

MONTANA ADMINISTRATIVE REGISTER

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MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 10

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 The Proposal Notice Section contains state agencies' proposed new, amended, or repealed rules; the rationale for the change; date and address of public hearing; and where written comments may be submitted.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 COMMERCE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 8.94.3817 pertaining to the) PROPOSED AMENDMENT
administration of the Montana Coal)
Endowment Program (MCEP) –)
Planning Grants)

TO: All Concerned Persons

1. On June 17, 2021, at 10:00 a.m., the Department of Commerce will hold a public hearing by conference call, 1-877-273-4202, conference room 7865396, to consider the proposed amendment of the above-stated rule.

2. The Department of Commerce 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 Commerce no later than 5:00 p.m., June 15, 2021, to advise us of the nature of the accommodation that you need. Please contact Bonnie Martello, Department of Commerce, 301 South Park Avenue, P.O. Box 200501, Helena, Montana 59620-0523; telephone (406) 841-2596; TDD 841-2702; fax (406) 841-2771; or e-mail DOCAAdministrativeRules@mt.gov.

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

8.94.3817 INCORPORATION BY REFERENCE OF RULES FOR THE
ADMINISTRATION OF THE TREASURE STATE ENDOWMENT PROGRAM
(TSEP) MONTANA COAL ENDOWMENT PROGRAM (MCEP) – PLANNING
GRANTS (1) The Department of Commerce adopts and incorporates by reference the ~~2020 Biennium~~ Infrastructure Planning Grant Application and Administration Guidelines for ~~TSEP~~ MCEP Infrastructure Planning Grants as rules for the administration of the ~~2020 Biennium Treasure State Endowment Program~~ Montana Coal Endowment Program – Planning Grants.

(2) remains the same.

(3) Copies of the regulations adopted by reference in (1) may be obtained from the Department of Commerce, Planning Bureau, 301 South Park Avenue, P.O. Box 200523, Helena, Montana 59620-0523, or on the Planning Bureau web site at <http://comdev.mt.gov/Programs/TSEP/PlanningGrants/Applying>.

AUTH: 90-6-701, MCA
IMP: 90-6-701, MCA

REASON: It is reasonably necessary to amend this rule to reflect updated requirements to the guidelines and to implement the program name change as required in SB 258 of the 67th legislative session.

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: Bonnie Martello, Department of Commerce, Legal Department, 301 South Park Avenue, P.O. Box 200501, Helena, Montana 59620-0533; telephone (406) 841-2596; fax (406) 841-2871; TDD (406) 841-2702; or e-mail DOCAdministrativeRules@mt.gov, and must be received no later than 5:00 p.m., June 25, 2021.

5. The Office of Legal Affairs, Department of Commerce, 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 listed in 4 above or may be made by completing a request form at any rules hearing held by the department.

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

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

/s/ Amy Barnes
Amy Barnes
Rule Reviewer

/s/ Adam Schafer
Adam Schafer
Deputy Director
Department of Commerce

Certified to the Secretary of State on May 18, 2021.

BEFORE THE BOARD OF OCCUPATIONAL THERAPY PRACTICE
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PUBLIC HEARING ON
ARM 24.165.302 definitions, and the	)	PROPOSED AMENDMENT AND
repeal of 24.165.505 deep modality	)	REPEAL
endorsement)	

TO: All Concerned Persons

1. On June 24, 2021, at 9:00 a.m., a public hearing will be held via remote conferencing to consider the proposed amendment and repeal of the above-stated rules. 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/84926792334>
Meeting ID: 849 2679 2334, Passcode: 736688

-OR-

b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656
Meeting ID: 849 2679 2334, Passcode: 736688

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 Occupational Therapy Practice no later than 5:00 p.m., on June 17, 2021, to advise us of the nature of the accommodation that you need. Please contact Lucy Richards, Board of Occupational Therapy Practice, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2394; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsdotp@mt.gov (board's e-mail).

3. REASONABLE NECESSITY STATEMENT: The term "deep" was added to the board's fee rule in 2006 as meaning the same as a "sound and electrical" modality. In 2015, the board struck "deep" from the fee rule to align with terminology used in board statutes and also by rule established a "deep modality endorsement" and definitions for "deep modalities" and "deep modality endorsement."

In 2019, Senate Bill 59 eliminated the requirement for occupational therapists to obtain an endorsement to utilize sound and electrical physical agent modalities in practice. Later that year, the board amended the rules to implement the 2019 statutory changes. While reviewing and comparing the board's statutes and rules to existing application processes, staff noticed that only "superficial" (37-24-105, MCA) and "topical medications" (37-24-107, MCA) endorsements are now provided for in

statute. "Deep modality" endorsement does not appear in Title 37, chapter 24, MCA, and is not statutorily authorized.

The board determined it is reasonably necessary to strike the definitions of "deep modalities" and "deep modality endorsement" in ARM 24.165.302 and repeal ARM 24.165.505 to remove obsolete and inaccurate rule language. These amendments will align the board's rules with the statutes to reflect superficial and topical medications endorsements as the only two modality endorsements the board has authority to issue. These changes will not alter or impact the scope of practice for Montana licensed occupational therapists.

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

24.165.302 DEFINITIONS For the purpose of this chapter the following definitions apply:

(1) remains the same.

(2) ~~"Deep modalities" means the use of a sound or electrical physical agent modality which penetrates past the subcutaneous layer of fat into the muscle through the application of heat, cold, ultrasound, phonophoresis, or iontophoresis.~~

(3) ~~"Deep modality endorsement" means that a licensed occupational therapist has met the statutory requirements in the use of sound and electrical physical agent modalities and occupational therapy techniques involving topical medications.~~

(4) through (11) remain the same but are renumbered (2) through (9).

AUTH: ~~37-1-131~~, 37-24-201, 37-24-202, MCA

IMP: ~~37-1-101~~, 37-24-103, 37-24-105, 37-24-106, 37-24-107, 37-24-108, MCA

REASON: Authority and implementation citations are amended to accurately reflect the statutes implemented through the rule and the complete sources of the board's rulemaking authority.

5. The rule proposed to be repealed is as follows:

24.165.505 DEEP MODALITY ENDORSEMENT

AUTH: 37-1-131, 37-24-202, MCA

IMP: 37-1-131, 37-24-105, 37-24-106, 37-24-107, MCA

6. 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 Occupational Therapy Practice, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsdotp@mt.gov, and must be received no later than 5:00 p.m., June 25, 2021.

7. An electronic copy of this notice of public hearing is available at www.ot.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.

8. 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 Occupational Therapy Practice, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsdotp@mt.gov; or made by completing a request form at any rules hearing held by the agency.

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

10. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.165.302 will not significantly and directly impact small businesses.

Regarding the requirements of 2-4-111, MCA, the board has determined that the repeal of ARM 24.165.505 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determinations is available upon request to the Board of Occupational Therapy Practice, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2394; facsimile (406) 841-2305; or to dlibsdotp@mt.gov.

11. Lucy Richards, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF OCCUPATIONAL
THERAPY PRACTICE
TWYLLA KIRCHEN, OTR/L
PRESIDING OFFICER, ACTING

/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 May 18, 2021.

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

In the matter of the amendment of	)	NOTICE OF PUBLIC HEARING ON
ARM 24.301.146 pertaining to	)	PROPOSED AMENDMENT
modifications to the International)	
Building Code applicable to both the)	
department's and local government)	
code enforcement programs)	

TO: All Concerned Persons

1. On June 22, 2021, at 10:00 a.m., a public hearing will be held via remote conferencing to consider the proposed amendment of the above-stated rule. 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/82524797123>
Meeting ID: 825 2479 7123, Passcode: 617852
-OR-
- b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656
Meeting ID: 825 2479 7123, Passcode: 617852

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 Building Codes Program no later than 5:00 p.m., on June 15, 2021, to advise us of the nature of the accommodation that you need. Please contact Traci Collett, Building Codes Program, 301 South Park Avenue, P.O. Box 200517, Helena, Montana 59620-0517; telephone (406) 841-2016; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2050; or buildingcodes@mt.gov.

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

24.301.146 MODIFICATIONS TO THE INTERNATIONAL BUILDING CODE
APPLICABLE TO BOTH THE DEPARTMENT'S AND LOCAL GOVERNMENT
CODE ENFORCEMENT PROGRAMS (1) through (15) remain the same.

(16) Delete Subsection 903.2.8 and replace with the following:

"1. An approved automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all Group R buildings meeting any of the following criteria:

"a. 9 or more transient guests or 5 or more transient guestrooms in R-1 or R-2 occupancies;

"b. 9 or more occupants in other than dwelling units;

"c. 5 or more dwelling units; or

"d. more than 2 stories in other than dwelling units.

"2. In lieu of the above required automatic sprinkler system in buildings not more than three stories above the lowest level of exit discharge, each transient guestroom may be provided with at least one door leading directly to an exterior exit access that leads directly to approved exits.

"3. "Transient guest" for the purpose of this subsection shall mean an occupant who is primarily transient in nature, staying at one location for 30 days or less."

"4. "The requirements for automatic sprinkler systems for R-4 occupancies are found in ARM 24.301.146."

(17) through (44) remain the same.

AUTH: 50-60-203, MCA

IMP: 50-60-101, 50-60-102, 50-60-104, 50-60-201, 50-60-203, 50-60-205, MCA

REASON: The 67th Montana Legislature passed Senate Bill 178, an act prohibiting state building codes from requiring mandatory installation of fire sprinkler systems in certain residential buildings. The bill was signed by the Governor and became effective April 22, 2021, and is codified at 50-60-203, MCA.

The bill prohibits state building codes from requiring fire sprinkler systems in single-family dwellings or residential buildings containing no more than two dwelling units. The department determined it is reasonably necessary to amend this rule to implement Senate Bill 178 by clarifying the buildings that must have automatic sprinkler systems under the new law.

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 Building Codes Program, 301 South Park Avenue, P.O. Box 200517, Helena, Montana 59620-0517, by facsimile to (406) 841-2050, or e-mail to buildingcodes@mt.gov, and must be received no later than 5:00 p.m., June 25, 2021.

5. An electronic copy of this notice of public hearing is available at <https://buildingcodes.mt.gov> (department and program'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 department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this program. 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 Building Codes Program 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 Building Codes Program, 301 South Park Avenue, P.O. Box 200517, Helena, Montana 59620-0517; faxed to the office at (406) 841-2050; e-mailed to buildingcodes@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, apply and have been fulfilled. The primary bill sponsor was contacted on April 27, 2021, by telephone and electronic mail.

8. Regarding the requirements of 2-4-111, MCA, the department has determined that the amendment of ARM 24.301.146 will not significantly and directly impact small businesses.

Documentation of the department's above-stated determination is available upon request to the Building Codes Program, 301 South Park Avenue, P.O. Box 200517, Helena, Montana 59620-0517; telephone (406) 841-2016; facsimile (406) 841-2050; or to buildingcodes@mt.gov.

9. Traci Collett, Program Manager, has been designated to preside over and conduct this hearing.

/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 May 18, 2021.

