

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES
OF THE STATE OF MONTANA

In the matter of the proposed)	NOTICE OF PROPOSED
amendment of ARM 44.10.331)	AMENDMENT
relating to limitations on)	
receipts from political)	NO PUBLIC HEARING
committees to legislative)	CONTEMPLATED
candidates)	

TO: All Concerned Persons

1. On September 24, 2007, the Commissioner of Political Practices (the commissioner) proposes to amend the above-stated rule.

2. The commissioner will make reasonable accommodations for people with disabilities who wish to participate and need an alternative accessible form of this notice. If you require an accommodation, contact the commissioner no later than 5:00 p.m., September 17, 2007, to advise us of the nature of the accommodation that you need. Please contact Dennis Unsworth, Commissioner of Political Practices, P.O. Box 202401, 1205 Eighth Avenue, Helena, Montana 59620-2401; telephone (406)444-2942; Fax (406)444-1643; e-mail dunsworth@mt.gov.

3. The rule as proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

44.10.331 LIMITATIONS ON RECEIPTS FROM POLITICAL COMMITTEES

(1) Pursuant to the operation specified in 13-37-218, MCA, limits on total combined contributions from political committees other than political party committees to legislative candidates are as follows:

(a) a candidate for the state House of Representatives may receive no more than ~~\$1400~~ \$1500;

(b) a candidate for the state Senate may receive no more than ~~\$2300~~ \$2450.

(2) These limits apply to total combined receipts for the entire election cycle of ~~2006~~ 2008.

(3) Pursuant to 13-37-218, MCA, in-kind contributions must be included in computing these limitation totals.

AUTH: 13-37-114, 13-37-218, MCA

IMP: 13-37-218, 15-30-101(8), MCA

Reasonable Necessity: Section 13-37-218, MCA, requires the commissioner to periodically adjust the limitations established in that statute, and to publish the revised limitations as a rule.

The Bureau of Labor Statistics supplied the Consumer Price Index information. The information is used to determine the inflation factor to be applied to the aggregate contribution limits for House and Senate candidates. This information is required by

13-37-218, MCA and appears in ARM 44.10.331. It must be revised after June of every odd numbered year.

4. Concerned persons may submit their data, views, or arguments concerning the proposed amendment in writing to the Commissioner of Political Practices, P.O. Box 202401, 1205 Eighth Avenue, Helena, Montana 59620-2401, or by e-mail to dunsworth@mt.gov. Written requests for hearing must be received no later than September 22, 2007.

5. If those directly affected by this proposed amendment wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a public hearing and submit this request, along with any written comments, to the address shown above. Written requests for hearing must be received no later than September 22, 2007.

6. If the agency receives requests for a public hearing on the proposed amendment from either 10 percent or 25, whichever is less, of those who are directly affected by the proposed action, from the appropriate administrative rule review committee of the legislature, from a governmental subdivision or agency, or from an association having no less than 25 members who will be directly affected, a hearing will be scheduled at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 132 based on the number of registered candidates and political committees in the 2004 election cycle.

7. An electronic copy of this Notice of Proposed Amendment is available at www.politicalpractices.mt.gov, under "public meetings/notices" and "administrative rule notices." The agency strives to make the electronic copy of this Notice of Proposed Amendment conform to the official version of the Notice as printed in the Montana Administrative Register, but advises that in the event of a discrepancy between the official printed text of the Notice and the electronic version, only the official printed text will be considered. In addition, although the agency strives to keep its web site accessible at all times, be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems and that a person's technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

8. The commissioner maintains a list of those who wish to receive notices of rulemaking actions proposed by this agency. Those who wish to have their names added to the list shall make a written request, which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices concerning campaign finance, ethics, or lobbying. Such written request may be mailed or delivered to the Commissioner of Political Practices at P.O. Box 202401, 1205 Eighth Avenue, Helena, MT 59620 or faxed to (406) 444-1643, or may be made by completing a request form at any rules hearing held by the Commissioner of Political Practices.

9. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

By: /s/ Dennis Unsworth
Dennis Unsworth
Commissioner

By: /s/ Jim Scheier
Jim Scheier
Assistant Attorney General
Rule Reviewer

Certified to the Secretary of State on August 13, 2007.