

MONTANA ADMINISTRATIVE REGISTER

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MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 2

The Montana Administrative Register (MAR or Register), a twice-monthly publication, has three sections. The Proposal Notice Section contains state agencies' proposed new, amended, or repealed rules; the rationale for the change; date and address of public hearing; and where written comments may be submitted. The Rule Adoption Section contains final rule notices which show any changes made since the proposal stage. All rule actions are effective the day after publication of the adoption notice unless otherwise specified in the final notice. The Interpretation Section contains the Attorney General's opinions and state declaratory rulings. Special notices and tables are found at the end of each Register.

Inquiries regarding the rulemaking process, including material found in the Montana Administrative Register and the Administrative Rules of Montana, may be made by calling the Secretary of State's Office, Administrative Rules Services, at (406) 444-9009.

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BEFORE THE DEPARTMENT OF ADMINISTRATION
OF THE STATE OF MONTANA

In the matter of the adoption of New)	NOTICE OF PROPOSED ADOPTION
Rules I and II pertaining to application)	
for organizing a new credit union and)	NO PUBLIC HEARING
annual report forms)	CONTEMPLATED

TO: All Concerned Persons

1. On March 13, 2021, the Department of Administration proposes to adopt the above-stated rules.

2. The Department of Administration will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Administration no later than 5:00 p.m. on February 10, 2021, to advise us of the nature of the accommodation that you need. Please contact Heather Hardman, Division of Banking and Financial Institutions, P.O. Box 200546, Helena, Montana 59620-0546; telephone (406) 841-2922; TDD (406) 841-2974; facsimile (406) 841-2930; or e-mail to banking@mt.gov.

3. The rules proposed to be adopted provide as follows:

NEW RULE I ORGANIZING A NEW CREDIT UNION (1) An applicant seeking to organize a new state-chartered credit union shall complete the Application for a Certificate of Approval to Organize a New Montana Credit Union dated December 14, 2020, which is adopted and incorporated by reference and available on the department's website at banking.mt.gov.

AUTH: 32-3-201, MCA
IMP: 32-3-201, 32-3-301, MCA

GENERAL STATEMENT OF REASONABLE NECESSITY: As part of the required biennial review of rules, the department identified three forms that had not been formally adopted into rule: the Application for a Certificate of Approval to Organize a New Montana Credit Union, the Report of Credit Union Management form, and the Liabilities of Directors and Committee Members form. These forms have been used by the department for years but had not been formally adopted.

NEW RULE II ANNUAL REPORTS (1) The Report of Credit Union Management form dated December 14, 2020, is adopted and incorporated by reference and available on the department's website at banking.mt.gov.

(2) The Liabilities of Directors and Committee Members form dated December 14, 2020, is adopted and incorporated by reference and available on the department's website at banking.mt.gov.

AUTH: 32-3-201, MCA

IMP: 32-3-201, 32-3-202, 32-3-404, MCA

4. Concerned persons may present their data, views, or arguments concerning the proposed action to Kelly O'Sullivan, Legal Counsel, Division of Banking and Financial Institutions, P.O. Box 200546, Helena, Montana 59620-0546; faxed to the office at (406) 841-2930; or e-mailed to banking@mt.gov. Comments must be received no later than 5:00 p.m., February 26, 2021.

5. If persons who are directly affected by the proposed actions wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to the person listed in 4 above no later than 5:00 p.m., February 10, 2021.

6. If the Division of Banking and Financial Institutions receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons 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 not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 1 person based on the 10 state-chartered credit unions.

7. An electronic copy of this proposal notice is available through the department's website at <http://doa.mt.gov/administrativerules>. The department strives to make its online version of the notice conform to the official published version but advises all concerned persons that if a discrepancy exists between the official version and the department's online version, only the official text will be considered. In addition, although the department works to keep its website accessible at all times, concerned persons should be aware that the website may be unavailable during some periods, due to system maintenance or technical problems.

8. The Division of Banking and Financial Institutions maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this division. Persons who wish to have their name added to the mailing list shall make a written request that includes the name, mailing address, and e-mail address of the person to receive notices and specifies that the person wishes to receive notices regarding division rulemaking actions. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written requests may be mailed or delivered to Heather Hardman, Division of Banking and Financial Institutions, 301 S. Park, Ste. 316, P.O. Box 200546, Helena, Montana 59620-0546; faxed to the office at (406) 841-2930; e-mailed to banking@mt.gov; or may be made by completing a request form at any rules hearing held by the department.

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

10. The department has determined that under 2-4-111, MCA, the proposed adoption of the above-stated rules will not significantly and directly impact small businesses.

By: /s/ Michael P. Manion
Michael P. Manion, Acting Director
Department of Administration

By: /s/ Don Harris
Don Harris, Rule Reviewer
Department of Administration

Certified to the Secretary of State January 19, 2021.

BEFORE THE DEPARTMENT OF AGRICULTURE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 4.12.1308 pertaining to Plant) PROPOSED AMENDMENT
Health Quarantines)

TO: All Concerned Persons

1. On February 18, 2021, at 1:00 p.m., the Department of Agriculture will hold a public hearing in Room 225 of the Scott Hart Building, at Helena, Montana, as well as virtually through the meeting platform Zoom to consider the proposed amendment of the above-stated rule. For the virtual meeting details, please contact Virginia Corbett by email at agr@mt.gov or by phone at (406) 444-3156.

2. The Department of Agriculture will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Agriculture no later than 5:00 p.m. on February 11, 2021, to advise us of the nature of the accommodation that you need. Please contact Cort Jensen, Department of Agriculture, P.O. Box 200201, Helena, Montana, 59620-0201; telephone (406) 444-3156; fax (406) 444-5409; or e-mail agr@mt.gov.

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

4.12.1308 PLANT HEALTH QUARANTINES (1) through (3)(d) remain the same.

(e) Emerald Ash Borer (*Agilus planipennis* Fairmaire). See Order MTQ-2021-001. Exterior Quarantine.

AUTH: 80-7-402, MCA
IMP: 80-7-402, 80-7-404, MCA

REASON: This proposal acts to adopt the earlier emergency rule as permanent.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Cort Jensen, Department of Agriculture, 302 N. Roberts, Helena, Montana, 59601; telephone (406) 444-5402; fax (406) 444-5409; or e-mail agr@mt.gov, and must be received no later than 5:00 p.m., February 26, 2021.

5. Cort Jensen, Department of Agriculture, has been designated to preside over and conduct this hearing.

6. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have

their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 2 above or may be made by completing a request form at any rules hearing held by the department.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ Cort Jensen
Cort Jensen
Rule Reviewer

/s/ Mike Foster
Mike Foster
Director
Agriculture

Certified to the Secretary of State January 14, 2021.