BEFORE THE DEPARTMENT OF LIVESTOCK
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PROPOSED AMENDMENT
ARM 32.2.403 pertaining to)
diagnostic laboratory fees) NO PUBLIC HEARING
) CONTEMPLATED

TO: All Concerned Persons

1. The Department of Livestock proposes to amend the above-stated rule.

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Livestock no later than 5:00 p.m., June 21, 2021, to advise us of the nature of the accommodation that you need. Please contact Executive Officer, Department of Livestock, 301 N. Roberts St., Room 304, P.O. Box 202001, Helena, MT 59620-2001; telephone: (406) 444-9525; TTD number: 1 (800) 253-4091; fax: (406) 444-4316; e-mail: MDOLcomments@mt.gov.

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

32.2.403 DIAGNOSTIC LABORATORY FEES (1) Services available through the Montana Department of Livestock Veterinary Diagnostic Laboratory (MVDL) are listed in the chart in (3), entitled MVDL Services and Fees.

~~(a) A 50 percent surcharge will be assessed on accessions from out-of-state submitters.~~

~~(b)~~ (a) Mailing costs:

(i) all submissions must have shipping cost or postage prepaid;

(ii) "collect on delivery" shipments are not accepted;

(iii) any mailing costs incurred by the laboratory will be billed to the submitter.

~~(c)~~ (b) Delinquent accounts:

(i) A 1.5 percent monthly interest rate will be charged on accounts over 30 days.

(ii) Laboratory results on any account 90 days delinquent will be withheld until the entire payment is received.

~~(d)~~ (c) A 50 percent surcharge will be assessed when expedited processing is requested on a case.

(2) remains the same.

(3) MVDL services and fees:

(a) Clinical Microbiology/Bacteriology:

Test	Fee
aerobic culture	\$20.00
aerobic culture - additional isolate	\$10.00

anaerobic culture	\$24.00
anaerobic culture - additional isolate	\$10.00
antibiotic sensitivity - per isolate	\$15.00
brucella culture	\$20.00
campylobacter culture	\$16.00
dermatophyte culture	\$30.00
direct microscopy	\$10.00
fecal occult blood	\$11.00
fungal culture	\$30.00
listeria culture	\$24.00
mycoplasma culture	\$20.00
salmonella culture	\$20.00
salmonella enteritidis confirmatory culture	\$28.00
tritrichomonas foetus culture	\$7.00
<u>giardia antigen SNAP test</u>	<u>\$18.00</u>

(b) through (f) remain the same.

(g) Molecular Diagnostics (PCR)

Test	Fee
avian influenza (AI)	\$40.00
Bovine coronavirus/rotavirus multiplex	\$45.00
bovine virus <u>viral</u> diarrhea <u>virus</u> (BVDV):	
individual samples (ear notch samples)	\$40.00
MVDL pooled (ear notch samples)	\$65.00
E. coli - K99	\$40.00
bovine respiratory disease viral PCR panel	\$50.00
Classical Swine Fever, Foot & Mouth Disease, Vesicular Stomatitis Virus, Swine Influenza Virus, or Avian Paramyxovirus PCR	\$40.00 each
mycobacterium avium paratuberculosis (Johne's):	
individual sample	\$36.00
MVDL pooled (up to 5 feces samples)	\$42.00
salmonella enteritidis PCR	\$36.00
tritrichomonas foetus:	
individual sample	\$30.00
MVDL pooled (up to 5 samples)	\$55.00
<u>coxiella and chlamydia PCR</u>	<u>\$36.00</u>
<u>mycoplasma bovis PCR</u>	<u>\$36.00</u>
<u>rabbit hemorrhagic disease virus (RHDV) PCR</u>	<u>\$40.00</u>
<u>clostridium perfringens typing PCR</u>	<u>\$40.00</u>

(h) Pathology

Test		Fee
abortion workup, livestock		\$65.00
neonatal diarrhea workup - livestock		\$125.00
carcass disposal – incineration (livestock)(per lb)		\$0.50
carcass disposal – incineration (other species)(per lb)		\$1.00
Animal remains return/transfer		\$25.00
Pathologist time (after hours/insurance/legal cases)		\$200.00/hour
after hours carcass receiving		\$25.00 <u>\$50.00</u>
necropsy - livestock		\$120.00
necropsy - other species		\$150.00
spinal cord removal (in addition to necropsy fee):		
	small animal	\$75.00
	large animal	\$125.00

(i) through (k) remain the same.

(l) Virology

Test		Fee
canine parvovirus SNAP		\$30.00
fluorescent antibody (FA) testing - per agent:		
	bovine coronavirus (BCV)	\$11.00
	bovine respiratory syncytial virus (BRSV) SN	\$11.00
	bovine virus <u>viral</u> diarrhea <u>virus</u> (BVDV)	\$11.00
	canine distemper (CDV)	\$11.00
	canine parvovirus (CPV)	\$11.00
	equine herpesvirus (EHV)	\$11.00
	feline panleukopenia (FPLV)	\$11.00
	feline infectious peritonitis (FIP)	\$11.00
	feline herpes (FHV)	\$11.00
	infectious bovine rhinotracheitis (IBR)	\$11.00
	leptospira	\$11.00
	parainfluenza - 3 Virus (PI-3)	\$11.00
	porcine parvovirus (PPV)	\$11.00
chronic wasting disease IHC		\$34.00
chronic wasting disease ELISA		\$14.00
virus isolation (livestock only)		\$34.00
<u>bovine viral diarrhea virus (BVDV) antigen SNAP test</u>		<u>\$7.00</u>
<u>equine virus arteritis (EVA) virus neutralization test</u>		<u>\$16.00</u>
<u>pregnancy test</u>		<u>\$4.50</u>
<u>coxiella burnetii (Q fever) ELISA</u>		<u>\$13.00</u>

(m) Miscellaneous Tests/Fees

Test	Fee
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duplicate test result reporting (hard copy)	\$4.00
organization fee	\$75.00/hour
after hours reporting fee	\$20.00
shipping and handling (referrals)	\$20.00
incoming shipping (web submissions)	\$7.00
neospora ELISA	\$8.00
pregnancy ELISA	\$6.00
kits (abortion, diarrhea, necropsy, biopsy)	\$5.00
pads of forms	\$5.00
rabies shippers	\$22.00
blood tube mailers (small) <u>(5 tubes)</u>	\$2.50
blood tube mailers (medium) <u>(4 tubes + slides)</u>	\$5.00
blood tube mailers (large) <u>(8 tubes + slides)</u>	\$7.50
40 tube blood mailers	\$5.00 <u>\$2.00</u>
<u>100 tube blood mailers</u>	<u>\$2.00</u>
<u>supply order handling fee</u>	<u>\$2.00</u>
<u>cleaning/decontamination</u>	<u>\$7.50</u>
trich pouches	\$7.50
campylobacter tube	\$2.00
<u>formalin jar (small)</u>	<u>\$2.50</u>
<u>formalin jar (large)</u>	<u>\$3.50</u>

AUTH: 81-1-102, 81-2-102, MCA
IMP: 81-1-301, 81-1-302, 81-2-102, MCA

REASON: The department is proposing to amend the above-stated rule with nine new tests and associated fees resulting in improved quality of work for clients, decreased turnaround time for test results, clients being offered more diagnostically reliable and cost-effective testing options, the potential for more federal funding, lowered overhead costs, and greater operational flexibility and efficiency.

Bovine Viral Diarrhea Virus BVDV SNAP Test

The BVDV snap test would take the place of any single animal submissions that we currently perform ELISA, PCR, or virus isolation on (>2000 tests in FY20). In these single animal cases, the snap test will drastically reduce our turnaround time and lab time investment from several hours or days to less than an hour. The following table illustrates the projected time to complete testing within the lab section, projected turnaround time from sample receipt to issuing results, and the associated test fee.

Test	Test Time	Turnaround Time (days)*	Test Fee
BVDV ELISA	4-6 hours	1-2	\$6.00
BVDV PCR	8 hours	2-3	\$40.00
BVDV Virus Isolation	14 days	21	\$34.00
BVDV SNAP	30 minutes	1	\$7.00

* Based on normal operational flow

In addition to time savings for MVDL staff and decreased turnaround time for clients/producers in Montana, the proposed BVDV SNAP test fee of \$7/test will provide a significant savings over our current BVDV PCR test (\$40/test) and BVDV virus isolation assay (\$34/test).

The main benefit of the BVDV SNAP test would be when we receive a single test submission or a low number (1-5) of test submissions. The SNAP test will result in a significantly faster turnaround time for a limited number of samples and will reduce the time burden on our lab technicians for these cases. Once the samples numbers get higher (such as the testing of a large herd) it may be more efficient to do the ELISA or PCR using the pooling option. The availability of the SNAP test option will allow our staff to mix and match testing methodologies to provide greater operational flexibility and efficiency.

Equine Virus Arteritis (EVA) Virus Neutralization Test

EVA is a National Animal Health Laboratory Network (NAHLN) scope disease, and thus, we are proposing to add this test as it is in the best interest of the MVDL to become qualified to perform all diagnostic tests that increase our standing with NAHLN. The number of NAHLN scope diagnostic tests a lab is qualified to perform is an input into a capability matrix which determines the amount of annual federal funding a NAHLN lab receives.

The EVA test utilizes most of the same reagents we currently have on hand and use for other serum neutralization (SN) tests, minus the cell line and virus. The upfront investment for the additional components is \$287. Once set up and qualified, we will have exceedingly low supply overhead costs since the virus and cell line can be propagated and stored indefinitely going forward.

Giardia SNAP Test

The MVDL is proposing to switch our giardia test method to the IDEXX SNAP test, which is a USDA-approved diagnostic assay. The current giardia ELISA is twice as expensive (\$34/test) as the giardia SNAP test (\$18/test), and the bench time required for the ELISA (60 minutes) is double that of the SNAP test (30 minutes). By offering this test, we will provide our clients with a diagnostically reliable and more cost-effective testing option.

Mycoplasma Bovis PCR Test

Currently, the MVDL has no diagnostic test capable of determining mycoplasma speciation. Since most of our clients know that we cannot speciate mycoplasma bovis, we suspect a lot of them either have us culture for mycoplasma in general, or they send samples directly to other labs for speciation. For mycoplasma testing specifically, often this test is incorporated as part of a respiratory PCR panel at other laboratories, something that we refer out of state with regularity. Offering this test would significantly improve the quality of our diagnostic workups for respiratory disease.

Also, offering a PCR test would result in a turnaround time for our clients of 2-3 days rather than the >7 days for a mycoplasma culture. Once the assay is online and qualified, the MVDL could consider incorporating it into a respiratory panel, a diagnostic test offering that will primarily benefit cattle producers during the fall and winter.

Coxiella/Chlamydophila PCR

The MVDL has received occasional interest from our clients regarding this testing, specifically in sheep. These two kits use the same reagents and platforms for extraction and the expendables and turnaround time would be the same as any of our other routine PCR tests. The time and investment we would need to bring these tests online is anticipated to be the cost of verifying the tests, something we do on a regular basis for new tests, new kits, changes in reagents/suppliers, or any other material change to a diagnostic assay. Offering these assays would significantly improve the quality of our workups for livestock abortions during the winter/spring reproductive season and lay the groundwork for future incorporation of these assays into a PCR abortion panel.

