

**Notice of Negotiated Rulemaking (F-12)**

BEFORE THE DEPARTMENT OF REVENUE  
OF THE STATE OF MONTANA

In the Matter of the Establishment ) NOTICE OF NEGOTIATED  
of a Negotiated Rulemaking ) RULEMAKING  
Committee on (subject matter) )

TO: All Interested Persons

1. The Department of Revenue intends to establish a negotiated rulemaking committee to negotiate and develop proposed rules (subject matter of issues and rule topics).

2. The proposed rules must (a description of what the intent of the rules will be and the statutory authority).

3. Interests that are likely to be significantly affected by the proposed rules are: (provide any particular interest areas relevant to the rulemaking action).

4. The individuals proposed to represent the department on the negotiated rulemaking committee are: (list the committee members).

5. The department proposes the following persons to represent the interests which are likely to be significantly affected by the proposed rules. The interest to be represented by each person is noted in parenthesis.

**List the name and entity of representation for those significantly affected by the rules.)**

6. The proposed working schedule for the negotiated rulemaking committee is as follows:

(List the full schedule established by the committee for all the meetings that will be held regarding the negotiated rulemaking actions with specifics relative to the meeting dates, times, locations and project assignments.)

7. Any individual or entity interested in applying for or nominating another person for membership on the committee must submit the following information in writing to Cleo Anderson, Department of Revenue, P.O. Box 7701, Helena, Montana, 59604-7701, no later than (date):

(a) the person's name or the nominee's name, address, and contact information including telephone or fax number or e-mail address;

(b) a description of the interests the person or nominee represents;

(c) evidence that the person or nominee is authorized to represent parties related to the interests the person proposes to represent;

(d) the relationship of the person or nominee to regulated guest ranches or outfitting and guide facilities (i.e. owner/operator) and the name of the establishment or trade association;

(e) a commitment that the person or nominee will be able to participate in the negotiated rulemaking process as contemplated in paragraph 6 and will actively participate in good faith in the development of the rules under consideration; and

(f) the ability of the person or nominee to cover committee participation costs (such as telephone calls, travel and per diem expenses).

8. Interested parties may submit their views or comments concerning the proposed negotiated rulemaking process to Cleo Anderson, Department of Revenue, P.O. Box 202701, Helena, Montana, 59620-2701, no later than November 7, 1997.

9. The Department of Revenue proposes to limit the size of the negotiated rulemaking committee to no more than 15 persons if, after receipt of the comments and applications, the department determines that that number of persons (or fewer) can adequately represent the interests of the persons that will be significantly affected by the proposed rules. The selected committee members will represent all identified segments of guest ranch and outfitting and guide facilities and state and local public health officials. The selected committee members may represent other parties or agencies that have a significant relationship with regulated guest ranch and outfitting and guide facilities.

10. The Department of Revenue will make reasonable accommodations for persons with disabilities who wish to participate on the committee. If you require an accommodation, please advise the Department of the nature of the accommodation you need when applying for membership on the committee.

11. Please note the following concerning the process of negotiated rulemaking:

a. "Interest" for the purpose of this process means multiple parties that have a similar point of view or that are likely to be affected in a similar manner in relation to matters affected by the rule (2-5-103(5), MCA).

b. Negotiated rulemaking is not a substitute for the public notification and participation requirements of the Montana Administrative Procedure Act, and a consensus agreement by a negotiated rulemaking committee may be modified by an agency as a result of the subsequent rulemaking process (2-5-102, MCA).

c. The negotiated rulemaking committee may not continue to function and must be disbanded after the adoption of the final rule (2-5-106(4), MCA).

12. The specific grant of rulemaking authority authorizing the proposed rules is found in 50-51-103, MCA. The proposed rules will implement 50-51-101 and 50-51-103, MCA.

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CLEO ANDERSON  
Rule Reviewer

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DON HOFFMAN  
Acting Director of Revenue

Certified to the Secretary of State (date).