BEFORE THE BOARD OF PLUMBERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)
ARM 24.180.401 fee schedule,) NOTICE OF PUBLIC HEARING ON
24.180.508 temporary exceptions,) PROPOSED AMENDMENT
24.180.707 renewal of endorsement,)
and 24.180.2102 continuing education)
requirements)

TO: All Concerned Persons

1. On February 23, 2021, at 10:00 a.m., a public hearing will be held via remote conferencing to consider the proposed amendment of the above-stated rules. Because there currently exists a state of emergency in Montana due to the public health crisis caused by the coronavirus, there will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

- a. Join Zoom Meeting, <https://mt-gov.zoom.us/j/94005327782>,
Meeting ID: 940 0532 7782, Passcode: 996062; or
- b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656,
Meeting ID: 940 0532 7782, Passcode: 996062.

The hearing will begin with a brief introduction by department staff to explain the use of the videoconference and telephonic platform. All participants will be muted except when it is their time to speak.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Plumbers no later than 5:00 p.m., on February 16, 2021, to advise us of the nature of the accommodation that you need. Please contact Jason Steffins, Board of Plumbers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2329; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsdpplu@mt.gov (board's e-mail).

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

<u>24.180.401 FEE SCHEDULE</u>	(1) remains the same.
(2) Application fee	\$ 100
(a) Board-administered examination fee	400
(b) Board-administered reexamination fee	400
(3) Initial license fee	
(a) Journeyman	170

(b) Master	280
(4) Renewal fee	
(a) Journeyman	160
(b) Master	265
(5) Medical gas endorsement application fee	100
(6) Medical gas endorsement renewal fee	30
(7) Out-of-state licensure fee	300
(2) The following fees apply to licensees and applicants:	
(a) Application fees:	
(i) Journeyman	\$270
(ii) Master	380
(iii) Medical gas endorsement	100
(iv) Out-of-state	400
(b) Renewal fees:	
(i) Journeyman	160
(ii) Master	265
(iii) Medical gas endorsement	30
(c) Board-administered examination/reexamination fee	400
(8) (d) Temporary practice permit Provisional license fee	100
(9) remains the same but is renumbered (e).	
(10) (f) Continuing education provider application fee	50
(11) and (12) remain the same but are renumbered (g) and (h).	
(13) and (14) remain the same but are renumbered (3) and (4).	

AUTH: 37-1-134, 37-69-202, 37-69-401, MCA

IMP: 37-1-134, 37-1-141, 37-1-304, 37-1-305, 37-69-303, 37-69-306, 37-69-308, 37-69-311, 37-69-401, MCA

REASON: The board is amending the fee schedule to standardize payments by combining the license and application fees into one fee. Changes were determined necessary during a comprehensive annual review of the board's rules. The process to pay two separate fees has caused delays in licensure and confusion as to why the board has two separate fees for a license and an application. No fees will be increased or decreased with these changes. The licensee will now be able to pay a single fee to the department instead of two separate transactions. The board is amending (8) to provide the updated term "provisional license" that was previously termed "temporary practice permit."

24.180.508 TEMPORARY EXCEPTIONS (1) remains the same.

(2) ~~The type of plumbing work is restricted to repair and maintenance of an existing plumbing system only.~~

(3) (2) The county, city, or town or the board of directors or managers of a water or sewer district, or water utility ~~shall be required to~~ must reapply for board approval every three years from the date of board approval, or at the time a new unlicensed person has been delegated, whichever occurs first.

(3) The county, city, or town or the board of directors or managers of a water or sewer district or water utility must notify the board if a licensed plumber locates within a 100-mile radius.

AUTH: ~~37-1-131~~, 37-69-202, MCA
IMP: 37-69-102, 37-69-103, MCA

REASON: Following a comprehensive review of the board's rules, the board concluded it is reasonably necessary to delete the scope of work restriction in (2) because no such restriction exists in 37-69-102(3), MCA, which is implemented through this rule.

The board is adding notice requirement in (3) to enhance the board's ability to appropriately take action against unlicensed practice violations of 37-69-301(1), MCA. Authority citations are being amended to accurately reflect the statutory sources of the board's rulemaking authority.

24.180.707 RENEWAL OF ENDORSEMENT (1) All medical gas endorsements must be renewed on or before the date set by ARM 24.101.413. Each endorsement holder must submit a renewal form, ~~proof of a~~ an attestation of current certification, and the required renewal fee.

AUTH: 37-1-141, 37-69-202, 37-69-401, MCA
IMP: 37-1-141, 37-69-401, MCA

REASON: Following a comprehensive annual rule review, the board determined it is reasonably necessary to amend several rules to expedite the renewal process and promote online renewals. The board is amending this rule to allow attesting to certification in the installation of medical gas systems, based on NFPA 99C and Section IX of the ASME Welding and Brazing Codes, in lieu of requiring "proof" of certification. The board will audit these endorsees to verify compliance with certification requirements as authorized by 37-1-306, MCA.

24.180.2102 CONTINUING EDUCATION REQUIREMENTS (1) ~~Beginning September 1, 2006, each~~ Each journeyman or master plumber shall obtain at least four hours of board-approved continuing education (CE) annually ~~in order to renew the person's license. The license renewal application must be signed by the licensee and certify that the licensee has completed the required amount of~~ continuing education.

(a) Licensees shall affirm an understanding of their recurring duty to comply with CE requirements as a part of license renewal.

~~(a) (b)~~ (b) New licensees are exempt from the requirements during their first renewal cycle. ~~Those licensees~~ Licensees changing from journeyman licenses to master plumber licenses are not exempt from completing at least four hours of continuing education CE.

~~(2) In general, courses should~~ CE must be designed to advance the knowledge and skills of licensees. A licensee may receive credit only for continuing education CE courses that have received prior approval of the curriculum by the

board or the department and to which a course approval number has been assigned by the department. Course approval expires when changes in plumbing code, statutes, or rules necessitate.

(a) remains the same.

(b) Course instructors shall be, as of the date of the course approval application and at all times while providing ~~continuing education~~ CE instruction:

(i) a certified ~~continuing education~~ CE instructor employed by the International Association of Plumbing and Mechanical Officials;

(ii) a plumbing ~~continuing education~~ CE instructor approved in a state that has a plumbing license reciprocity agreement with the board, if the instructor has also successfully completed the International Association of Plumbing and Mechanical Officials' "train the trainer" course for the Uniform Plumbing Code; or

(iii) through (c) remain the same.