Pregnancy Test

The rapid visual pregnancy test is a USDA-licensed ELISA test used for the detection of pregnancy-associated glycoproteins from 28 days post-breeding in goats and cattle, from 35 days post-breeding in sheep, and from 40 days post-breeding in water buffalo and bison. Early detection of pregnancy in ruminants is important for improving reproductive efficiency in commercial herds. No other serum/plasma test for detection of pregnancy in livestock is currently offered by MVDL and would serve as a non-invasive and useful diagnostic testing modality for livestock producers. MVDL proposes adding this test at a cost of \$4.50 per test. This cost is consistent with fees charged by other state labs performing this test offering.

RHDV PCR

Rabbit Hemorrhagic Disease Virus (RHDV), considered a foreign animal disease, has recently been identified in Yellowstone County, Montana. This virus is lethal in many different lagomorph species (both wild and domestic) and may infect other wildlife species as well. Quick laboratory diagnosis is paramount to preventing the spread of the virus. The USDA has developed a rapid real-time PCR assay that can identify the presence of RHDV in clinical samples, and MVDL has been activated as a surveillance laboratory for RHDV by the Department of Livestock and the USDA.

Making this PCR test accessible to stakeholders is directly in line with the mission of the Department of Livestock "to control and eradicate animal diseases." MVDL proposes adding this test at a cost of \$40.00 per test, reflecting the same price as other NALHN-scope PCR tests we offer.

Clostridium perfringens Typing PCR

Clostridium perfringens is a bacterial pathogen capable of causing diarrhea and death in cattle, especially neonates, resulting in significant economic hardship to livestock producers. Certain *Clostridium* sp. are normal inhabitants of the GI tract of animals, while other types produce potentially lethal toxins. To guide treatment, determination of the type of *Clostridium perfringens* present and the toxins produced by the bacteria in a clinical sample is necessary. Currently, MVDL does not have the capacity to perform *C. perfringens* toxin typing; thus, all requests are referred to other veterinary diagnostic laboratories. Adding this test would be extremely useful to cattle producers and veterinarians in Montana, potentially improving patient outcomes by decreasing turnaround time for dissemination of testing results and guiding treatment strategies.

MVDL proposes adding a *Clostridium perfringens* typing PCR at the cost of \$40.00 per test which is consistent with the cost of other MVDL PCR tests.

Coxiella burnetii (Q Fever) ELISA

Q fever is a potentially zoonotic, reproductive disease of ruminants and an immediately reportable disease in the state of Montana. Testing for this bacterial disease is particularly important in commercial and pet sheep herds, especially in cases where abortions have occurred. Currently, MVDL does not have the capacity to perform serological testing for this disease for either clinical or regulatory purposes.

From January 1, 2020 to January 1, 2021, MVDL referred 42 Q fever requests to other laboratories with a turnaround time of up to two weeks. By performing this test in house, turnaround time on testing results could be reduced to 48 hours, thus improving diagnostic efficiency and surveillance for this pathogen.

MVDL proposes adding this test at a cost of \$13.00 per test which is consistent with other ELISA tests currently offered.

Modifications to Miscellaneous Tests/Fees

The MVDL is seeking to eliminate the 50% surcharge on out-of-state test submissions as correctly determining whether a submission should be assessed an out-of-state charge is time consuming and may potentially require phone inquiries to veterinarians that reside in Montana and out of state for each individual submission. Additionally, the low number of out-of-state submissions annually (~10-15) will result in minimal economic impact to the lab. This change also parallels similar policy changes at other regional state laboratories, thus maintaining a more comparable market.

An increase is proposed for the after-hours carcass receiving fee, based on the costs associated with offering this service. The current fee covers only a portion of the personal services costs expended.

Several adjustments to fees for laboratory-provided kits and supplies are proposed, to better align laboratory offerings with client needs and to cover the costs associated with purchasing, storing, and distributing these materials.

Economic and Client Impact

The equine virus arteritis (EVA) virus neutralization test (\$16), mycoplasma bovis PCR test (\$36), Coxiella/Chlamydia PCR test (\$36), pregnancy test (\$4.50), RHDV PCR (\$40), Clostridium perfringens Typing PCR (\$40), and Coxiella burnetii (Q Fever) ELISA (\$13) do not replace any existing MVDL tests, and the overall economic impact from the new fees is expected to be negligible due to low test numbers.

The giardia SNAP test will replace a currently offered \$36 test with an \$18 test, with any decrease in test fee revenue expected to be negligible due to limited test numbers. The \$7 BVDV SNAP test will replace three prior BVDV tests, the highest volume of which is the \$6 BVDV ELISA test (<2000 in FY20), resulting in less than a \$2000 cumulative annual increase. This increase is anticipated to be offset by the BVDV SNAP test also replacing the \$40 BVDV PRC test and the \$34 BVDV virus isolation test, but this effect is expected to be negligible due to low test numbers.

The adjustments and increases in miscellaneous and administrative fees will have a small economic impact, but this is expected to be negligible due to the relatively low numbers involved. Small increases in administrative fees will likely offset a small decrease associated with elimination of the out of state surcharge. However, this streamlining will result in cost savings associated with a decreased administrative burden.

There are approximately 600 veterinary submitters, at least 150 nonveterinary submitters, and 100 governmental entities only minimally affected by the proposed fee adjustments.

4. Concerned persons may submit their data, views, or arguments in writing concerning the proposed action to Department of Livestock, 301 N. Roberts St., Room 306, P.O. Box 202001, Helena, MT 59620-2001, by faxing to (406) 444-1929, or by e-mailing to MDOLcomments@mt.gov, to be received no later than 5:00 p.m., June 25, 2021.

5. If persons who are directly affected by the proposed action wish to express their data, views, and arguments orally or in writing at a public hearing, they must make a written request for a hearing and submit this request along with any written comments they have to the same address as above. The written request for hearing must be received no later than 5:00 p.m., June 25, 2021.

6. If the department 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 public hearing will be held at a later date. Notice of the public hearing will be published in the Montana Administrative Register. Ten percent of those entities directly affected has been determined to be 85 based upon approximately 600 veterinary submitters, at least 150 nonveterinary submitters, and 100 governmental entities affected by the proposed fee adjustments.

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 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, 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 rule will not significantly and directly impact small businesses.

/s/ Michael S. Honeycutt
Michael S. Honeycutt
Executive Officer
Board of Livestock
Department of Livestock

BY: /s/ Cinda Young-Eichenfels
Cinda Young-Eichenfels
Rule Reviewer

Certified to the Secretary of State May 18, 2021.

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PUBLIC HEARING ON
ARM 37.8.102, 37.8.116, and	)	PROPOSED AMENDMENT
37.8.311 pertaining to fees for copies)	
of death certificates, the amendment)	
of birth certificate gender)	
designations, and issuance of a)	
replacement certificate)	

TO: All Concerned Persons

1. On June 17, 2021, at 9:00 a.m., the Department of Public Health and Human Services will hold a public hearing 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 at: <https://mt-gov.zoom.us/j/82733380226>. Meeting ID: 827 3338 0226; or

(b) Dial by telephone +1 646 558 8656. Meeting ID: 827 3338 0226. Find your local number: <https://mt-gov.zoom.us/j/82733380226>.

2. The Department of Public Health and Human Services 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 Public Health and Human Services no later than 5:00 p.m. on June 11, 2021, to advise us of the nature of the accommodation that you need. Please contact Heidi Clark, Department of Public Health and Human Services, Office of Legal Affairs, P.O. Box 4210, Helena, Montana, 59604-4210; telephone (406) 444-4094; fax (406) 444-9744; or e-mail dphhslegal@mt.gov.

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

37.8.102 DEFINITIONS In addition to the definitions contained in 50-15-101, MCA, the following definitions apply to this chapter:

(1) through (7) remain the same.

~~(8) "Intersex condition" means having, or having been diagnosed by a medical professional to have, any of a variety of conditions in which a person is born with a variation of chromosomes, gonads, sex hormones, or reproductive anatomy that is incongruent with typical notions of female or male bodies.~~

(9) through (13) remain the same but are renumbered (8) through (12).

AUTH: 50-15-102, 50-15-103, MCA

IMP: 50-15-101, 50-15-103, MCA; Sections 1 and 2, Chapter 332, L. 2021

37.8.116 FEES FOR CERTIFICATION, FILE SEARCHES, AND OTHER VITAL RECORDS SERVICES (1) remains the same.

(2) The fee for a certified copy (photocopy or computer-produced) of a death certificate is ~~\$15~~ \$16 for each copy, including any additional certified copies requested at the same time as the first certified copy.

(3) The fee for an informational copy of a death certificate is ~~\$13.00~~ \$14 for each copy.

(4) through (14) remain the same.

AUTH: 50-15-102, 50-15-103, 50-15-111, MCA

IMP: 42-2-218, 50-15-111, MCA

37.8.311 ADOPTIONS, NAME CHANGES, AND GENDER SEX CHANGES

(1) through (4) remain the same.

(5) The ~~gender sex~~ of a registrant as cited on a certificate may be ~~corrected~~ amended only if the department receives: a certified copy of an order from a court with appropriate jurisdiction indicating that the sex of an individual born in Montana has been changed by surgical procedure. The order must contain sufficient information for the department to locate the original record. If the registrant's name is also to be changed, the order must indicate the full name of the registrant as it appears on the original birth certificate and the full name to which it is to be amended. If the order directs the issuance of a new certificate that does not show amendments, the new certificate will not indicate on its face that it was amended. If the sex of an individual was listed incorrectly on the original certificate, refer to ARM 37.8.108.

~~(a) a correction affidavit accompanied by a completed gender designation form issued by the department certifying under penalty of law that that the individual has undergone gender transition or has an intersex condition and that the gender designation on their birth certificate should be changed accordingly, and the request for gender designation is for the purpose of ensuring the birth certificate accurately reflects their gender and is not for any fraudulent or other unlawful purpose; or~~

~~(b) a correction affidavit accompanied by presentation of a government-issued identification displaying the correct gender designation; or~~

~~(c) a correction affidavit accompanied by a certified copy of an order from a court with appropriate jurisdiction indicating that the gender of an individual born in Montana has been changed. The order must contain sufficient information for the department to locate the original record. If the registrant's name is also to be changed, the order must indicate the full name of the registrant as it appears on the original birth certificate and the full name to which it is to be amended.~~

~~(6) A new certificate issued pursuant to (5) will not show amendments, will not indicate on its face that it was amended, and the old certificate will be placed in a sealed file. If the gender of an individual was listed incorrectly on the original certificate due to a data entry error, refer to ARM 37.8.108.~~

AUTH: 50-15-102, 50-15-103, 50-15-204, 50-15-223, MCA
IMP: 50-15-102, 50-15-103, 50-15-204, 50-15-223, MCA; Sections 1 and 2, Chapter 332, L. 2021

4. STATEMENT OF REASONABLE NECESSITY

ARM 37.8.102 and 37.8.311

The Department of Public Health and Human Services (department) is proposing to amend ARM 37.8.102 and 37.8.311 to meet the requirements of Senate Bill (SB) 280 passed during Montana's 67th Legislative Session. SB 280 revises vital records laws regarding the amendment of sex designations on birth certificates. Except in cases of correcting a data entry error, SB 280 provides the sex of a person designated on a birth certificate may be amended only if the department receives a certified copy of an order from a court with appropriate jurisdiction indicating that the sex of the person has been changed by surgical procedure. SB 280 requires the department to amend its administrative rules to conform with this new law and expresses an intent for the rules to be substantively the same as those in existence prior to adoption of MAR Notice No. 37-807.

