

MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 12

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 The Proposal Notice Section contains state agencies' proposed new, amended, or repealed rules; the rationale for the change; date and address of public hearing; and where written comments may be submitted.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 print 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) 444-2055.

Page Number

TABLE OF CONTENTS

PROPOSAL NOTICE SECTION

ADMINISTRATION, Department of, Title 2

2-4-527 Notice of Proposed Amendment - Single Audit Act Reporting Fees for Local Governments. No Public Hearing Contemplated. 781-783

AGRICULTURE, Department of, Title 4

4-14-227 Notice of Public Hearing on Proposed Amendment - Noxious Weed Seed Free Forage Fees. 784-788

COMMERCE, Department of, Title 8

8-99-133 Notice of Proposed Amendment - Administration of the Big Sky Economic Development Trust Program. No Public Hearing Contemplated. 789-790

FISH, WILDLIFE AND PARKS, Department of, Title 12

12-444 (Fish and Wildlife Commission) Notice of Public Hearing on Proposed Adoption - Apprentice Hunter Certificate. 791-792

JUSTICE, Department of, Title 23

23-16-242 Notice of Public Hearing on Proposed Amendment - Conduct of Sports Tab Games - The Award of Sports Tab Game Prizes - Sports Tab Games Record Keeping Requirements. 793-797

NATURAL RESOURCES AND CONSERVATION, Department of, Title 36

36-22-186 (Board of Oil and Gas Conservation and the Department) Notice of Proposal of Temporary Rule - To Certify Carbon Sequestration Equipment Placed in Service After January 1, 2014, and Certified by the Department of Environmental Quality Prior to October 1, 2015. 798-800

PUBLIC HEALTH AND HUMAN SERVICES, Department of, Title 37

37-713 Notice of Public Hearing on Proposed Amendment and Repeal - Non-Medicaid Respite Care Services for Youth With Serious Emotional Disturbance. 801-805

REVENUE, Department of, Title 42

42-2-929 Notice of Public Hearing on Proposed Amendment - Targeted Economic Development Districts. 806-808

42-2-930 Notice of Negotiated Rulemaking - Soliciting Applications for Membership on a Negotiated Rulemaking Committee Relating to Agency Liquor Stores. 809-811

RULE ADOPTION SECTION

ADMINISTRATION, Department of, Title 2

2-43-525 (Public Employees' Retirement Board) Notice of Amendment - Establishment of Long-Term Disability Trust Fund. 812-813

2-59-524 Notice of Amendment - Derivatives and Securities Financing Transactions as They Relate to Lending Limits and Credit Exposures. 814

COMMERCE, Department of, Title 8

8-99-132 Notice of Repeal - Implementation of the Montana Indian Language Preservation Pilot Program. 815

EDUCATION, Department of, Title 10

10-101-1501 Corrected Notice of Amendment - Agency Organization. 816

ENVIRONMENTAL QUALITY, Department of, Title 17

17-369 (Board of Environmental Review) (Air Quality) Notice of Amendment - Incorporation by Reference--Publication Dates - Availability of Referenced Documents. 817

LABOR AND INDUSTRY, Department of, Title 24

24-29-306 Notice of Amendment - Workers' Compensation Medical Service Fee Schedules - Utilization and Review of Medical Services. 818-819

24-156-82 (Board of Medical Examiners) Notice of Amendment and Repeal - Fees - Continuing Education - Definitions - Obligation to Report to Board - ECP Licenses - Medical Direction - Initial ECP Course Requirements - ECP Clinical Requirements - Procedures for Board-Approved ECP Curriculum - Scope of Practice. 820-821

PUBLIC HEALTH AND HUMAN SERVICES, Department of, Title 37

37-705 Notice of Amendment - Revision of Fee Schedules for Medicaid Provider Rates. 822-823

37-707 Notice of Amendment - Nursing Facility Reimbursement. 824

37-709 Notice of Amendment - Medicaid Transportation - Personal Per Diem - Ambulance Services. 825-826