(d) Course sponsors shall provide each person completing a ~~continuing education~~ CE course with a completion certificate. The completion certificate must contain all of the following information:

(i) through (3) remain the same.

(4) The ~~department~~ board may ~~conduct a random~~ randomly audit of up to 50 percent of all renewed active licensees ~~following the licensee renewal process~~.

(a) ~~All licensees~~ Licensees shall retain course completion certificates for a minimum of three years, ~~for auditing purposes~~ and make the records available upon board request.

~~(b) Audited licensees are required to furnish to the department certificates of completion which demonstrate attainment of the four hour continuing education requirement.~~

~~(c) (5) Failure by the licensee to provide certificates of completion when audited shall constitute grounds for implementation of disciplinary proceedings against the licensee. Licensees found to be in noncompliance with CE requirements may be subject to administrative suspension.~~

~~(5) (6) All requests for exemption from the continuing education requirements will be reviewed by the board and determinations will be done on a case-by-case basis. Licensees may request exemption from CE requirements due to hardship. Requests will be considered by the board.~~

~~(6) (7) If a licensee does not timely file a renewal application, and thereafter files a late renewal application, the late renewal application must contain licensee must provide documentary proof that the licensee has obtained of completing the required amount of continuing education CE.~~

AUTH: 37-1-319, MCA

IMP: 37-1-141, 37-1-306, 37-1-319, MCA

REASON: The board is amending this rule to align with and facilitate the department's standardized renewal, administrative suspension, and audit procedures; align with the administrative suspension provisions of 37-1-321, MCA; and to streamline and simplify for better organization and ease of use.

Following recommendations by legal staff, the board is amending (1) to align CE affirmation at renewal with 37-1-306, MCA, and standardized department procedures.

It is reasonably necessary to amend (4) to allow responsiveness to staffing and budget issues by adjusting the number of licensees audited, while remaining consistent with the statutory maximum of 50 percent in 37-1-306, MCA.

The board is amending (5) to clarify that licensees not in compliance with CE requirements may be subject to administrative suspension per 37-1-321, MCA, and align with department audit processes.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Plumbers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsdpplu@mt.gov, and must be received no later than 5:00 p.m., February 26, 2021.

5. An electronic copy of this notice of public hearing is available at www.plumber.mt.gov (department and board's web site). Although the department strives to keep its web sites accessible at all times, concerned persons should be aware that web sites may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing a web site do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Plumbers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsdpplu@mt.gov; or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.180.401, 24.180.508, 24.180.707, and 24.180.2102 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determination is available upon request to the Board of Plumbers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2329; facsimile (406) 841-2305; or to dlibsdpplu@mt.gov.

9. Jason Steffins, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF PLUMBERS
JEFF GRUIZENG
PRESIDING OFFICER

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 19, 2021.

BEFORE THE BOARD OF REAL ESTATE APPRAISERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 24.207.504 approval of) PROPOSED AMENDMENT
qualifying and continuing education)
courses)

TO: All Concerned Persons

1. On February 23, 2021, at 9:00 a.m., a public hearing will be held via remote conferencing to consider the proposed amendment of the above-stated rule. Because there currently exists a state of emergency in Montana due to the public health crisis caused by the coronavirus, there will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

- a. Join Zoom Meeting, <https://mt-gov.zoom.us/j/92854186033>, Meeting ID: 928 5418 6033, Passcode: 022220; or
- b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656, Meeting ID: 928 5418 6033, Passcode: 022220.

The hearing will begin with a brief introduction by department staff to explain the use of the videoconference and telephonic platform. All participants will be muted except when it is their time to speak.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Real Estate Appraisers no later than 5:00 p.m., on February 16, 2021, to advise us of the nature of the accommodation that you need. Please contact Sharon Peterson, Board of Real Estate Appraisers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2375; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsirea@mt.gov (board's e-mail).

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

24.207.504 APPROVAL OF QUALIFYING AND CONTINUING EDUCATION COURSES (1) through (12) remain the same.

~~(13) A webinar is not acceptable for continuing education credit, whether or not the webinar is approved by the Appraiser Qualifications Board (AQB).~~

(14) and (15) remain the same but are renumbered (13) and (14).

AUTH: 37-1-131, 37-1-319, 37-54-105, MCA

IMP: 37-1-131, 37-1-306, 37-54-105, 37-54-202, MCA

REASON: The board determined that the prohibition in (13) is antiquated and that barring licensees from accessing desirable and beneficial continuing education (CE) courses which are not otherwise available in Montana is no longer practical, desired, or consistent with Appraiser Qualifications Board (AQB) guidance and regulations in sister jurisdictions. The board is aware licensees in rural states including Montana have limited in-person access to CE in areas of appraisal practice which would benefit and broaden practice expertise for appraisers serving Montana consumers. The board favors allowing licensees broader access to courses which meet the board's standards and that are offered through synchronous online learning platforms. Also, due to the COVID-19 pandemic, the AQB has advised that all continuing and qualifying education offerings, including new offerings, which are approved to be presented in traditional classroom settings may be converted to synchronous online delivery methods for CE and QE credit. Because (13) does not allow appraiser licensees to benefit from these offerings to meet their CE and QE requirements, the board is striking the provision from this rule.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Real Estate Appraisers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsdua@mt.gov, and must be received no later than 5:00 p.m., February 26, 2021.

5. An electronic copy of this notice of public hearing is available at www.realestateappraiser.mt.gov (department and board's web site). Although the department strives to keep its web sites accessible at all times, concerned persons should be aware that web sites may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing a web site do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Real Estate Appraisers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsdua@mt.gov; or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.207.504 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determination is available upon request to the Board of Real Estate Appraisers, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2375; facsimile (406) 841-2305; or to dlibsrea@mt.gov.

9. Sharon Peterson, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF REAL ESTATE APPRAISERS
PETER FONTANA, CERTIFIED
RESIDENTIAL APPRAISER
PRESIDING OFFICER

/s/ DARCEE L. MOE

Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU

Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 19, 2021.

the removing an existing advanced meter and the subsequent installation of a traditional meter, or costs associated with providing meter reading and billing services associated with the use of a traditional meter.