Consistent with the requirements of SB 280 and the intent expressed by the Legislature, the proposed rule amendments remove language allowing for the amendment of birth certificate gender designations. The proposed rules allow for amendment of birth certificate sex designations only in cases in which there is a court order indicating that the sex of a person has been changed by surgical procedure. The proposed rules are necessary to implement the requirements of SB 280 and comply with the new law.

ARM 37.8.116

The department is proposing to amend ARM 37.8.116 to meet the requirements of House Bill (HB) 139 passed during Montana's 67th Legislative Session. HB 139 statutorily sets minimum fees the department must charge for certified and informational copies of death certificates. The bill requires the department to charge a minimum fee of \$16.00 for each certified copy of a death certificate, including any additional certified copies requested at the same time as the first certified copy. The bill also requires the department to charge a minimum fee of \$14.00 for each informational copy of a death certificate. The department has determined these minimum fees are sufficient to cover the costs currently associated with providing copies of death certificates, and therefore is proposing adoption of the minimum allowed fees.

The proposed rule amendments are necessary to implement the minimum fee requirements and to comply with the new law.

Fiscal Impact

There is no anticipated fiscal impact associated with the proposed amendments to ARM 37.8.102 and 37.8.311.

The department anticipates the following fiscal impact associated with the amendment of ARM 37.8.116.

The department processes approximately 1,056 requests for copies of death certificates per year. Some of these requests include requests for multiple copies. The department provides approximately 1,169 total copies of death certificates per year.

$$1,169 \times \$1.00 \text{ fee increase} = \$1,169.00$$

Under HB 139, the revenue generated from the \$1.00 increase in fees will be transferred into a special revenue account held by the Department of Labor and Industry for the general administration of the Board of Funeral Service.

Estimated number of persons affected: 1,056.

5. 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: Heidi Clark, Department of Public Health and Human Services, Office of Legal Affairs, P.O. Box 4210, Helena, Montana, 59604-4210; fax (406) 444-9744; or e-mail dphhslegal@mt.gov, and must be received no later than 5:00 p.m., June 25, 2021.

6. The Office of Legal Affairs, Department of Public Health and Human Services, has been designated to preside over and conduct this 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 5 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 of SB 280 and primary bill sponsor of HB 139 were notified by electronic mail on May 6, 2021.

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/ Robert Lishman
Robert Lishman
Rule Reviewer

/s/ Adam Meier
Adam Meier, Director
Public Health and Human Services

Certified to the Secretary of State May 18, 2021.

BEFORE THE SECRETARY OF STATE
OF THE STATE OF MONTANA

In the matter of the repeal of ARM	)	NOTICE OF PUBLIC HEARING ON
44.14.301, 44.14.302, and 44.14.304	)	PROPOSED REPEAL
through 44.14.307 pertaining to)	
Records and Information)	
Management fees)	

TO: All Concerned Persons

1. On June 18, 2021, at 10:30 a.m., the Secretary of State will hold a public hearing in the Secretary of State's Office Conference Room, Room 260, State Capitol Building, Helena, Montana, to consider the proposed repeal of the above-stated rules.

2. The Secretary of State 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 Secretary of State no later than 5:00 p.m. on June 11, 2021, to advise us of the nature of the accommodation that you need. Please contact Angela Nunn, Secretary of State's Office, P.O. Box 202801, Helena, MT 59620-2801; telephone (406) 444-2087; fax (406) 444-4249; TDD/Montana Relay Service (406) 444-9068; or e-mail angela.nunn@mt.gov.

3. The rules proposed to be repealed are as follows:

44.14.301 FEES FOR 16MM MICROFILM SERVICES

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

44.14.302 FEES FOR 35MM MICROFILM SERVICES

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

44.14.304 FEES FOR FILM PROCESSING

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

44.14.305 FEES FOR FILM INSPECTING

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

44.14.306 FEES FOR FILM DUPLICATION

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

44.14.307 FEES FOR JACKET LOADING/TITLING

AUTH: 2-15-405, MCA
IMP: 2-6-1101, 2-6-1114, MCA

REASON: On April 8, 2021, the Governor of Montana signed into law Senate Bill (SB) 276. SB 276 removes language in 2-6-1101, MCA concerning microfilm project approvals and the operation of a central microfilming unit under the Secretary of State's Office. As such, all fees listed and received by the Secretary of State's Office related to microfilming services and supplies are no longer relevant or required.

4. With regard to the requirements of 2-4-302(1)(c), MCA, it has been determined that these changes will not have a fiscal impact and no persons will be affected. The Secretary of State's Office has not received payment from fees charged for microfilm services in over four years. The Secretary of State's microfilming and related practices were only available to state agencies and in the last several years were not utilized, as advances in digital storage have overtaken hard-copy records storage and rendered microfilming an obsolete practice.

5. 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 Angela Nunn, Secretary of State's Office, P.O. Box 202801, Helena, Montana 59620-2801, or by e-mailing angela.nunn@mt.gov, and must be received no later than 5:00 p.m., June 25, 2021.

6. Austin Markus James, Chief Legal Counsel, Secretary of State's Office, has been designated to preside over and conduct the hearing.

7. The Secretary of State 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 which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding administrative rules, corporations, elections, notaries, records, uniform commercial code, or combination thereof. Such written request may be mailed or delivered to the Secretary of State's Office, Administrative Rules Services, P.O. Box 202801, Helena, MT 59620-2801, emailed to sosarm@mt.gov, or may be made by completing a request form at any rules hearing held by the Secretary of State's Office.

8. With regard to the requirements of 2-4-302(2)(d), MCA, the primary bill sponsor, Senator Mike Cuffe, was contacted by mail and email on May 17, 2021 (and confirmed receipt).

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

/s/ Austin Markus James
Austin Markus James
Rule Reviewer

/s/ Christi Jacobsen
Christi Jacobsen
Secretary of State

Dated this 18th day of May, 2021.

BEFORE THE PUBLIC SAFETY OFFICERS
STANDARDS AND TRAINING COUNCIL
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 23.13.102, 23.13.201,)
23.13.215, 23.13.216, 23.13.301,)
23.13.304, and 23.13.703 pertaining)
to the certification of public safety)
officers)

TO: All Concerned Persons

1. On January 15, 2021, the Public Safety Officers Standards and Training (POST) Council published MAR Notice No. 23-13-260 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 4 of the 2021 Montana Administrative Register, Issue Number 1. The POST Council held a public hearing on the proposed amendment of the above-stated rules on February 24, 2021.

2. The POST Council has amended ARM 23.13.102, 23.13.201, 23.13.215, 23.13.216, 23.13.301, 23.13.304, and 23.13.703 as proposed.

3. The POST Council has thoroughly considered the comments and testimony received. Copies of the written comments were provided to the council and will be provided to the public on request. A summary of the comments received and the council's responses are as follows:

COMMENTS 1 through 3: Amanda Cahill of the American Heart Association provided written and oral testimony in support of the proposed amendments to ARM 23.13.201. Joel Gaertic with the Montana State Firemen's Association and Kimberly Burdick with Chouteau County 911 provided written testimony in support of the proposed changes to ARM 23.13.201. All commenters support public safety communicators being trained in providing telephonic cardiopulmonary resuscitation (TCPR) instruction in order to provide every person experiencing a medical emergency increased chances of survival.

RESPONSE TO COMMENTS 1 through 3: POST agrees with these statements. With TCPR training, public safety communications officers can assist untrained callers in providing CPR and can remind CPR-trained callers how to provide high-quality CPR. This will improve the services provided for the safety and wellbeing of the citizens of Montana.

COMMENT 4: Mark Kraft, Chief of the Sidney Police Department, provided oral testimony in support of POST's proposed changes to ARM 23.13.215. Chief Kraft testified that the proposed amendment is a common-sense change and will reduce

some of the burden of time and expense associated with agencies providing firearms instruction.

RESPONSE TO COMMENT 4: POST agrees with these comments and has determined that it is unreasonable for officers to be subject to the same firearms proficiency standards for their backup and primary handguns. POST further determined that the new standards will adequately protect the public while ensuring fair standards for officers.

COMMENT 5: Charles Kem, Stillwater County Sheriff/Coroner, provided written testimony in opposition to POST's proposed amendments to ARM 23.13.215. Sheriff Kem does not interpret the current rule to apply to backup firearms. He suggested that POST adopt only the changes to (2)(a), without providing an explicit provision for backup firearms qualifications. Sheriff Kem also suggested that POST change the proposed amendment to (2)(f) to the following language: "Secondary or backup handgun – must qualify once a year on a course of fire approved by the officer's agency head."

RESPONSE TO COMMENT 5: POST does not agree with Sheriff Kem's interpretation of ARM 23.13.215. Pursuant to (1)(b), every officer must complete the proficiency requirements at least once a year for every firearm that the officer customarily carries. POST does not intend for agencies to meet this standard only for primary handguns, but rather, it intends that officers meet POST's qualification standards for every firearm that they carry on duty. Leaving the course of fire up to the agencies would not ensure a minimum standard across the State of Montana. POST determines this change is reasonable and appropriate to provide an additional minimum standard for the backup handguns customarily carried by officers in Montana.

COMMENTS 6 and 7: Laurie Little Dog and Amanda Martin provided oral testimony in opposition to the amendment of ARM 23.13.703. Ms. Little Dog expressed concern regarding the change to (4) and stated that the agency should be required to provide a recommendation to streamline the process. She also expressed concern that the amendment of (9) provides officers more "outs" with regard to complaints. She believed that finding a complaint to be false is a "high bar" to meet, and that the public should have the ability to contest POST's findings. Ms. Martin stated her support for Ms. Little Dog's comments.

RESPONSE TO COMMENTS 6 and 7: POST disagrees with the comments made by Ms. Little Dog and Ms. Martin. Since POST amended (4) to allow an employing authority to make a recommendation regarding the action POST should take on an officer's certification, officers accused of misconduct have argued that POST may not take action on their certification without a recommendation from the employing authority. POST did not intend to require a recommendation by the employing authority, nor did POST intend that the absence of such a recommendation bar POST from taking action.

The amendments to (9) are necessary for POST to enter accurate findings about any given allegation. POST does not intend to give an officer an "out," but instead sees these findings as necessary to accurately reflect the facts of an incident. POST sometimes receives cases with video or other conclusive evidence that directly contradicts the statements of the complainants.

The request for public recourse goes beyond the scope of this rulemaking. Any mechanism for public recourse would require another rule change and cannot be accomplished here.

COMMENTS 8 through 10: Josh Butterfly with Opening Doors, Marcus Bull Child, and Lyyah Lee provided oral testimony in opposition to POST's proposed amendments to ARM 23.13.102, 23.13.201, 23.13.215, 23.13.216, 23.13.301, 23.13.304, and 23.13.703. These opponents testified generally about officers' use of excessive force when dealing with members of the public and specifically about a use of force incident that resulted in a woman's arm being broken.

