

BEFORE THE MONTANA LOTTERY COMMISSION
DEPARTMENT OF ADMINISTRATION
OF THE STATE OF MONTANA

In the matter of the amendment of ARM) NOTICE OF AMENDMENT
2.63.203, 2.63.204, 2.63.403, 2.63.404,)
2.63.406, 2.63.407, 2.63.606, 2.63.607,)
2.63.611, 2.63.801, 2.63.1002,)
2.63.1004, 2.63.1201, and 2.63.1202)
pertaining to definitions; retailer)
applications, required rule reading,)
bonding, and commission; licenses;)
business changes; electronic funds)
transfer; tickets; prizes; and winner)
redemptions)

TO: All Concerned Persons

1. On May 11, 2018, the State Lottery Commission published MAR Notice No. 2-63-575 pertaining to the amendment of the above-stated rules at page 908 of the 2018 Montana Administrative Register, Issue Number 9.

2. The commission has amended ARM 2.63.203, 2.63.204, 2.63.404, 2.63.406, 2.63.407, 2.63.606, 2.63.607, 2.63.611, 2.63.801, 2.63.1002, 2.63.1004, 2.63.1201, and 2.63.1202 exactly as proposed.

3. The commission has thoroughly considered the comments and testimony received. A summary of the comments received and the commission's response are as follows:

COMMENT #1: Two comments were received regarding the \$75 annual fee for a Montana sports action license addressed in ARM 2.63.403(3). It was suggested that a reference to the Board of Horse Racing rule be included to clarify this fee is not imposed by the lottery.

RESPONSE #1: The commission agrees and has revised the rule as shown below.

4. The commission has amended ARM 2.63.403 with the following changes:

2.63.403 RETAILER APPLICATIONS AND FEES (1) through (2) remain as proposed.

(3) There is an additional annual \$75 fee for an MSA license as provided in ARM 8.22.3902(2)(c), which is collected for and transferred to the Board of Horse Racing. To apply for an MSA license, a retailer must first have a current gaming license.

(4) remains as proposed.

By: /s/ Wilbur Rehmann
Wilbur Rehmann, Chair
Montana Lottery Commission

By: /s/ Michael P. Manion
Michael P. Manion, Rule Reviewer
Department of Administration

Certified to the Secretary of State June 12, 2018.