



Economic Affairs Interim Committee

64th Montana Legislature

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August 20, 2015

To: Economic Affairs Interim Committee
From: Jameson Walker, Legislative Attorney
Re: Administrative Rule Report, August 2015

The Economic Affairs Interim Committee is responsible for reviewing administrative rules promulgated by several state agencies for compliance with the Montana Administrative Procedure Act (MAPA).¹ The following notices are filed with the Secretary of State's Office for publication in the Montana Administrative Register (MAR). Notices are available at <http://www.mtrules.org> (search by notice number).

PROPOSAL NOTICES

Department of Agriculture and administratively attached entities

MAR Notice Number: 4-14-227

Subject: Amendment of rules pertaining to noxious weed seed free forage fees.

Summary: The proposed amendments are to 4.5.308 and 4.5.313. The primary amendments are to fees for product markers in 4.5.313. The Department does not anticipate an economic impact with formally adopting fees already in use.

Notes/Hearing: The Department held a public hearing July 16, 2015, to consider the proposed rules.

Department of Commerce and administratively attached entities

MAR Notice Number: 8-2-135

Subject: Adoption of new rules pertaining to actions that qualify as categorical exclusions under the Montana Environmental Policy Act.

Summary: The proposed new rule seeks to provide for actions that qualify for a categorical

¹ The Committee reviews rules promulgated by the following entities: Department of Agriculture, Department of Commerce, Department of Labor and Industry, Department of Livestock, State Auditor's Office, Montana State Fund, Division of Banking & Financial Institutions, Governor's Office of Economic Development. This report does not represent any action or opinion of the Committee and does not preclude additional action that may be taken by the Committee pursuant to its authority under the Montana Administrative Procedure Act, Title 2, chapter 4, MCA.

exclusion to the preparation of an environmental assessment or an environmental impact statement.

Notes/Hearing: The Department will hold a public hearing August 24, 2015, to consider the proposed rules.

MAR Notice Number: 8-94-134

Subject: Amendment of rules pertaining to the 2017 Biennium Treasure State Endowment Program - Emergency Grants.

Summary: The proposed amendment to 8.94.3816 seeks to update the existing rule by incorporating the 2017 Biennium Treasure State Endowment Program - Emergency Grants guidelines.

Notes/Hearing: The Department will adopt rules on August 29, 2015, unless a hearing is requested.

MAR Notice Number: 8-99-136

Subject: Amendment of rules pertaining to the 2017 Biennium Primary Sector Workforce Training Grant.

Summary: The proposed amendment to 8.99.806 seeks to update the existing rule by incorporating the 2017 Biennium Primary Sector Workforce Training Grant Application Guidelines.

Notes/Hearing: The Department will adopt the rules on August 29, 2015, unless a hearing is requested.

Department of Labor and Industry and administratively attached entities

MAR Notice Number: 24-138-71

Subject: Amendment and repeal of rules pertaining to the Board of Dentistry.

Summary: The proposed amendments are to 24.138.406, 24.138.505, 24.138.507, 24.138.509, 24.138.512, 24.138.514, 24.138.525, 24.138.540, 24.138.2101, 24.138.2102, 24.138.2104, 24.138.2105, 24.138.2106, 24.138.2402, and 24.138.3229. The proposed repeal is to 24.138.401. The rules affect functions of dental auxiliaries, dentist licensure by credentials, dentist licensure by credentials for specialists, the dental hygiene limited access permit, denturist interns, converting inactive license to active license, reactivation of an expired license, military training or experience, continuing education, screening panels, and continuing education in anesthesia.

Notes/Hearing: The Department will hold a public hearing September 3, 2015 to consider the proposed rules.

Department of Livestock and administratively attached entities

There are no pending rules.

State Auditor's Office

MAR Notice Number: 6-218

Subject: Amendment of existing rules pertaining to securities offerings.

Summary: The proposed amendments are to 6.10.209 and 6.10.210, which amend notice filing requirements for securities offered under 18(b)(4)(D) of the Securities Act of 1933. Part of the amendments are aimed at streamlining notice filing requirements.

Notes/Hearing: The Department will hold a public hearing August 20, 2015, to consider the proposed rules.

Montana State Fund

There are no pending rules.

Division of Banking & Financial Institutions

MAR Notice Number: 2-59-528

Subject: Amendment of existing rules pertaining to renewal fees for mortgage brokers, lenders, servicers, and originators.

Summary: The proposed amendment is to 2.59.1738. The amendment proposes to reduce mortgage licensee renewal fees by 50 percent for 2016. This is to charge fees commensurate with costs of the program.

Notes/Hearing: The Department will hold a hearing on September 14, 2015, to consider the proposed rules.

Governor's Office of Economic Development

There are no pending rules.