



ADMINISTRATIVE RULES OF MONTANA



1.3.201 INTRODUCTION AND DEFINITIONS

- (1) Montana statutes are referred to collectively as the Montana Code Annotated (MCA).
- (2) The Montana Administrative Procedure Act is referred to as "MAPA" and includes 2-4-101 through 2-4-711, MCA. MAPA outlines procedures that agencies must follow when:
 - (a) adopting, amending, or repealing agency rules;
 - (b) hearing contested cases; or
 - (c) issuing declaratory rulings.
- (3) Each agency subject to MAPA must adopt rules describing its organization and procedures, per 2-4-201, MCA. Section 2-4-202, MCA, directs the Secretary of State to prepare a model form for a rule describing the organization of agencies and model rules of practice for agency guidance in fulfilling these requirements. It directs the Attorney General to prepare model rules of practice for agencies to use as a guide for contested case hearings and declaratory rulings. The model rules have been adopted for that purpose. Agencies may adopt the model rules by incorporating them by reference. Subsequent amendments may be adopted only by following the rulemaking procedure of MAPA. See 2-4-307, MCA.
- (4) The term "register" refers to the Montana Administrative Register.

Authorizing statute(s): 2-4-202, MCA

Implementing statute(s): 2-4-202, MCA

History: Eff. 12/31/72; AMD, 1977 MAR p. 1192, Eff. 12/24/77; AMD, 1979 MAR p. 1200, Eff. 10/12/79; AMD, 1981 MAR p. 1196, Eff. 10/16/81; AMD, 1999 MAR p. 1225, Eff. 6/4/99; AMD, 2009 MAR p. 7, Eff. 1/16/09.