



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee

FROM: K. Virginia Aldrich

DATE: September 22, 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: 44-2-248

AGENCY/BOARD: Secretary of State

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

SUBJECT: Notification Requirements for Emergency Rules under the Montana Administrative Procedure Act

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

SUMMARY OF RULE(S):

The Secretary of State proposes to amend one rulemaking process model rule by providing that prior to the adoption of an emergency rule, the agency must provide special notice of its intent to the members and staff of the appropriate administrative rule review committee and in the adoption notice filed with the Secretary of State must provide the details of the special notice required by Chapter 199, L. 2021. The changes proposed by the Secretary of State conform the model rule for the rulemaking process to the statutory changes made by Chapter 199.

NOTES: A public hearing will be held on October 14, 2021, at 10:30 a.m., Secretary of State's Office Conference Room, Room 260, State Capitol Building, Helena, Montana. The public comment period ends on October 22, 2021.

FULL TEXT OF NOTICE: Once published (September 24, 2021), the full text of the proposal notice and the amended proposal may be found online at <https://rules.mt.gov/>.