RESPONSE TO COMMENTS 8 through 10: POST finds these comments to be irrelevant to the current proposed rule changes. There are already minimum training standards for public safety officers that include training in use of force, de-escalation techniques, and related subjects.

/s/ Hannah E. Tokerud
Hannah E. Tokerud
Rule Reviewer

Sheriff Tony Harbaugh
Chairman
Public Safety Officers Standards
and Training Council

By: /s/ Perry Johnson
Perry Johnson
Bureau Chief
Public Safety Officer Standards and
Training Bureau

Certified to the Secretary of State May 18, 2021.

BEFORE THE BOARD OF REALTY REGULATION
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF AMENDMENT AND
ARM 24.210.401 fee schedule,	)	REPEAL
24.210.641 unprofessional conduct,)	
24.210.643 citations and fines,)	
24.210.660 prelicensing education –)	
salespersons and brokers, 24.210.667)	
continuing real estate education,)	
24.210.835 continuing property)	
management education, and the)	
repeal of 24.210.661 new licensee)	
mandatory continuing education –)	
salespersons)	

TO: All Concerned Persons

1. On December 24, 2020, the Board of Realty Regulation (board) published MAR Notice No. 24-210-46 regarding the public hearing on the proposed amendment and repeal of the above-stated rules, at page 2296 of the 2020 Montana Administrative Register, Issue No. 24.

2. On January 21, 2021, a public hearing was held on the proposed amendment and repeal of the above-stated rules in Helena via the remote conferencing platform. Several comments were received by the January 21, 2021 deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: Many commenters believed the requirements of 37-51-321(1)(a), MCA, are much more limited than the requirements set forth in ARM 24.210.641(5)(ag) and are not, as stated by the board in the notice, duplicative.

RESPONSE 1: The board agrees with the commenters and will retain the language of ARM 24.210.641(5)(ag), now renumbered (1)(ae).

COMMENT 2: Numerous commenters asserted the requirements of ARM 24.210.641(5)(ag) are necessary to adequately protect the public and should not be stricken. Further, the public should be informed of any advertising placed by a real estate licensee, so the public knows the party advertising the property for sale is an experienced and licensed real estate professional.

RESPONSE 2: See RESPONSE 1.

COMMENT 3: Several commenters believed the "theme" of ensuring that licensees disclose their status similar to ARM 24.210.641(5)(ag) is already found in statutes and board rules including the obligation to disclose when a licensee is selling his or her own personal property (see 37-51-321(1)(g), MCA). To repeal the obligation of licensees to disclose their license status unless under a franchise agreement would be inconsistent with these requirements.

RESPONSE 3: See RESPONSE 1.

COMMENT 4: Many commenters stated that the REALTOR® Code of Ethics requires their realtors to disclose their status as a real estate licensee in a reasonable and readily apparent manner as in ARM 24.210.641(5)(ag). While the obligations imposed by the Code of Ethics are not binding on licensees who are not REALTOR®, the commenters believed the goal of the board should be similar to that of the Code of Ethics – e.g., to establish a minimum level of professionalism to which all real estate licensees must adhere.

RESPONSE 4: The board appreciates all comments received during the rulemaking process.

4. The board has amended ARM 24.210.401, 24.210.643, 24.210.660, 24.210.667, and 24.210.835 exactly as proposed.

5. The board has repealed ARM 24.210.661 exactly as proposed.

6. The board has amended ARM 24.210.641 with the following changes, stricken matter interlined, new matter underlined:

24.210.641 UNPROFESSIONAL CONDUCT (1) through (1)(ad) remain as proposed.

(ae) failing to disclose in advertising the licensee's name and identifying that the advertisement is made by a real estate licensee or that the advertising is made by a brokerage company;

(ae) through (au) remain as proposed but are renumbered (af) through (av).
(2) and (3) remain as proposed.

BOARD OF REALTY REGULATION
RIC SMITH
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 May 18, 2021.

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 37.71.601 and 37.71.602)
pertaining to low income)
weatherization assistance program)

TO: All Concerned Persons

1. On April 16, 2021, the Department of Public Health and Human Services published MAR Notice No. 37-942 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 405 of the 2021 Montana Administrative Register, Issue Number 7.
2. The department has amended the above-stated rules as proposed.
3. No comments or testimony were received.
4. These rule amendments are effective July 1, 2021.

/s/ Ann Hefenieder
Ann Hefenieder
Rule Reviewer

/s/ Adam Meier
Adam Meier, Director
Public Health and Human Services

Certified to the Secretary of State May 18, 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 December 31, 2020. This table includes notices in which those rules adopted during the period December 11, 2020, through May 14, 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 December 31, 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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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 April 2021 appear. Potential vacancies from June 1, 2021 through August 31, 2021, are also listed.

IMPORTANT

Membership on boards and commissions changes constantly. The following lists are current as of May 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 APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of County Printing			
Commissioner Mary Armstrong Glasgow	Governor	Obert	4/1/2021 3/31/2024
Qualifications (if required): None stated			
Commissioner James Larson Belt	Governor	Lindquist	4/1/2021 3/31/2024
Qualifications (if required): Cascade County Commissioner			
Mr. David McCumber Butte	Governor	reappointed	4/1/2021 3/31/2024
Qualifications (if required): None stated			
Mr. Jonathan McNiven Huntley	Governor	reappointed	4/1/2021 3/31/2024
Qualifications (if required): None stated			
Board of Outfitters			
Mr. Chris Gentry Ennis	Governor	Brownlee	4/11/2021 10/1/2023
Qualifications (if required): None stated			

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of Outfitters Cont.			
Mr. Wagner Harmon	Governor	Earp	4/11/2021
Bainville			10/1/2023
Qualifications (if required): None stated			
Butte Natural Resource Damage Restoration Council			
Mr. Larry Hoffman	Governor	Beaudry	4/28/2021
Butte			12/31/2025
Qualifications (if required): Public representative			
Heritage Preservation and Development Commission			
Ms. Susan Hardman	Governor	Howell	4/15/2021
Hamilton			12/31/2024
Qualifications (if required): None stated			
Ms. Patricia Spencer	Governor	Bucy	4/15/2021
Helena			12/31/2024
Qualifications (if required): None stated			
Montana Arts Council			
Ms. Sarah Calhoun	Governor	Kuipers	4/15/2021
White Sulphur Springs			1/31/2025
Qualifications (if required): None stated			

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Arts Council Cont.			
Mr. Wylie Gustafson Conrad Qualifications (if required): None stated	Governor	Carson	4/15/2021 1/31/2025
Ms. Linda Netschert Helena Qualifications (if required): None stated	Governor	Steele	4/15/2021 1/31/2025
Mr. Steve Zabel Bozeman Qualifications (if required): None stated	Governor	Skinner	4/15/2021 1/31/2023
Montana Council on Developmental Disabilities			
Ms. Virgeana Brown Belgrade Qualifications (if required): Parent/Family advocate	Governor	reappointed	4/16/2021 12/31/2024
Mr. Tom Cronelly Butte Qualifications (if required): Parent/family advocate	Governor	Lough	4/16/2021 12/31/2024

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Council on Developmental Disabilities Cont.			
Ms. Tamara Hall Bozeman Qualifications (if required): Parent advocate	Governor	Berryman	4/16/2021 12/31/2024
Mr. Rod Johanson Great Falls Qualifications (if required): Local, non-governmental agency interested in services	Governor	Eaton	4/16/2021 12/31/2024
Ms. Shirley Willis Kalispell Qualifications (if required): Sister program	Governor	Blair	4/16/2021 12/31/2024
Montana Humanities Commission			
Ms. Glory Blue Earth-Highley Deer Lodge Qualifications (if required): Public representative	Governor	McSpadden	4/28/2021 12/31/2025
Ms. Susan Hughes Helena Qualifications (if required): Public representative	Governor	Smoker Broaddus	4/28/2021 12/31/2025

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana Humanities Commission Cont.			
Ms. Lathie Poole Bozeman	Governor	Irion	4/28/2021 12/31/2025
Qualifications (if required): Public representative			
State Compensation Insurance Fund Board of Directors			
Ms. Karen B. Fagg Billings	Governor	Moss	4/1/2021 3/31/2025
Qualifications (if required): Public representative			
Mr. Mike Marsh Billings	Governor	Zanto	4/1/2021 3/31/2025
Qualifications (if required): Licensed insurance producer			
Mr. John Maxness Helena	Governor	Molloy	4/1/2021 3/31/2025
Qualifications (if required): Private enterprise policy holder			
Mr. Richard Miltenberger Clancy	Governor	Larsen	4/1/2021 3/31/2025
Qualifications (if required): Insurance executive with management experience			

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Water Pollution Control Advisory Council			
Mr. Chad Bauer Missoula	Governor	Salley	4/15/2021 12/31/2024
Qualifications (if required): Representative of the inorganic waste disposal industry			
Mr. Lee Bruner Whitehall	Governor	Fix	4/15/2021 12/31/2024
Qualifications (if required): Irrigated agriculture representative			
Mr. Shannon Holmes Livingston	Governor	Workman	4/15/2021 12/31/2024
Qualifications (if required): Public works director			
Mr. Jeffrey Mark Hamilton	Governor	Neuman	4/15/2021 12/31/2024
Qualifications (if required): Supervisor of a soil and water conservation district			
Mr. Ronald Pifer Stevensville	Governor	Selch	4/15/2021 12/31/2024
Qualifications (if required): Fisheries biologist			
Ms. Teri Polumsky Hamilton	Governor	Onuschko	4/15/2021 12/31/2024
Qualifications (if required): Realtor or developer representative			

EXECUTIVE BRANCH APPOINTEES FOR APRIL 2021

<u>Appointee</u>	<u>Appointed By</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Water Pollution Control Advisory Council Cont.			
Mr. Adam Pummill	Governor	Sanchez	4/15/2021
Missoula			12/31/2024
Qualifications (if required): Engineer with sanitary engineering experience			

EXECUTIVE BRANCH VACANCIES – JUNE 1, 2021 THROUGH AUGUST 31, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Advisory Council on Aging		
Mr. Elmer James Opitz, Helena Qualifications (if required): Public Representative	Governor	7/1/2021
Advisory Council on Integrity in Wage Reporting and Employee Classification		
Lt. Governor Mike Cooney, Helena Qualifications (if required): Lieutenant Governor	Governor	6/30/2021
Mr. Mario Valdez Martinez, Great Falls Qualifications (if required): Representative from organized labor	Governor	6/30/2021
Ms. Kimberly Rickard-Smeltzer, Townsend Qualifications (if required): Representative of organized Labor	Governor	6/30/2021
Mr. Doug Jackson, Missoula Qualifications (if required): Representative from the construction community	Governor	6/30/2021
Ms. Deborah Poteet, Missoula Qualifications (if required): Representative from the contractor community	Governor	6/30/2021
Director Gene Walborn, Helena Qualifications (if required): Director of the Department of Revenue	Governor	6/30/2021
Mr. Bob Warren, Columbia Falls Qualifications (if required): Representative from the construction contractor community	Governor	6/30/2021