37-710 Notice of Amendment - Increase of Reimbursement Rates - Clarification of Language in the Developmental Disabilities Manual. 827

37-711 Notice of Amendment - Laboratory Fees for Analysis - Newborn Screening for Severe Combined Immunodeficiency Disease (SCID). 828

SPECIAL NOTICE AND TABLE SECTION

Function of Administrative Rule Review Committee.	829-830
How to Use ARM and MAR.	831
Accumulative Table.	832-841
Boards and Councils Appointees.	842-849
Vacancies on Boards and Councils.	850-867

BEFORE THE DEPARTMENT OF ADMINISTRATION
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PROPOSED
ARM 2.4.402 pertaining to the Single) AMENDMENT
Audit Act reporting fees for local)
governments) NO PUBLIC HEARING
) CONTEMPLATED

TO: All Concerned Persons

1. On July 27, 2015, the Department of Administration proposes to amend the above-stated rule.

2. The Department of Administration will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Administration no later than 5:00 p.m. on July 10, 2015, to advise us of the nature of the accommodation that you need. Please contact Kay Gray, Local Government Services Bureau, 301 South Park Avenue – Room 340, P.O. Box 200547, Helena, Montana 59620-0547; telephone (406) 841-2903; Montana Relay Service 711; facsimile (406) 841-2910; or e-mail to kaygray@mt.gov.

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

2.4.402 REPORT FILING FEE (1) through (6)(c) remain the same.
(7) The annual filing fees for local government entities are as follows:

<u>Annual Revenues Equal to or Greater Than:</u>	<u>Annual Revenues Less Than:</u>	<u>Fee</u>
\$0	\$200,000	\$0
\$200,000	\$500,000	\$200
\$500,000	\$1,000,000	\$435 <u>550</u>
\$1,000,000	\$1,500,000	\$635 <u>800</u>
\$1,500,000	\$2,500,000	\$760 <u>950</u>
\$2,500,000	\$5,000,000	\$845 <u>1,300</u>
\$5,000,000	\$10,000,000	\$890 <u>1,700</u>
\$10,000,000	\$50,000,000	\$965 <u>2,500</u>
\$50,000,000		\$1,000 <u>3,000</u>

This filing fee schedule is effective for annual financial reports for years ended June 30, 2007 2015, and after. ~~For annual financial reports for years ended October 1, 2007, and after, the annual filing fee for local government entities with annual revenues less than \$500,000 is zero.~~

AUTH: 2-7-514, MCA

IMP: 2-7-514, MCA

STATEMENT OF REASONABLE NECESSITY: The change in the annual filing fee in ARM 2.4.402(7) is necessary to comply with 2-7-514, MCA, which requires the department to charge a fee based upon the costs incurred by the department in administration of the Single Audit Act. Legislatively authorized funding changes and the implementation of a new computer application, which allows for electronic reporting and increased transparency, necessitate the filing fee changes. Additionally, over the last several years, expenditures have exceeded revenues and have depleted working capital reserves. No other funding options exist as the administration of the Montana Single Audit Act is funded through local government filing fees and with general fund appropriations. Total estimated annual shortfall is \$261,000. The department is also removing extraneous information regarding revenues less than \$500,000.

It is estimated that approximately 500 entities will be affected by the change in the filing fees, which will generate an estimated \$262,100 in additional annual revenue.

4. Concerned persons may present their data, views, or arguments concerning the proposed action to Kay Gray, Bureau Chief, Local Government Services Bureau, 301 South Park Avenue – Room 340, P.O. Box 200547, Helena, Montana 59620-0547; faxed to the office at (406) 841-2910; or e-mailed to kaygray@mt.gov; and must be received no later than 5:00 p.m., July 23, 2015.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to the person listed in 4 above no later than 5:00 p.m., July 23, 2015.

6. If the Local Government Services Bureau receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 130 based on the number of Montana local governments.