AUTH: 69-2-101, 69-2-102, 69-3-103, 69-3-203, 69-3-321, 69-4-1001, 69-4-1002, 69-4-1003, 69-4-1004, MCA

IMP: 69-4-1004, MCA

REASON: In 2019, the Montana Legislature adopted House Bill 267, which was later codified as 69-4-1001 through 69-4-1004, MCA. Section 69-4-1004(2), MCA requires that the department adopt rules providing options and requirements for individual customers to opt out of advanced metering installation. The department received comments from affected parties; held two virtual public listening sessions on September 30, 2020 and October 7, 2020; and received written public comment prior to compiling this proposed rule. This proposed rule is reasonably necessary to implement the opt-out program.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Katy Gordon, Department of Public Service Regulation, 1701 Prospect Avenue, Helena, Montana, 59620-2601; telephone (406) 444-6150; fax (406) 444-7618; or e-mail Katy.Gordon@mt.gov, and must be received no later than 5:00 p.m., March 1, 2021.

5. The Montana Consumer Counsel, 111 North Last Chance Gulch, Suite 1B, Helena, MT 59620-1703, telephone (406) 444-2771, is available and may be contacted to represent consumer interests in this matter.

6. The commission, a commissioner, or a duly appointed presiding officer may preside over and conduct the hearing.

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in section 4 above or may be made by completing a request form at any rules hearing held by the department.

8. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted by email on January 14, 2021.

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption of the above-referenced rule will not significantly or directly impact small businesses.

/s/ LUKE CASEY
Luke Casey
Rule Reviewer

/s/ JAMES BROWN
James Brown
Chair
Department of Public Service Regulation

Certified to the Secretary of State on January 19, 2021.

BEFORE THE DEPARTMENT OF AGRICULTURE
OF THE STATE OF MONTANA

In the matter of the adoption of a)	NOTICE OF ADOPTION OF
Temporary Emergency Rule)	TEMPORARY EMERGENCY RULE
amendment pertaining to Plant Health)	AMENDMENT
Quarantines)	

TO: All Concerned Persons

1. The Department of Agriculture is adopting the following emergency rule amendment to minimize the risk of introduction of emerald ash borer into Montana. Emerald ash borer is a highly destructive insect pest that has killed millions of ash trees (*Fraxinus* sp.) across North America. This species is not known to occur anywhere within the state of Montana.

2. The Department of Agriculture will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Agriculture no later than 5:00 p.m. on February 5, 2021, to advise us of the nature of the accommodation that you need. Please contact Cort Jensen, Department of Agriculture, 302 N. Roberts, Helena, Montana, 59601; telephone (406) 444-3156; fax (406) 444-5409; or e-mail agr@mt.gov.

3. The temporary emergency rule amendment is effective January 14, 2021, when this rule notice is filed with the Secretary of State.

4. The text of the temporary emergency rule amendment provides as follows, stricken matter interlined, new matter underlined:

4.12.1308 PLANT HEALTH QUARANTINES (1) All quarantines are listed by the name of the quarantine and references the quarantine order number. The order will specify the name of the quarantine and describe the plant pest(s), regulated articles, and regulations, e.g., notifications, inspections, sampling, certifications, required permit(s), safeguards, and any other requirements.

(2) Quarantine orders are available from the department by accessing the department's web site at www.agr.mt.gov or by requesting a copy of the order by writing, e-mailing, or faxing a request to the Department of Agriculture at P.O. Box 200201, Helena, MT 59620-0201; agr@mt.gov; or (406) 444-5409.

(a) The department may charge actual costs of printing, copying, and mailing copies of a quarantine rule or order.

(3) The following is the current list of long-term quarantines:

(a) European Pine Shoot Moth (EPSM) (*Rhyacionia bouliana*). See Order MTQ-2008-01.

(b) Late Blight Quarantine (*Phytophthora infestans*). See Order MTQ-2008-02.

(c) Japanese Beetle (*Popillia japonica* Newman). See Order MTQ-2008-03.

Intrastate Quarantine.

(d) Japanese Beetle (*Popillia japonica* Newman). See Order MTQ-2013-01. Interstate Quarantine.

(e) *Emerald Ash Borer* (*Agilus planipennis* Fairmaire). See Order MTQ-2021-001. Exterior Quarantine.

AUTH: 80-7-402, MCA

IMP: 80-7-402, 80-7-404, MCA

5. The rationale for the temporary emergency rule amendment is set forth in paragraph 1.

6. The department is also filing MAR Notice No. 4-21-272, which addresses a public hearing on this same subject to amend this rule as a permanent rule. That notice is available in Issue Number 2 of the 2021 Montana Administrative Register.

7. Concerned persons are encouraged to submit their comments during the upcoming standard rulemaking process. If concerned persons wish to be personally notified of that rulemaking process, they should submit their names and addresses to Cort Jensen at the address above. Any comments must be received no later than 5:00 p.m., February 26, 2021.

8. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 2 above or may be made by completing a request form at any rules hearing held by the department.

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

/s/ Cort Jensen
Cort Jensen
Rule Reviewer

/s/ Mike Foster
Mike Foster
Director
Agriculture

Certified to the Secretary of State January 14, 2021.

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the adoption of an) NOTICE OF ADOPTION OF AN
emergency rule closing Giant Springs) EMERGENCY RULE
State Park in Cascade County)

TO: All Concerned Persons

1. The Department of Fish, Wildlife and Parks (department) has determined the following reasons justify the adoption of an emergency rule closing Giant Springs State Park (park):

(a) Persons occupying the park are in danger of personal injury due to large tree limbs or entire trees falling due to high winds.

(b) Therefore, as this situation constitutes an imminent peril to public health, safety, and welfare, and this threat cannot be averted or remedied by any other administrative act, the department adopts the following emergency rule. The emergency rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be posted at access points. The rule will be sent to interested parties, and published as an emergency rule in Issue No. 2 of the 2021 Montana Administrative Register.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process and need an alternative accessible format of the notice. If you require an accommodation, contact the department no later than 5:00 p.m. on February 3, 2021, to advise us of the nature of the accommodation that you need. Please contact Kaedy Gangstad, Fish, Wildlife and Parks, 1420 East Sixth Avenue, P.O. Box 200701, Helena, MT 59620-0701; telephone (406) 444-4594; or e-mail kgangstad@mt.gov.

3. The emergency rule is effective January 13, 2021, when this rule notice is filed with the Secretary of State.

4. The text of the emergency rule provides as follows:

NEW RULE I GIANT SPRINGS STATE PARK EMERGENCY CLOSURE

- (1) Giant Springs State Park is located in Cascade County.
- (2) Giant Springs State Park is closed to all public occupation and recreation.
- (3) This rule will expire as soon as the department determines Giant Springs State Park is again safe for occupation and recreation. Signs restricting use of Giant Springs State Park will be removed when the rule is no longer effective.

