of the general subject matter of the rule adopted by reference, the titles of the plan documents incorporated by reference do allow the public notice of the general subject matter of the omitted material and presumably fulfill this statutory requirement.

**NOTES:** (e.g. hearing dates)

A public hearing is not contemplated. The public comment period ends on July 25, 2014.



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**TO:** State Administration and Veterans' Affairs Interim Committee  
**FROM:** K. Virginia Aldrich  
**DATE:** July 2, 2014  
**RE:** Legislative Administrative Rule Review Report

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**MAR NOTICE NUMBER:** 2-43-509

**AGENCY/BOARD:** Public Employees' Retirement Board of the State of Montana

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

**SUBJECT:** Notice of Proposed Amendment - Adoption by Reference of the State of Montana  
401(a) Defined Contribution Plan Investment Policy Statement

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice):  
Notice of proposed amendment

**SUMMARY OF RULE(S):**

The Public Employees' Retirement Board of the State of Montana (Board) is proposing to amend one rule concerning the State of Montana 401(a) Defined Contribution Plan Investment Policy Statement. The current rule is being replaced by a new version approved by the Board on May 8, 2014. The Montana Public Employees' Retirement Board revised the documents to add a socially responsible fund option to the DCRP Investment Policy Statement after a recommendation by the Employees' Investment Advisory Council. While the rule does not contain a separate statement of the general subject matter of the rule adopted by reference, the title of the investment policy statement incorporated by reference does allow the public notice of the general subject matter of the omitted material and presumably fulfills this statutory requirement.

**NOTES:** (e.g. hearing dates)

A public hearing is not contemplated. The public comment period ends on July 25, 2014.