7. An electronic copy of this proposal notice is available through the department's web site at <http://doa.mt.gov/administrativerules>. The department strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that if a discrepancy exists between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the department works to keep its web site accessible at all times,

concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

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

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

10. The department has determined that under 2-4-111, MCA, the proposed rule amendments will not significantly and directly affect small businesses.

By: /s/ Sheila Hogan
Sheila Hogan, Director
Department of Administration

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

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF AGRICULTURE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 4.5.308 and 4.5.313 pertaining) PROPOSED AMENDMENT
to the noxious weed seed free forage)
fees)

TO: All Concerned Persons

1. On July 16, 2015, at 1:00 p.m., the Department of Agriculture will hold a public hearing in Room 225 of the Scott Hart Building, at 302 N. Roberts, Helena, Montana, to consider the proposed amendment of the above-stated rules.

2. The Department of Agriculture will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact Department of Agriculture no later than 5:00 p.m. on July 9, 2015, to advise us of the nature of the accommodation that you need. Please contact Cort Jensen, Department of Agriculture, P.O. Box 200201, Helena, Montana, 59620-0201; telephone (406) 444-3144; fax (406) 444-5409; or e-mail cojensen@mt.gov.

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

4.5.308 FORAGE IDENTIFICATION AND TRANSPORTATION

(1) Identification of ~~forage~~ field grown forage ~~or harvested~~ includes the following:

~~(a) The producer identification number.~~

~~(b) (a) Bales sold in one ton lots or less must be identified individually using a department approved issued identification marker. A completed transportation certificate is required and must specify whether the forage was inspected for Montana or regional noxious weeds.~~

~~(i) If each bale in lots of greater than one ton does not have a numbered tag, a transportation certificate is required.~~

~~(ii) If each bale in a load is individually marked with a numbered tag a transportation certificate is not required.~~

~~(c) Forage sold in bulk, including whole grain, must be accompanied by a completed transportation certificate.~~

~~(i) (b) If colored baler twine is used for marking, only one strand of the colored twine is required per bale. However, a completed transportation certificate is required and must specify whether the forage was inspected for Montana noxious weeds or regional noxious weeds.~~

~~(ii) Loads of bulk hay or straw not marked with colored twine may be identified with identification markers (tags) placed on the four corners of the load.~~

~~(d) All whole grain sold in bags must be marked with a department approved identification marker.~~

~~(e)~~ (c) The producer shall make all reasonable efforts to ensure the ~~whole grain~~ certified forage is not contaminated with noxious weed seeds from the time of harvest and storage including delivery to the buyer.

(2) Forage identification markers and transportation certificates ~~approved by the department~~ will be sold and distributed, ~~respectively,~~ by the department or its agents. ~~The fee assessed for identification markers shall be commensurate with the actual costs of the markers.~~

(3) A noxious weed seed free forage product transportation certificate issued and numbered by the department must contain the following:

(a) a statement that this forage meets the criteria set by the Montana Noxious Weed Seed Free Forage Act;

(b) ~~name and address~~ of the producer;

(c) producer identification number;

(d) name and address of buyer;

(e) type of forage;

(f) identification marker (tags, colored baler twine, ~~etc.~~ and labels);

(g) security tie with a unique identification number;

~~(g)~~ (h) number of bales by type or tonnage or weight of grain concentrate, pellets, or other forage product;

~~(h)~~ (i) date of sale;

~~(i)~~ (j) seller's signature;

~~(j)~~ (k) vehicle operator or driver's signature; this must be signed upon receipt of forage; and

~~(k)~~ (l) a statement that the forage meets Montana or regional certification standards.

(4) All baled forage sold by a producer to a second party (such as a retail outlet) for resale must be accompanied by the original transportation certificate. The second party (or retail outlet) will photocopy the original transportation certificate and provide this photocopy plus a receipt to third party buyers of the baled forage. Third party buyers must have the photocopy of the transportation certificate and the receipt (to show where the forage was purchased) in their possession when they are transporting or storing forage in a restricted area.