EXECUTIVE BRANCH VACANCIES – JUNE 1, 2021 THROUGH AUGUST 31, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Advisory Council on Integrity in Wage Reporting and Employee Classification Cont. Commissioner Brenda Nordlund, Helena Qualifications (if required): Commissioner of Labor and Industry	Governor	6/30/2021
Mr. Jack McBroom, Helena Qualifications (if required): Representative from organized labor	Governor	6/30/2021
Board of Hearing Aid Dispensers Mr. Eric John Ellingson, Great Falls Qualifications (if required): Licensed Hearing Aid Dispenser	Governor	7/1/2021
Board of Nursing Ms. Sharon Sweeney Fee, Livingston Qualifications (if required): Registered Nurse	Governor	7/1/2021
Board of Nursing Home Administrators Mr. James B. Corson, Billings Qualifications (if required): Public at-large 55 years of age or older	Governor	6/1/2021
Board of Pharmacy Mr. Tony King, Helena Qualifications (if required): Licensed Pharmacist	Governor	7/1/2021
Board of Physical Therapy Examiners Ms. Kelsey Wadsworth, Bozeman Qualifications (if required): Licensed Physical Therapist	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Board of Physical Therapy Examiners Cont.		
Mr. Pat M. Goodover II, Great Falls Qualifications (if required): Member of the general public	Governor	7/1/2021
Mrs. Bridget Mennie, Laurel Qualifications (if required): Licensed Physical Therapist	Governor	7/1/2021
Board of Private Security		
Sergeant Harold Eugene Richardson, Bozeman Qualifications (if required): City Police Department	Governor	8/1/2021
Sheriff Wynn Meehan, Townsend Qualifications (if required): County Sheriff's Office	Governor	8/1/2021
Mr. Darren Bayliss, Billings Qualifications (if required): Contract Security Company	Governor	8/1/2021
Mr. Charles Pesola, Somers Qualifications (if required): Licensed private investigator	Governor	8/1/2021
Board of Professional Engineers and Professional Land Surveyors		
Mr. Wallace J. Gladstone III, Billings Qualifications (if required): Professional Engineer (Civil)	Governor	7/1/2021
Mr. Byron David Stahly, Helena Qualifications (if required): Professional Engineer (Civil)	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Board of Public Accountants		
Ms. Linda Harris, Absarokee Qualifications (if required): Certified Public Accountant	Governor	7/1/2021
Mr. Daniel Vuckovich, Great Falls Qualifications (if required): Certified Public Accountant	Governor	7/1/2021
Board of Radiologic Technologists		
Mr. Daniel Funsch, Missoula Qualifications (if required): Licensed radiologic technologist	Governor	7/1/2021
Ms. Robin Johnson, Dillon Qualifications (if required): Licensed radiologic technologist	Governor	7/1/2021
Mr. Darian Sutton, Helena Qualifications (if required): Licensed radiologic technologist	Governor	7/1/2021
Board of Regents of Higher Education		
Ms. Amy Sexton, Billings Qualifications (if required): Student Regent	Governor	6/30/2021
Board of Sanitarians		
Ms. Megan Bullock, Boulder Qualifications (if required): Registered Sanitarian	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Board of Veteran Affairs		
Mr. Clarence Sivertsen, Belt Qualifications (if required): Veteran from Region 3	Governor	8/1/2021
Mr. Mike Waters, Billings Qualifications (if required): Representative of Congressman Greg Gianforte	Governor	8/1/2021
Board of Veterinary Medicine		
Ms. Rebecca Mattix, Bozeman Qualifications (if required): Licensed Veterinarian	Governor	8/1/2021
Board of Water Well Contractors		
Mr. Kevin Haggerty, Bozeman Qualifications (if required): Water Well Contractor	Governor	7/1/2021
Commission on Community Service		
Ms. Tara Ferriter-Smith, Helena Qualifications (if required): Agency Representative (OPI)	Governor	7/1/2021
Mr. Donovan Hawk, Butte Qualifications (if required): Tribal member	Governor	7/1/2021
Ms. Rachel Elizabeth Juel, Bozeman Qualifications (if required): 16 to 25-year-old who is involved in a service	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Commission on Community Service Cont.		
Ms. Karin Olsen Billings, Helena Qualifications (if required): Office of Public Instruction Representative	Governor	7/1/2021
Mr. Kevin Sylvester, Bozeman Qualifications (if required): Community Based Organization	Governor	7/1/2021
Ms. Morgan Hubbard, Forsyth Qualifications (if required): 16 to 25-year-old who is involved in a service, national, or campus program	Governor	7/1/2021
Ms. Kimberly Lloyd, Helena Qualifications (if required): Agency Representative-OPI	Governor	7/1/2021
Committee on Telecommunications Access Services for Persons With Disabilities		
Ms. Tina Shorten, Helena Qualifications (if required): Public Service Commission Representative	Governor	7/1/2021
Mr. James M. Streeter, Missoula Qualifications (if required): Disabilities Community	Governor	7/1/2021
Mr. Jay Wilson Preston, Charlo Qualifications (if required): Inter LATA interexchange carrier	Governor	7/1/2021
Mrs. Sherri Odlin, Missoula Qualifications (if required): Public safety answering point	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Criminal Justice Oversight Council		
Mr. Peter B. Ohman, Bozeman Qualifications (if required): Member who represents the office of state public defender	Governor	8/1/2021
Ms. Melissa Kelly, Bozeman Qualifications (if required): Representative of community corrections providers	Governor	8/1/2021
Ms. Amy Tenney, Helena Qualifications (if required): Representative of community corrections providers	Governor	8/1/2021
Ms. Annette Carter Farley, Helena Qualifications (if required): Member of the board of pardons and parole	Governor	8/1/2021
Mr. Andrew Imansees Huff, Helena Qualifications (if required): Member of a state or federally recognized Indian tribe	Governor	8/1/2021
Ms. Sarah Kathryn Rossi, Helena Qualifications (if required): Representative of civil rights advocates	Governor	8/1/2021
Ms. Kelsen Emily Young, Helena Qualifications (if required): Representative of Crime Victims	Governor	8/1/2021
Family Education Savings Program Oversight Committee		
Mr. Robert W. Minto Jr., Missoula Qualifications (if required): Knowledge, skill, and experience in accounting, risk management, and investment management	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Family Education Savings Program Oversight Committee Cont. Ms. Amy Esp, Missoula Qualifications (if required): Member of the general public	Governor	7/1/2021
Flathead Basin Commission Mr. Ed Lieser, Whitefish Qualifications (if required): Industrial, environmental, and other interests	Governor	6/30/2021
Mr. Stephen Frye, West Glacier Qualifications (if required): Industrial, environmental, and other interests	Governor	6/30/2021
Mr. Mike Koopal, Whitefish Qualifications (if required): Industrial, environmental, and other interests	Governor	6/30/2021
Future Fisheries Review Panel Mr. William Frank Wichers, Hamilton Qualifications (if required): Member with expertise in fisheries	Governor	7/1/2021
Ms. Karin Fischer Boyd, Bozeman Qualifications (if required): Member from the private sector	Governor	7/1/2021
Mr. Anthony Wayne Cate, Missoula Qualifications (if required): Member who is a licensed angler	Governor	7/1/2021
Mr. Terry A. Chute, Helena Qualifications (if required): Member with expertise in silviculture	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Future Fisheries Review Panel Cont.		
Mr. Charles E. Dalby, Helena Qualifications (if required): Public member	Governor	7/1/2021
Mr. Bruce Farling, Missoula Qualifications (if required): Member who is a licensed angler	Governor	7/1/2021
Mr. Ivan Klobberdanz, Helena Qualifications (if required): Montana High School Student	Governor	7/1/2021
Mr. Clinton F. Peck, Billings Qualifications (if required): Representative of conservation districts	Governor	7/1/2021
Mr. William J. Semmens, Helena Qualifications (if required): Ex-officio member	Governor	7/1/2021
Mr. Luca Welle, Kalispell Qualifications (if required): MT high school student	Governor	7/1/2021
Governor's Advisory Council on Aging		
Senator Gerald Pease, Lodge Grass Qualifications (if required): Public Representative	Governor	7/1/2021
Ms. Laurie Glover, Great Falls Qualifications (if required): Public Representative	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Governor's Advisory Council on Aging Cont. Ms. Kim Gillan, Red Lodge Qualifications (if required): Public Representative	Governor	7/1/2021
Ground Water Assessment Steering Committee Ms. Jane Holzer, Conrad Qualifications (if required): Representative of conservation	Governor	7/1/2021
Mr. Mark Lee Runkle, Clancy Qualifications (if required): Development Community Representative	Governor	7/1/2021
Interstate Commission on Educational Opportunities for Military Children BG (Ret.) Harold Joseph Stearns, Missoula Qualifications (if required): Compact Commissioner-Ex-Officio	Governor	7/1/2021
Captain Michelle Bogden, Fort Harrison Qualifications (if required): Executive Branch Representative	Governor	7/1/2021
Interstate Medical Licensure Compact Commission Dr. James Feist, Bozeman Qualifications (if required): Physician member of the Board of Medical Examiners	Governor	7/1/2021
Mr. C.E. Abramson, Missoula Qualifications (if required): Public member of the Board of Medical Examiners	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Interstate Medical Licensure Compact Commission Cont.		
Mr. Ian Marquand, Helena	Governor	7/1/2021
Qualifications (if required): Board of Medical Examiners Executive Officer		
Dr. James N. Burkholder, Helena	Governor	7/1/2021
Qualifications (if required): Physician Member		
Judicial Standards Commission		
Mr. John Murphy, Great Falls	Governor	7/1/2021
Qualifications (if required): Citizen who is not an attorney or judge of any court, active or retired		
Land Information Advisory Council		
Ms. Catherine Maynard, Helena	Governor	6/30/2021
Qualifications (if required): Person employed by the U.S. Dept. of Agriculture		
Ms. Janet Cornish, Butte	Governor	6/30/2021
Qualifications (if required): Active in land information systems and represents public utilities		
Ms. Jennie Stapp, Helena	Governor	6/30/2021
Qualifications (if required): State Librarian or designee		
Ms. Elaina M. Graham, Great Falls	Governor	6/30/2021
Qualifications (if required): Person employed by the U.S. Dept. of Agriculture		
Ms. Dawn Anderson, Helena	Governor	6/30/2021
Qualifications (if required): Designee of a Department Director		

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Land Information Advisory Council Cont.		
Mr. Gordon Conn, Helena Qualifications (if required): Designee of a Department Director	Governor	6/30/2021
Mr. Valentijn Hoff, Missoula Qualifications (if required): Montana University System Representative	Governor	6/30/2021
Mr. Eric Spangenberg, Helena Qualifications (if required): County or municipal government	Governor	6/30/2021
Director John Tubbs, Helena Qualifications (if required): Department Director or designee	Governor	6/30/2021
Dr. Robert Ahl, Missoula Qualifications (if required): Member of the MT Assoc. of GIS Professionals	Governor	6/30/2021
Mr. Allen J. Armstrong, Billings Qualifications (if required): Person employed by the U.S. Dept. of Interior (BLM)	Governor	6/30/2021
Mr. Tim Bottenfield, Helena Qualifications (if required): Chief Information Officer or designee	Governor	6/30/2021
Mr. Michael Bousliman, Helena Qualifications (if required): Designee of a Department Director	Governor	6/30/2021
Mr. Frank Leo Dougher, Bozeman Qualifications (if required): County or municipal government	Governor	6/30/2021