AUTH: 2-4-303, 23-1-106, MCA
IMP: 2-4-303, 23-1-106, MCA

5. The rationale for the emergency rule is set forth in paragraph 1.

6. Concerned persons are encouraged to submit their comments to the department. Please submit comments along with names and addresses to: Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, MT, 59602-0701; e-mail jesssnyder@mt.gov. Any comments must be received no later than February 5, 2021.

7. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, faxed to the office at (406) 444-7456, or may be made by completing the request form at any rules hearing held by the department.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Aimee Hawkaluk
Aimee Hawkaluk
Rule Reviewer

/s/ Dustin Temple
Dustin Temple
Acting Director
Department of Fish, Wildlife and Parks

Certified to the Secretary of State January 13, 2021.

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the adoption of an) NOTICE OF ADOPTION OF AN
emergency rule closing Pictograph) EMERGENCY RULE
Cave State Park in Yellowstone)
County)

TO: All Concerned Persons

1. The Department of Fish, Wildlife and Parks (department) has determined the following reasons justify the adoption of an emergency rule closing Pictograph Cave State Park (park):

- (a) A rock fall has occurred in the park obstructing the road.
- (b) Due to the potential of another rock fall and conditions present on the ground, persons occupying the park are in danger of personal injury.
- (c) Therefore, as this situation constitutes an imminent peril to public health, safety, and welfare, and this threat cannot be averted or remedied by any other administrative act, the department adopts the following emergency rule. The emergency rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be posted at access points. The rule will be sent to interested parties, and published as an emergency rule in Issue No. 2 of the 2021 Montana Administrative Register.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process and need an alternative accessible format of the notice. If you require an accommodation, contact the department no later than 5:00 p.m. on February 12, 2021, to advise us of the nature of the accommodation that you need. Please contact Kaedy Gangstad, Fish, Wildlife and Parks, 1420 East Sixth Avenue, P.O. Box 200701, Helena, MT 59620-0701; telephone (406) 444-4594; or e-mail kgangstad@mt.gov.

3. The emergency rule is effective January 21, 2021, when this rule notice is filed with the Secretary of State.

4. The text of the emergency rule provides as follows:

NEW RULE I PICTOGRAPH CAVE STATE PARK EMERGENCY CLOSURE

- (1) Pictograph Cave State Park is located in Yellowstone County.
- (2) Pictograph Cave State Park is closed to all public occupation and recreation.
- (3) This rule will expire as soon as the department determines Pictograph Cave State Park is again safe for occupation and recreation. Signs restricting use of Pictograph Cave State Park will be removed when the rule is no longer effective.

AUTH: 2-4-303, 23-1-106, MCA
IMP: 2-4-303, 23-1-106, MCA

5. The rationale for the emergency rule is set forth in paragraph 1.

6. Concerned persons are encouraged to submit their comments to the department. Please submit comments along with names and addresses to: Kaedy Gangstad, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, MT, 59602-0701; e-mail kgangstad@mt.gov. Any comments must be received no later than February 26, 2021.

7. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, faxed to the office at (406) 444-7456, or may be made by completing the request form at any rules hearing held by the department.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Aimee Hawkaluk
Aimee Hawkaluk
Rule Reviewer

/s/ Dustin Temple
Dustin Temple
Acting Director
Department of Fish, Wildlife and Parks

Certified to the Secretary of State January 21, 2021.

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.11.478 pertaining to)
unemployment insurance benefits)
related to the COVID-19 pandemic)

TO: All Concerned Persons

1. On December 11, 2020, the Department of Labor and Industry (department) published MAR Notice No. 24-11-369 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 2229 of the 2020 Montana Administrative Register, Issue Number 23.
2. A public hearing was held on January 4, 2021. No public comments were received.
3. The department has amended the above-stated rule as proposed.
4. The amendment is effective for all claims filed on or after January 31, 2021.

/s/ Quinlan L. O'Connor
Quinlan L. O'Connor
Rule Reviewer

/s/ Laurie Esau
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 19, 2021.

BEFORE THE BOARD OF DENTISTRY
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.138.504 pertaining to)
approved clinical exam criteria for)
dentists and dental hygienists)

TO: All Concerned Persons

1. On November 20, 2020, the Board of Dentistry published MAR Notice No. 24-138-79 regarding the public hearing on the proposed amendment of the above-stated rule, at page 2098 of the 2020 Montana Administrative Register, Issue No. 22.
2. On December 11, 2020, a public hearing was held on the proposed amendment of the above-stated rule in Helena. No comments were received by the December 18, 2020 deadline.
3. The board has amended ARM 24.138.504 exactly as proposed.

BOARD OF DENTISTRY
AIMEE AMELINE, DDS
PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 19, 2021.

BEFORE THE DEPARTMENT OF REVENUE
OF THE STATE OF MONTANA

In the matter of the repeal of ARM) NOTICE OF REPEAL
42.4.802 pertaining to tax credits for)
contributions to qualified education)
providers)

TO: All Concerned Persons

1. On December 11, 2020, the Department of Revenue published MAR Notice No. 42-1028 pertaining to the proposed repeal of the above-stated rule at page 2235 of the 2020 Montana Administrative Register, Issue Number 23.
2. The department has repealed the above-stated rule as proposed.
3. No requests for a public hearing or comments were received.

/s/ Todd Olson
Todd Olson
Rule Reviewer

/s/ Brendan Beatty
Brendan Beatty
Director of Revenue

Certified to the Secretary of State January 19, 2021.

NOTICE OF FUNCTION OF ADMINISTRATIVE RULE REVIEW COMMITTEE

Interim Committees and the Environmental Quality Council

Administrative rule review is a function of interim committees and the Environmental Quality Council (EQC). These interim committees and the EQC have administrative rule review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes.

Economic Affairs Interim Committee:

- Department of Agriculture;
- Department of Commerce;
- Department of Labor and Industry;
- Department of Livestock;
- Office of the State Auditor and Insurance Commissioner; and
- Office of Economic Development.

Education and Local Government Interim Committee:

- State Board of Education;
- Board of Public Education;
- Board of Regents of Higher Education; and
- Office of Public Instruction.

Children, Families, Health, and Human Services Interim Committee:

- Department of Public Health and Human Services.

Law and Justice Interim Committee:

- Department of Corrections; and
- Department of Justice.

Energy and Telecommunications Interim Committee:

- Department of Public Service Regulation.

Revenue and Transportation Interim Committee:

- Department of Revenue; and
- Department of Transportation.

State Administration and Veterans' Affairs Interim Committee:

- Department of Administration;
- Department of Military Affairs; and
- Office of the Secretary of State.

Environmental Quality Council:

- Department of Environmental Quality;
- Department of Fish, Wildlife and Parks; and
- Department of Natural Resources and Conservation.