(5) Identification of forage that has been pelleted, or cubed or other related products shall include the following:

(a) Certified grain concentrates, pellets, cubes, or other forage byproducts must have a separate label attached showing proof of certification of the contents with the following statement: "MONTANA CERTIFIED Noxious Weed Seed Free Forage NOTE: Certification means this product has been inspected by an agent of the MT NWSFF program using recognized inspection methods and no noxious weed seed was detected."

(b) For out-of-state pelleted, cubed, or grain concentrate products the label on the product must be in compliance with Montana's standards for Noxious Weed Seed Free Forage. Montana may enter into reciprocal agreements with other states, agencies, and/or provinces that will identify the certification procedures to be used.

(c) All identification labels for grain concentrates, pellets, cubes, or other forage products manufactured in Montana must be obtained from the department.

(d) Transportation of bulk loads of certified grain concentrates and pelleted and cubed materials must be secured with a security tie having a unique identifier once loaded and remain unaltered or unbroken during transit. If bulk materials are intended to be delivered to multiple destinations, a security tie is required between delivery sites. Security ties are to be used in conjunction with required markers and transportation certificates.

(6) remains the same.

AUTH: 80-7-905, 80-7-907, 80-7-908, 80-7-909, MCA

IMP: 80-7-905, 80-7-906, 80-7-907, 80-7-908, MCA

REASON: Costs of identification markers are detailed in administrative rule, allowing users to know what the costs are. Fees are addressed in ARM 4.5.313. Security ties are being implemented for bulk certified concentrates, pellets, and cubes to prevent exposure to contamination and possible adulteration. Changes in marker requirements will aid in verifying certification and promote traceability.

ECONOMIC IMPACT: It is anticipated there will be a limited amount of bulk certified forage materials that will need a security tie. Given the low volume of security ties needed annually (up to two dozen per year), the department is not proposing a fee for security ties. There is no economic impact associated with the use of security ties. If, in the future, security ties become more widely used and a fee is needed to allow cost recovery, the department will consider implementing a fee for security ties.

There will be an economic impact for loads greater than one ton since each bale will require a marker. Cost is not expected to be significant but cannot be calculated since it will depend on the number of bales and type or marker used.

4.5.313 FEES (1) through (6) remain the same.

(7) The cost for grain concentrate analysis shall be paid by the manufacturer. The product marker (label) will be provided by the department or its agent to the manufacturer of certified grain concentrates and pellets at \$0.40 per marker (label).

(8) Only product markers provided by the department or its agents may be used. Fees for markers are as follows:

(a) Twine will be \$50/unit;

(b) Tags will be \$0.50/tag;

(c) Labels for grain concentrates, pellets, and cubes will be \$0.40/label;

(d) Labels for in-state grain concentrates, pellets, and cubes made from certified noxious weed seed free materials that have already been assessed field inspection fees specified in ARM 4.5.313(1), will be:

(i) \$0.15/adhesive label; or

(ii) \$0.25/weather and tear resistant sewn-in label;

(e) Labels for in-state bulk grain concentrates, pellets, and cubes will be \$0.20/50 pounds; and

(f) Ties will be provided by the department at no cost.

AUTH: 80-7-905, 80-7-907, 80-7-908, MCA
IMP: 80-7-905, 80-7-907, 80-7-908, MCA

REASON: Listed costs for twine and tags reflect current fees that the department is formally adopting by administrative rule. A distinction is being drawn between grain concentrates, pellets, and cubes made with noncertified materials and those made with certified materials already subject to noxious weed seed free field inspection fees. A new fee is also proposed for adoption to facilitate the movement of bulk pellets and grain based on the needs of new bulk producers.