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Land Information Advisory Council Cont.		
Mr. Jerome Mark Grebenc, Helena Qualifications (if required): Active in land information systems	Governor	6/30/2021
Mr. Matthew M. Heller, Bozeman Qualifications (if required): Person employed by the U.S. Dept. of Interior	Governor	6/30/2021
Ms. Molly Hirschi, Bozeman Qualifications (if required): Person who is a member of the MT Assoc. of GIS Professionals	Governor	6/30/2021
Mrs. Lee Macholz, Missoula Qualifications (if required): County or municipal government	Governor	6/30/2021
Mr. Daniel Ray Stahly, Bozeman Qualifications (if required): Person who represents the interests of the MT Assoc. of Registered Land Surveyors	Governor	6/30/2021
Mr. Carl John Healy Sr., Harlem Qualifications (if required): Indian Tribal Interests	Governor	6/30/2021
Mr. Alex Dado, Bozeman Qualifications (if required): Employee of U.S. Dept. of Agriculture, Natural Resources Conservation Service	Governor	6/30/2021
Mr. Kory Hofland, Helena Qualifications (if required): Designee of a department director	Governor	6/30/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Libby Asbestos Superfund Oversight Committee Mr. George F. Jamison, Libby Qualifications (if required): Citizen of Lincoln County	Governor	7/1/2021
Mental Disabilities Board of Visitors Mrs. Melissa Ancell, Poplar Qualifications (if required): Consumer or family of consumer of developmental disability services	Governor	6/30/2021
Ms. Sicily Nicole Morris, Billings Qualifications (if required): Professional person in the field of mental health treatment	Governor	6/30/2021
Ms. Andrea Joe Mary Daniel, Havre Qualifications (if required): Consumer or family of consumer of mental health services	Governor	6/30/2021
Mr. Daniel Timothy Laughlin, Anaconda Qualifications (if required): Skills, knowledge, and experience relative of adults with developmental disabilities	Governor	6/30/2021
Montana Criminal Justice Oversight Committee Ms. Rhonda Lindquist, Helena Qualifications (if required): Office of Public Defender Representative	Governor	8/1/2021
Montana Hemp Advisory Committee Mr. Perry Miller, Bozeman Qualifications (if required): MSU, Ex-Officio	Governor	6/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Montana Hemp Advisory Committee Cont.		
Director Ben Thomas, Helena Qualifications (if required): Director of the Department of Agriculture	Governor	6/1/2021
Ms. Jackee Beck, Deer Lodge Qualifications (if required): Producer	Governor	6/1/2021
Mr. Ken Elliott, Fort Benton Qualifications (if required): Ind Hemp LLC, Industry Ex-Officio	Governor	6/1/2021
Mr. Jamie Fitterer, Bozeman Qualifications (if required): Producer	Governor	6/1/2021
Mr. Arlin Fratzke, Stevensville Qualifications (if required): Producer	Governor	6/1/2021
Mr. Bart Icopini, Hysham Qualifications (if required): Producer	Governor	6/1/2021
Mr. Robert Klingaman, Harlem Qualifications (if required): Producer	Governor	6/1/2021
Ms. Kimberley Phillips, Helena Qualifications (if required): Producer	Governor	6/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Montana Historical Society Board of Trustees		
Secretary Bob Brown, Whitefish Qualifications (if required): Public Representative	Governor	7/1/2021
Mr. Thomas Nygard, Bozeman Qualifications (if required): Public Representative	Governor	7/1/2021
Ms. Crystal Wong Shors, Helena Qualifications (if required): Public Representative	Governor	7/1/2021
Montana Information Security Advisory Council		
Mr. Kirk Miller, Helena Qualifications (if required): General public	Governor	6/30/2021
Senator JP Pomnichowski, Bozeman Qualifications (if required): State Legislator	Governor	6/30/2021
Major General Matthew T. Quinn, Fort Harrison Qualifications (if required): State Homeland Security Advisor	Governor	6/30/2021
Ms. Erika Billiet, Kalispell Qualifications (if required): Local government	Governor	6/30/2021
Mr. Adrian Irish, Missoula Qualifications (if required): University representative	Governor	6/30/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Montana Information Security Advisory Council Cont.		
Representative Kenneth Holmlund, Miles City Qualifications (if required): State legislator	Governor	6/30/2021
Ms. Anne Dormady, Helena Qualifications (if required): Montana Analysis and Technical Information Center representative (MATIC)	Governor	6/30/2021
Ms. Margaret Kauska, Helena Qualifications (if required): State agency	Governor	6/30/2021
Ms. Jeanne Vold, Butte Qualifications (if required): General public	Governor	6/30/2021
Mr. Justin van Almelo, Bozeman Qualifications (if required): University representative	Governor	6/30/2021
Mr. Andy Hanks, Helena Qualifications (if required): State agency	Governor	6/30/2021
Commissioner Tony O'Donnell, Helena Qualifications (if required): State agency	Governor	6/30/2021
Ms. Kellee English, Helena Qualifications (if required): State agency	Governor	6/30/2021
Mr. Timothy Bottenfield, Helena Qualifications (if required): Chief Information Officer	Governor	6/30/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Montana Information Security Advisory Council Cont.		
Mr. Jason Emery, Missoula Qualifications (if required): Local government	Governor	6/30/2021
Mr. Joseph Frohlich, Helena Qualifications (if required): State agency	Governor	6/30/2021
Mr. Travis Light, Fort Harrison Qualifications (if required): General public	Governor	6/30/2021
Mr. Dean Olsen, Helena Qualifications (if required): General public	Governor	6/30/2021
Ms. Dawn Pizzini, Helena Qualifications (if required): State agency	Governor	6/30/2021
Mr. Rich Rasmussen, Helena Qualifications (if required): General public	Governor	6/30/2021
Mr. Steven Robinett, Great Falls Qualifications (if required): University representative	Governor	6/30/2021
Mr. Jason Schaller, Helena Qualifications (if required): General public	Governor	6/30/2021
Mr. Michael Sweeney, Helena Qualifications (if required): K-12 representative	Governor	6/30/2021

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Montana Information Security Advisory Council Cont.		
Ms. Suzi Taylor, Bozeman Qualifications (if required): University representative	Governor	6/30/2021
Ms. Dawn Temple, Helena Qualifications (if required): State agency	Governor	6/30/2021
Montana Native Youth Suicide Reduction Coalition		
Mr. Loren Bird Rattler, Browning Qualifications (if required): Blackfeet Leadership	Governor	6/30/2021
Ms. Erin Irvine, St. Ignatius Qualifications (if required): CSKT Youth	Governor	6/30/2021
Ms. Mary Ellen LaFromboise, Browning Qualifications (if required): Blackfeet Leadership	Governor	6/30/2021
Ms. AriAnna Matt, St. Ignatius Qualifications (if required): CKST Youth	Governor	6/30/2021
Ms. Rachel Picardo, Helena Qualifications (if required): Helena Indian Alliance Youth	Governor	6/30/2021
Ms. Maria Vega, Wolf Point Qualifications (if required): Fort Peck Youth	Governor	6/30/2021

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Montana Native Youth Suicide Reduction Coalition Cont.		
Ms. Carol Ahenekew, Browning Qualifications (if required): Blackfeet Youth	Governor	6/30/2021
Ms. Rachel Arthur, Great Falls Qualifications (if required): Indian Family Health Clinic Leadership	Governor	6/30/2021
Mr. Walt Badroad Mount, Harlem Qualifications (if required): Fort Belknap Youth	Governor	6/30/2021
Ms. Johnel Barcus, Billings Qualifications (if required): Billings Urban Indian Health & Wellness Center Leadership	Governor	6/30/2021
Ms. Araya Beartrust, Lame Deer Qualifications (if required): Northern Cheyenne Youth	Governor	6/30/2021
Mr. Peter Big Hair, Billings Qualifications (if required): Billings Urban Indian Health & Wellness Center Leadership	Governor	6/30/2021
Ms. Harmony Bigby, Harlem Qualifications (if required): Fort Belknap Youth	Governor	6/30/2021
Mr. Ernie Bighorn, Wolf Point Qualifications (if required): Fort Peck Leadership	Governor	6/30/2021
Ms. Mary Lynne Billy, Great Falls Qualifications (if required): Indian Family Health Clinic Leadership	Governor	6/30/2021

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Montana Native Youth Suicide Reduction Coalition Cont.		
Ms. Melinda Caye, Pablo Qualifications (if required): CSKT Leadership	Governor	6/30/2021
Ms. Braylee Crawford, Missoula Qualifications (if required): Missoula Urban Indian Health Center Youth	Governor	6/30/2021
Mr. Dale DeCoteau, Wolf Point Qualifications (if required): Fort Peck Leadership	Governor	6/30/2021
Councilman Joe Demontiney, Box Elder Qualifications (if required): Chippewa Cree Leadership	Governor	6/30/2021
Ms. Tonya Doney, Harlem Qualifications (if required): Fort Belknap Leadership	Governor	6/30/2021
Dr. Ann Douglas, Missoula Qualifications (if required): Missoula Urban Indian Health Center Leadership	Governor	6/30/2021
Dr. Daniel Foster, Harlem Qualifications (if required): Fort Belknap Leadership	Governor	6/30/2021
Mr. Dan Gardipee, Butte Qualifications (if required): North American Indian Alliance Leadership	Governor	6/30/2021
Ms. Lily Gervais, Missoula Qualifications (if required): Missoula Urban Indian Health Center Leadership	Governor	6/30/2021

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Montana Native Youth Suicide Reduction Coalition Cont.		
Ms. Asley Haley, Great Falls Qualifications (if required): Little Shell Youth	Governor	6/30/2021
Ms. Emma Harris, Lame Deer Qualifications (if required): Northern Cheyenne Leadership	Governor	6/30/2021
Ms. Dana Hewankorn, Pablo Qualifications (if required): CSKT Leadership	Governor	6/30/2021
Ms. Kristan Hewankorn, Pablo Qualifications (if required): CSKT Youth	Governor	6/30/2021
Ms. Chelsea Kleinmeyer, Pablo Qualifications (if required): CSKT Leadership	Governor	6/30/2021
Mr. Terrance LaFromboise, Browning Qualifications (if required): Blackfeet Youth	Governor	6/30/2021
Mr. Dewey Littlecoyote, Lame Deer Qualifications (if required): Northern Cheyenne Youth	Governor	6/30/2021
Mr. Waylon McKay, Billings Qualifications (if required): Billings Urban Indian Health and Wellness Center Youth	Governor	6/30/2021
Ms. Kimberly McKeehan, Great Falls Qualifications (if required): Little Shell Leadership	Governor	6/30/2021