Water Policy Interim Committee (where the primary concern is the quality or quantity of water):

- Department of Environmental Quality;
- Department of Fish, Wildlife and Parks; and
- Department of Natural Resources and Conservation.

These interim committees and the EQC have the authority to make recommendations to an agency regarding the adoption, amendment, or repeal of a rule or to request that the agency prepare a statement of the estimated economic impact of a proposal. They also may poll the members of the Legislature to determine if a proposed rule is consistent with the intent of the Legislature or, during a legislative session, introduce a bill repealing a rule, or directing an agency to adopt or amend a rule, or a Joint Resolution recommending that an agency adopt, amend, or repeal a rule.

The interim committees and the EQC welcome comments and invite members of the public to appear before them or to send written statements in order to bring to their attention any difficulties with the existing or proposed rules. The mailing address is P.O. Box 201706, Helena, MT 59620-1706.

HOW TO USE THE ADMINISTRATIVE RULES OF MONTANA AND THE MONTANA ADMINISTRATIVE REGISTER

Definitions:

Administrative Rules of Montana (ARM) is a looseleaf compilation by department of all rules of state departments and attached boards presently in effect, except rules adopted up to three months previously.

Montana Administrative Register (MAR or Register) is an online publication, issued twice-monthly, containing notices of rules proposed by agencies, notices of rules adopted by agencies, and interpretations of statutes and rules by the Attorney General (Attorney General's Opinions) and agencies (Declaratory Rulings) issued since publication of the preceding Register.

Use of the Administrative Rules of Montana (ARM):

Known
Subject

1. Consult ARM Topical Index.
Update the rule by checking recent rulemaking and the table of contents in the last Montana Administrative Register issued.

Statute

2. Go to cross reference table at end of each number and title which lists MCA section numbers and department corresponding ARM rule numbers.

RECENT RULEMAKING BY AGENCY

The Administrative Rules of Montana (ARM) is a compilation of existing permanent rules of those executive agencies that have been designated by the Montana Administrative Procedure Act for inclusion in the ARM. The ARM is updated through September 30, 2020. This table includes notices in which those rules adopted during the period August 7, 2020, through January 15, 2021, occurred and any proposed rule action that was pending during the past 6-month period. (A notice of adoption must be published within six months of the published notice of the proposed rule.) This table does not include the contents of this issue of the Montana Administrative Register (MAR or Register).

To be current on proposed and adopted rulemaking, it is necessary to check the ARM updated through September 30, 2020, this table, and the table of contents of this issue of the Register.

This table indicates the department name, title number, notice numbers in ascending order, the subject matter of the notice, and the page number(s) at which the notice is published in the 2020 or 2021 Montana Administrative Registers.

To aid the user, this table includes rulemaking actions of such entities as boards and commissions listed separately under their appropriate title number.

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- 6-262 Establishment, Deletion, or Revision of Classifications for Various Industries for Supplementing the NCCI Basic Manual for Workers' Compensation and Employers Liability Insurance, p. 1014, 1734

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- 24-225-41 Definitions - Patient Medical Records and Recordkeeping - Unprofessional Conduct - Continuing Education - Certified Euthanasia Technicians—License Requirements - Board-Approved Training Program Criteria - Certified Euthanasia Technician Examinations—Written and Practical - Application for Certified Euthanasia Agencies - Inspections—Initial and Annual - Continuing Education— Certified Euthanasia Technicians - Certified Euthanasia Agency Operation

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EXECUTIVE BRANCH APPOINTEES AND VACANCIES

Section 2-15-108, MCA, passed by the 1991 Legislature, directed that all appointing authorities of all appointive boards, commissions, committees, and councils of state government take positive action to attain gender balance and proportional representation of minority residents to the greatest extent possible.

One directive of 2-15-108, MCA, is that the Secretary of State publish monthly in the ***Montana Administrative Register*** a list of executive branch appointees and upcoming vacancies on those boards and councils.

In this issue, appointments effective in December 2020 appear. Potential vacancies from February 1, 2021 through April 30, 2021, are also listed.

IMPORTANT

Membership on boards and commissions changes constantly. The following lists are current as of January 1, 2021.

For the most up-to-date information of the status of membership, or for more detailed information on the qualifications and requirements to serve on a board, contact the appointing authority.

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of Crime Control			
Ms. Rhonda Lindquist Helena Qualifications (if required): Criminal Justice Agency	Governor	Ohman	12/11/2020 1/1/2023
Ms. Beth McLaughlin Helena Qualifications (if required): Judiciary Representative	Governor	reappointed	12/15/2020 1/1/2023
Board of Medical Examiners			
Dr. J. Bruce Robertson Bozeman Qualifications (if required): Doctor of Medicine	Governor	Feist	12/11/2020 9/1/2024
Board of Outfitters			
Ms. Kathy Hadley Anaconda Qualifications (if required): Sports person	Governor	Tureck	12/24/2020 10/1/2023
Board of Professional Engineers and Professional Land Surveyors			
Ms. Deborah Poteet Missoula Qualifications (if required): Representative of the public	Governor	Wagner	12/24/2020 7/1/2023

