



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee

FROM: K. Virginia Aldrich

DATE: September 13, 2021

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: 2-65-620

AGENCY/BOARD: Burial Preservation Board

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

SUBJECT: Permits for Scientific Analysis

NOTICE DESCRIPTION: (e.g., proposal notice/adoption notice): Notice of Proposed Amendment

SUMMARY OF RULE(S):

The Burial Preservation Board proposes to amend one rule. The board proposes to amend the nonrefundable application fee for a petition for scientific analysis from \$150 to \$50, noting that the section that authorizes the fee states that the fee may not exceed \$50 and that portion of the text has not been amended since the statute was enacted in 1991. The Burial Preservation Board notes that when the rule was originally adopted in 1998, it erroneously adopted a fee of \$150, and the amendment will correct the oversight, aligning the fee with the statutory requirements. The board notes that because no persons have filed a petition under the rule in the last 10 years, "the board anticipates no persons will be affected annually by this decrease and there will be no significant impact on revenue."

NOTES: The public comment period ends on October 8, 2021. No public hearing is contemplated.

FULL TEXT OF NOTICE: The full text of the proposal notice and the amended proposal may be found online at https://rules.mt.gov/gateway/Cycle_Home.asp?CID=3311.