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Montana Native Youth Suicide Reduction Coalition Cont.		
Mr. Dylan Moore, Wolf Point Qualifications (if required): Fort Peck Youth	Governor	6/30/2021
Ms. Katelyn Passes, Billings Qualifications (if required): Billings Urban Indian Health and Wellness Center Youth	Governor	6/30/2021
Mr. Richard Sangrey, Box Elder Qualifications (if required): Chippewa Cree Leadership	Governor	6/30/2021
Mr. Lane Spotted Elk, Lame Deer Qualifications (if required): Northern Cheyenne Leadership	Governor	6/30/2021
Mr. Wesley Stops Jr., Crow Agency Qualifications (if required): Crow Leadership	Governor	6/30/2021
Ms. Samantha Vulles, Helena Qualifications (if required): Helena Indian Alliance Youth	Governor	6/30/2021
Mr. Todd Wilson, Helena Qualifications (if required): Helena Indian Alliance Leadership	Governor	6/30/2021
Montana Organic Commodity Advisory Council		
Director Ben Thomas, Helena Qualifications (if required): Director of the Department of Agriculture	Governor	7/1/2021

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Montana Poet Laureate		
Ms. Melissa Kwasny, Jefferson City Qualifications (if required): Poet Laureate	Governor	8/1/2021
Ms. Mandy Smoker, Helena Qualifications (if required): Poet Laureate	Governor	8/1/2021
Montana Pulse Crop Committee		
Mr. Ryan Bogar, Vida Qualifications (if required): Member from an eastern district	Governor	6/30/2021
Mr. Colby Johnson, Conrad Qualifications (if required): At-large member from either district	Governor	6/30/2021
Mr. Gordon Stoner, Outlook Qualifications (if required): Member from an eastern district	Governor	6/30/2021
Montana University System Restructuring Review Commission		
Mr. Llewelyn E. Jones, Conrad Qualifications (if required): Member	Governor	6/30/2021
Dr. Sandra L. Boham, Pablo Qualifications (if required): Representative of Tribal Colleges	Governor	6/30/2021

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Montana Wheat and Barley Committee		
Ms. Denise Conover, Broadview Qualifications (if required): District VI Independent	Governor	6/1/2021
Mr. Charles Bumgarner, Great Falls Qualifications (if required): District V Independent	Governor	6/1/2021
Mr. Adam Carney, Scobey Qualifications (if required): District I Democrat	Governor	6/1/2021
Montana Native Youth Suicide Reduction Coalition		
Mr. Quincy Bjornberg, Helena Qualifications (if required): Helena Indian Alliance Leadership	Governor	6/30/2021
Noxious Weed Management Advisory Council		
Mr. Todd Wagner, Glasgow Qualifications (if required): Agriculture Crop Production	Governor	6/30/2021
Ms. Linda Eklund, Shawmut Qualifications (if required): Livestock Production	Governor	6/30/2021
Mr. Joel Farkell, Brady Qualifications (if required): Consumer Group	Governor	6/30/2021
Director Ben Thomas, Helena Qualifications (if required): Director of the Department of Agriculture	Governor	6/30/2021

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Noxious Weed Management Advisory Council Cont.		
Mr. Kenny Keever, Havre Qualifications (if required): Biological Research and Control Interests	Governor	6/30/2021
Mr. Trent Brusseau, Caldwell Qualifications (if required): Herbicide Dealer or applicator	Governor	6/30/2021
Ms. Kellieann Morris, Stevensville Qualifications (if required): Western County Representative	Governor	6/30/2021
Mr. Jim Olivarez, Missoula Qualifications (if required): Western County Representative	Governor	6/30/2021
Mr. Steve Tyrell, Lavina Qualifications (if required): Herbicide Dealer or applicator	Governor	6/30/2021
Petroleum Tank Release Compensation Board		
Mr. Jason Rorabaugh, Belgrade Qualifications (if required): Representative of Service Station Dealers	Governor	7/1/2021
Ms. Gretchen Rupp, Bozeman Qualifications (if required): General public	Governor	7/1/2021
Private Land Public Wildlife Advisory Council		
Representative Duane Ankney, Colstrip Qualifications (if required): Landowner	Governor	8/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Private Land Public Wildlife Advisory Council Cont.		
Representative Denley Loge, St. Regis Qualifications (if required): Landowner and Legislator	Governor	8/1/2021
Mr. Ralph E. Bukoskey, Rosebud Qualifications (if required): Sportsperson	Governor	8/1/2021
Ms. Cynthia Cohan, Butte Qualifications (if required): Sportsperson	Governor	8/1/2021
Mr. M. Lee Cornwell, Glasgow Qualifications (if required): Landowner	Governor	8/1/2021
Mr. Edward Albert Beall, Helena Qualifications (if required): Sportsperson	Governor	8/1/2021
Dr. Daniel R. Fiehrer, Helena Qualifications (if required): Sportsperson	Governor	8/1/2021
Mr. Richard L. Stuker, Chinook Qualifications (if required): Landowner	Governor	8/1/2021
Mr. Dale Tribby, Miles City Qualifications (if required): Sportsperson	Governor	8/1/2021
Mr. Carl L. Zabrocki, Billings Qualifications (if required): Sportsperson	Governor	8/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
State Banking Board		
Ms. Kay Clevidence, Victor	Governor	7/1/2021
Qualifications (if required): Active officer in state bank of Montana		
Mr. David Madison, Shelby	Governor	7/1/2021
Qualifications (if required): Member of the public		
State Council for Compact on Educational Opportunity for Military Children		
Superintendent Tom Moore, Great Falls	Governor	7/1/2021
Qualifications (if required): Superintendent of a school district		
State Electrical Board		
Ms. Dawn Achten, Billings	Governor	7/1/2021
Qualifications (if required): Member representing the public		
State Library Commission		
Ms. Jamie Doggett, White Sulphur Springs	Governor	6/1/2021
Qualifications (if required): Public Representative		
Mr. Kenneth Wall, Missoula	Governor	6/1/2021
Qualifications (if required): Public Representative		
State Workforce Innovation Board		
Superintendent Elsie Arntzen, Helena	Governor	7/1/2021
Qualifications (if required): Superintendent of Public Instruction or Designee		

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
State Workforce Innovation Board Cont.		
Commissioner Maureen Wicks, Ledger Qualifications (if required): Local government elected official	Governor	7/1/2021
Mr. Paul Hopfauf, Glendive Qualifications (if required): Business Representative	Governor	7/1/2021
Mr. Dean Bentley, Butte Qualifications (if required): Business Representative	Governor	7/1/2021
Mr. Ken Fichtler, Helena Qualifications (if required): Governor or Designee	Governor	7/1/2021
Ms. Asta So, Missoula Qualifications (if required): Business Representative	Governor	7/1/2021
Commissioner Clayton Christian, Helena Qualifications (if required): Commissioner of Higher Education	Governor	7/1/2021
Ms. Rebecca Morgan, Missoula Qualifications (if required): Business Representative	Governor	7/1/2021
Ms. Karen Baumgart, Billings Qualifications (if required): Community Organization Representative	Governor	7/1/2021
Mrs. Becky Bey, Billings Qualifications (if required): Business Representative	Governor	7/1/2021

EXECUTIVE BRANCH VACANCIES – JUNE 1, 2021 THROUGH AUGUST 31, 2021

<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
State Workforce Innovation Board Cont.		
Ms. Heather Michelle O'Hara, Helena Qualifications (if required): Business Representative	Governor	7/1/2021
Mrs. Kristin Ashley Tessman, Helena Qualifications (if required): Workforce Representative	Governor	7/1/2021
Ms. Jennifer J. Kobza, Billings Qualifications (if required): Business Representative	Governor	7/1/2021
Ms. Melanie Schwartz, Billings Qualifications (if required): Workforce Representative	Governor	7/1/2021
Mrs. Jolene Schalper, Great Falls Qualifications (if required): Business Representative	Governor	7/1/2021
Ms. Morgan Marks, Helena Qualifications (if required): Workforce representative	Governor	7/1/2021
State-Tribal Economic Development Commission		
Mr. Carl Kipp, Browning Qualifications (if required): Blackfeet Nation Alternate Representative	Governor	7/1/2021
Ms. Cheryl Reeves, Browning Qualifications (if required): Blackfeet Nation Representative	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
State-Tribal Economic Development Commission, Cont.		
Ms. Delina Cuts The Rope, Harlem Qualifications (if required): Alternative Representative of the Fort Belknap Indian Community	Governor	6/30/2021
Councilwoman Brandi King, Harlem Qualifications (if required): Representative of the Fort Belknap Indian Community	Governor	6/30/2021
Mr. Ray King, Harlem Qualifications (if required): Representative of the Ft. Belknap Indian Community	Governor	6/30/2021
Chairman Gerald Gray, Billings Qualifications (if required): Little Shell Tribal Representative	Governor	7/1/2021
Mr. Clarence Sivertsen, Belt Qualifications (if required): Little Shell Tribal Alternate	Governor	7/1/2021
Statewide Public Safety Communications System Advisory Council		
Attorney General Tim Fox, Helena Qualifications (if required): Attorney General	Governor	7/1/2021
Mr. Raphael Graybill, Helena Qualifications (if required): Representative of the Governor's Office	Governor	7/1/2021
Commissioner Joseph Briggs, Great Falls Qualifications (if required): Representative of county government	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Statewide Public Safety Communications System Advisory Council Cont.		
Sheriff Leo Dutton, Helena Qualifications (if required): Law Enforcement Representative	Governor	7/1/2021
Captain Jeffrey Scott Newton, Great Falls Qualifications (if required): Representative of a municipality	Governor	7/1/2021
Ms. Marjean Rebecca Penny, Bozeman Qualifications (if required): Representative of the Assoc. of Public Safety Communications Officials	Governor	7/1/2021
Mr. Joshua D. Turnsplenty, Hays Qualifications (if required): Representative of tribal governments	Governor	7/1/2021
Mr. Joshua L. Waldo, Bozeman Qualifications (if required): Representative of the fire protection community	Governor	7/1/2021
Mr. David Thomas Webster, Helena Qualifications (if required): Representative of the emergency medical community	Governor	7/1/2021
Teachers' Retirement System Board		
Mr. Jeffrey A. Greenfield, Shepherd Qualifications (if required): Active member of the retirement system	Governor	7/1/2021
Tourism Advisory Council		
Ms. Tami Burke, Glasgow Qualifications (if required): Missouri River Country Region Representative	Governor	7/1/2021

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<u>Board/Current Position Holder</u>	<u>Appointed By</u>	<u>Term End</u>
Tourism Advisory Council Cont.		
Mr. Joseph Willauer, Butte	Governor	7/1/2021
Qualifications (if required): Southwest Montana Country Region Representative		
Mr. Brian Sprenger, Bozeman	Governor	7/1/2021
Qualifications (if required): Yellowstone Country Region Representative		
Mr. Alger Swingley, Great Falls	Governor	7/1/2021
Qualifications (if required): Tribal member from the private sector		
Upper Columbia Conservation Commission		
Mr. Thomas L. Finch Jr., Helena	Governor	8/1/2021
Qualifications (if required): Rep of veterans' employment and training service office in the U.S. Department of Labor		
Western Interstate Commission for Higher Education		
Commissioner Clayton Christian, Helena	Governor	7/1/2021
Qualifications (if required): Educator engaged in the field of higher education in Montana		

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SECRETARY OF STATE

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