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of Psychologists			
Mrs. Jackie Mohler Helena	Governor	Windsor	12/11/2020 9/1/2022
Qualifications (if required): Behavior Analyst			
Ms. Sonia Zachow Butte	Governor	Bird	12/11/2020 9/1/2025
Qualifications (if required): Member of general public			
Burial Preservation Board			
Mr. Kevin Askan Pablo	Governor	Caye	12/24/2020 9/1/2021
Qualifications (if required): Representative of the Confederated Salish and Kootenai Tribes			
Mr. William Big Day Crow Agency	Governor	reappointed	12/24/2020 9/1/2022
Qualifications (if required): Representative of the Crow Tribe			
Mr. Michael Blackwolf Harlem	Governor	Belgard	12/24/2020 9/1/2022
Qualifications (if required): Representative of the Ft. Belknap Indian Community			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Burial Preservation Board Cont.			
Mr. Andy Lebrun Great Falls	Governor	Kirkwood	12/24/2020 9/1/2022
Qualifications (if required): Representative of the Montana Coroners' Association			
Ms. Maurika Moore Missoula	Governor	Silva	12/24/2020 9/1/2021
Qualifications (if required): Representative of the public			
Mr. Alvin Windy Boy Sr. Box Elder	Governor	Stump Sr.	12/24/2020 9/1/2022
Qualifications (if required): Representative of the Chippewa Cree Tribe			
Commission on Community Service			
Ms. Hadley Jackson Missoula	Governor	Unsworth	12/18/2020 7/1/2022
Qualifications (if required): State agency, Higher Education			
Family Education Savings Program Oversight Committee			
Dr. Cheryl Crawley Great Falls	Governor	McGee	12/11/2020 7/1/2024
Qualifications (if required): Member of general public			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Family Education Savings Program Oversight Committee Cont.			
Ms. Amy Esp Missoula	Governor	Ennenga	12/11/2020 7/1/2021
Qualifications (if required): Member of general public			
Mr. Brian Otterstrom Helena	Governor	Bloomgren	12/11/2020 7/1/2023
Qualifications (if required): Member of general public			
Family Support Services Advisory Council			
Ms. Amber Bell Helena	Governor	Patera	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, DPHHS Children's Special Health			
Ms. Hollin Marie Buck Missoula	Governor	reappointed	12/18/2020 4/1/2022
Qualifications (if required): Provider of Part C services, Child Development Center			
Ms. Patricia Butler Helena	Governor	reappointed	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, DPHHS Early Childhood Services Bureau			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Family Support Services Advisory Council Cont.			
Ms. Laura Christiaens	Governor	reappointed	12/18/2020
Valier			4/1/2022
Qualifications (if required): Provider of Part C services, Family Support Specialist/Service Coordinator			
Mrs. Carol Clayton-Bye	Governor	Jury	12/18/2020
Geraldine			4/1/2022
Qualifications (if required): Montana School for the Deaf & Blind			
Mrs. Stephanie Davis Goble	Governor	Bush	12/18/2020
Missoula			4/1/2022
Qualifications (if required): Medical professional			
Ms. Nicole Lynn Goeddel	Governor	Davis	12/18/2020
Missoula			4/1/2022
Qualifications (if required): Parent representative, region 1			
Mrs. Abigail Harris	Governor	reappointed	12/18/2020
Forsyth			4/1/2022
Qualifications (if required): Parent representative, region 1			
Representative Kathy Kelker	Governor	reappointed	12/18/2020
Billings			4/1/2022
Qualifications (if required): State legislator			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Family Support Services Advisory Council Cont.			
Ms. Jeannie Keller Helena	Governor	reappointed	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, Commissioner of Securities and Insurance			
Mrs. Kiera Kirschner Bozeman	Governor	Harbrige	12/18/2020 4/1/2022
Qualifications (if required): Parent representative, region 4			
Ms. Leslie Lee Helena	Governor	Williams	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, DPHHS Healthy MT families			
Ms. Brandi Loch Great Falls	Governor	Kintop	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, DPHHS Child Protective Services			
Dr. Christine Lux Bozeman	Governor	reappointed	12/18/2020 4/1/2022
Qualifications (if required): Personnel Preparation representative			
Ms. Danielle McCarthy Helena	Governor	reappointed	12/18/2020 4/1/2022
Qualifications (if required): Agency representative, OPI part B			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Family Support Services Advisory Council Cont.			
Ms. Laura McKee	Governor	reappointed	12/18/2020
Billings			4/1/2022
Qualifications (if required): Parent representative, At large			
Mr. David Munson	Governor	reappointed	12/18/2020
Billings			4/1/2022
Qualifications (if required): Provider of part C services, Early Childhood Intervention			
Ms. Catherine Murphy	Governor	reappointed	12/18/2020
Helena			4/1/2022
Qualifications (if required): Agency representative, DPHHS Developmental Disabilities Program			
Ms. Daylinda Radley	Governor	reappointed	12/18/2020
Helena			4/1/2022
Qualifications (if required): Provider of part C services, Speech-Language Therapists' Assoc. representative			
Ms. Bonnie Lesley Ramage	Governor	reappointed	12/18/2020
Billings			4/1/2022
Qualifications (if required): Parent representative, region 3			
Ms. Kathleen Rich	Governor	reappointed	12/18/2020
Helena			4/1/2022
Qualifications (if required): Head Start representative			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Family Support Services Advisory Council Cont. Ms. Karen Thornton Great Falls Qualifications (if required): Provider of part C services, Physical Therapist representative	Governor	reappointed	12/18/2020 4/1/2022
Interstate Medical Licensure Compact Commission Mr. C.E. Abramson Missoula Qualifications (if required): Public member of the Board of Medical Examiners	Governor	Feist	12/11/2020 7/1/2021
Land Information Advisory Council Mr. Kory Hofland Helena Qualifications (if required): Designee of a department director	Governor	Conn	12/18/2020 6/30/2021
Montana Agriculture Development Council Mr. Lars Wesley Hanson Edgar Qualifications (if required): Actively engaged in agriculture	Governor	reappointed	12/24/2020 7/1/2023
Mrs. Megan Hedges Chester Qualifications (if required): Actively engaged in agriculture	Governor	Mastel	12/24/2020 7/1/2023

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Agriculture Development Council Cont. Mr. George Kipp III Heart Butte Qualifications (if required): Actively engaged in agriculture	Governor	Quisno	12/24/2020 7/1/2023
Montana Alfalfa Seed Committee Mr. Ernest Johnson Chinook Qualifications (if required): Actively engaged in the growing of alfalfa seed within the state	Governor	reappointed	12/1/2020 12/1/2023
Mr. John Mehling Hardin Qualifications (if required): Alfalfa seed grower and rears alfalfa leaf cutting bees	Governor	reappointed	12/1/2020 12/1/2023
Mr. Cavin Steiger Forsyth Qualifications (if required): Actively engaged in the growing of alfalfa seed within the state	Governor	reappointed	12/1/2020 12/1/2023
Montana Information Security Advisory Council Ms. Erika Billiet Kalispell Qualifications (if required): Local government	Governor	reappointed	12/15/2020 6/30/2021

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Information Security Advisory Council Cont.			
Mr. Timothy Bottenfield Helena	Governor	reappointed	12/15/2020 6/30/2021
Qualifications (if required): Chief Information Officer			
Ms. Anne Dormady Helena	Governor	reappointed	12/15/2020 6/30/2021
Qualifications (if required): Montana Analysis and Technical Information Center representative (MATIC)			
Mr. Jason Emery Missoula	Governor	New	12/15/2020 6/30/2021
Qualifications (if required): Local government			
Ms. Kellee English Helena	Governor	Campbell	12/15/2020 6/30/2021
Qualifications (if required): State agency			
Mr. Joseph Frohlich Helena	Governor	New	12/15/2020 6/30/2021
Qualifications (if required): State agency			
Mr. Andy Hanks Helena	Governor	reappointed	12/15/2020 6/30/2021
Qualifications (if required): State agency			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Information Security Advisory Council Cont. Representative Kenneth Holmlund Miles City Qualifications (if required): State legislator	Governor	Welborn	12/15/2020 6/30/2021
Mr. Adrian Irish Missoula Qualifications (if required): University representative	Governor	reappointed	12/15/2020 6/30/2021
Ms. Margaret Kauska Helena Qualifications (if required): State agency	Governor	reappointed	12/15/2020 6/30/2021
Mr. Travis Light Fort Harrison Qualifications (if required): General public	Governor	Daugherty	12/15/2020 6/30/2021
Mr. Kirk Miller Helena Qualifications (if required): General public	Governor	Frazee	12/15/2020 6/30/2021
Commissioner Tony O'Donnell Helena Qualifications (if required): State agency	Governor	reappointed	12/15/2020 6/30/2021

