



ADMINISTRATIVE RULES OF MONTANA



44.12.106A APPOINTED PUBLIC OFFICIALS

- (1) To provide guidance and certainty in identifying who is a public official as defined in 5-7-102(16), MCA, and an appointed state official as defined in 5-7-102(1), MCA, the following are deemed to be an appointed public official acting in his/her official capacity for state government:
 - (a) any individual appointed to public office by the Governor or the chief justice of the Montana Supreme Court and subject to Montana senate confirmation. This includes, but is not limited to, individuals appointed under 2-15-111, 2-15-124, 2-15-1505, 2-15-1507, 2-15-1707, and 3-1-1001 through 3-1-1014, MCA;
 - (b) the Commissioner of Political Practices appointed under 13-37-102, MCA;
 - (c) any individual appointed by the chief justice of the Supreme Court under 3-1-1001, MCA;
 - (d) any individual appointed to serve as a member of the Judicial Nomination Commission under 3-1-1001, MCA;
 - (e) any individual appointed to serve as a member of the Judicial Standards Commission under 3-1-1101 and 3-1-1102, MCA;
 - (f) any individual appointed to serve as a member of the Districting and Apportionment Commission under 5-1-101 and 5-1-102, MCA;
 - (g) any individual who is appointed by the Board of Regents of Higher Education to serve as:
 - (i) the commissioner of higher education; or
 - (ii) the chief executive officer of a campus of the Montana university system; and
 - (h) any individual appointed by the board of trustees of a community college to serve as president.

Authorizing statute(s): 5-7-102, MCA

Implementing statute(s): 5-7-102, MCA

History: NEW, 2002 MAR p. 2458, Eff. 9/13/02; AMD, 2004 MAR p. 1979, Eff. 8/20/04.