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Information Security Advisory Council Cont.			
Mr. Dean Olsen Helena Qualifications (if required): General public	Governor	Laferriere	12/15/2020 6/30/2021
Ms. Dawn Pizzini Helena Qualifications (if required): State agency	Governor	Sprenger	12/15/2020 6/30/2021
Senator JP Pomnichowski Bozeman Qualifications (if required): State Legislator	Governor	McCarthy	12/15/2020 6/30/2021
Major General Matthew T. Quinn Fort Harrison Qualifications (if required): State Homeland Security Advisor	Governor	reappointed	12/15/2020 6/30/2021
Mr. Rich Rasmussen Helena Qualifications (if required): General public	Governor	Sangray	12/15/2020 6/30/2021
Mr. Steven Robinett Great Falls Qualifications (if required): University representative	Governor	New	12/15/2020 6/30/2021

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Information Security Advisory Council Cont.			
Mr. Jason Schaller Helena Qualifications (if required): General public	Governor	Simon	12/15/2020 6/30/2021
Mr. Michael Sweeney Helena Qualifications (if required): K-12 representative	Governor	Kozlowitz	12/15/2020 6/30/2021
Ms. Suzi Taylor Bozeman Qualifications (if required): University representative	Governor	New	12/15/2020 6/30/2021
Ms. Dawn Temple Helena Qualifications (if required): State agency	Governor	New	12/15/2020 6/30/2021
Mr. Justin van Almelo Bozeman Qualifications (if required): University representative	Governor	reappointed	12/15/2020 6/30/2021
Ms. Jeanne Vold Butte Qualifications (if required): General public	Governor	reappointed	12/15/2020 6/30/2021

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Wheat and Barley Committee			
Mr. Brett Dailey Jordan	Governor	New	12/18/2020 6/1/2023
Qualifications (if required): Farmer deriving income from wheat or barley, District IV, Republican			
State Workforce Innovation Board			
Ms. Morgan Marks Helena	Governor	Tessman	12/24/2020 7/1/2021
Qualifications (if required): Workforce representative			
Mrs. Jolene Schalper Great Falls	Governor	Reddick	12/11/2020 7/1/2021
Qualifications (if required): Business Representative			
Commissioner Maureen Wicks Ledger	Governor	Weber	12/24/2020 7/1/2021
Qualifications (if required): Local government elected official			
State-Tribal Economic Development Commission			
Mr. Ray King Harlem	Governor	B. King	12/24/2020 6/30/2021
Qualifications (if required): Representative of the Ft. Belknap Indian Community			

EXECUTIVE BRANCH APPOINTEES FOR DECEMBER 2020

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
State-Tribal Economic Development Commission Cont.			
Mr. Richard Sangrey Box Elder	Governor	reappointed	12/24/2020 7/1/2023
Qualifications (if required): Representative of the Chippewa Cree Tribe			
Statewide Independent Living Council			
Ms. Deserie Kelley Missoula	Governor	reappointed	12/1/2020 12/1/2023
Qualifications (if required): person with disability and independent living center representative			
Water Pollution Control Advisory Council			
Mr. Andy Onushco Helena	Governor	New	12/18/2020 1/1/2021
Qualifications (if required): Realtor or developer representative			
Youth Justice Council			
Ms. Ava Parsons Missoula	Governor	Scheben	12/18/2020 3/1/2022
Qualifications (if required): Under the age of 28			

EXECUTIVE BRANCH VACANCIES – FEBRUARY 1, 2021 THROUGH APRIL 30, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Board of Architects and Landscape Architects Mr. Dale E. Nelson, Great Falls Qualifications (if required): Licensed Architect	Governor	4/1/2021
Board of County Printing Commissioner Carol Brooker, Thompson Falls Qualifications (if required): County Commissioner	Governor	4/1/2021
Commissioner Laura Obert, Townsend Qualifications (if required): County Commissioner	Governor	4/1/2021
Mr. Roger Wagner, Nashua Qualifications (if required): Member of the general public	Governor	4/1/2021
Mr. David McCumber, Butte Qualifications (if required): Member of the printing industry	Governor	4/1/2021
Mr. Jonathan McNiven, Huntley Qualifications (if required): Member of the printing industry	Governor	4/1/2021
Board of Dentistry Ms. Cherry Loney, Great Falls Qualifications (if required): Public member	Governor	4/1/2021
Mr. Kevin Miltko, Missoula Qualifications (if required): Licensed Dentist	Governor	4/1/2021

EXECUTIVE BRANCH VACANCIES – FEBRUARY 1, 2021 THROUGH APRIL 30, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Board of Livestock Representative Lila V. Taylor-Evans, Busby Qualifications (if required): Cattle Producer	Governor	3/1/2021
Board of Optometry Dr. Marcus H. Kelley, Helena Qualifications (if required): Registered Optometrist	Governor	4/1/2021
Dr. Kristi Schied-Starkey, Billings Qualifications (if required): Registered Optometrist	Governor	4/1/2021
Board of Public Education Ms. Mary Jo Bremner, Browning Qualifications (if required): District 2, Democrat	Governor	2/1/2021
Board of Regents of Higher Education Ms. Martha Sheehy, Billings Qualifications (if required): District 2 and a Democrat	Governor	2/1/2021
Potato Commodity Advisory Committee Mr. Tim Lake, Polson Qualifications (if required): Potato Producer	Governor	3/1/2021

EXECUTIVE BRANCH VACANCIES – FEBRUARY 1, 2021 THROUGH APRIL 30, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Potato Commodity Advisory Committee Cont. Mr. Jack Meyer, Manhattan Qualifications (if required): Potato Producer	Governor	3/1/2021
Public Employees' Retirement Board Mr. Timm Twardoski, Helena Qualifications (if required): Member at-large	Governor	4/1/2021
Mr. David Allen Severson, Missoula Qualifications (if required): Member at-large	Governor	4/1/2021

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