ECONOMIC IMPACT: There is no economic impact associated with formally adopting fees already established and in use. The department and the advisory council recognize the economic burden of in-state producers who pay both noxious weed seed free forage field inspections and labeling fees. We are proposing lower labeling fees for those in-state producers. There will be a positive economic impact to producers with the proposed change because adhesive label costs will be reduced to \$0.15/adhesive label, a savings of \$0.25/adhesive label and because sewn-in label costs will be reduced to \$0.25/sewn-in label, a savings of \$0.15/sewn-in label. The advisory council and department considered a need for a marker system for shipping bulk materials. This represents a new fee to facilitate movement of bulk product. The cost will equate to \$8/ton. Approximately 1,530 tons of bulk materials could be sold each year, at an estimated annual cost of \$12,240. The department and the advisory council also considered a request from a producer to have available a sewn-in label.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Cort Jensen, Department of Agriculture, P.O. Box 200201, Helena, Montana, 59620-0201; telephone (406) 444-3144; fax (406) 444-5409; or e-mail cojensen@mt.gov, and must be received no later than 5:00 p.m., July 23, 2015.

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

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

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all

concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

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

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will significantly and directly impact small businesses.

/s/ Cort Jensen
Cort Jensen
Rule Reviewer

/s/ Ron de Yong
Ron de Yong
Director
Department of Agriculture

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF COMMERCE
OF THE STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PROPOSED
ARM 8.99.918 pertaining to the	)	AMENDMENT
administration of the Big Sky)	
Economic Development Trust	)	NO PUBLIC HEARING
Program	)	CONTEMPLATED

1. On July 25, 2015, the Department of Commerce proposes to amend 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. on July 23, 2015, to advise us of the nature of the accommodation that you need. Please contact Bonnie Martello, Paralegal, Director's Office, Department of Commerce, 301 South Park Avenue, P.O. Box 200501, Helena, Montana 59620-0501; telephone (406) 841-2596; fax (406) 841-2701; TDD (406) 841-2702; or e-mail bmartello@mt.gov.

3. The department proposes to amend the following rule:

8.99.918 PROGRAMMATIC REQUIREMENTS

(1) through (4)(b) remain the same.

(5) The department ~~will~~ may require full or partial repayment of the award, if the assisted business fails to create or maintain the number of net new eligible jobs as specified in the executed contract.

AUTH: 90-1-204, MCA

IMP: 90-1-204, MCA

REASON: The change will provide more flexibility to the program given the unique business situations.

4. Concerned persons may submit their data, views, or arguments in written form or a request for opportunity to submit data, views, or arguments in oral form to: Nancy Faroni, Department of Commerce, 301 South Park Avenue, P.O. Box 200501, Helena, Montana, 59620-0501; telephone (406) 841-2744; TDD (406) 841-2731; facsimile (406) 841-2731; or e-mail to nfaroni@mt.gov, and must be received no later than 5:00 p.m., July 23, 2015.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Bonnie Martello at the above address no later than 5:00 p.m., July 23, 2015.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Ten percent of those directly affected has been determined to be 20, based on 52 counties, 130 municipalities and 15 eligible economic development organizations. Notice of the hearing will be published in the Montana Administrative Register.

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. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled.

10. 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/ G. Martin Tuttle
G. MARTIN TUTTLE
Rule Reviewer

/s/ Douglas Mitchell
DOUGLAS MITCHELL
Deputy Director
Department of Commerce

Certified to the Secretary of State June 15, 2015.

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF PUBLIC HEARING ON
RULE I pertaining to the apprentice) PROPOSED ADOPTION
hunter certificate)

TO: All Concerned Persons

1. On July 23, 2015, at 6:00 p.m., the Fish and Wildlife Commission (commission) will hold a public hearing at the Fish, Wildlife and Parks Headquarters, 1420 East 6th Avenue, Helena, Montana, to consider the proposed adoption of the above-stated rule.

2. The commission 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 no later than July 10, 2015, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-9785; or e-mail jesssnyder@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE I APPRENTICE HUNTER CERTIFICATE (1) An apprentice hunter must be accompanied by a mentor while hunting. The mentor must:

- (a) meet the requirements of [HB 140, Chapter 449, Laws of 2015], MCA;
- (b) possess a completed department-issued designation form;
- (c) only accompany one apprentice at a time;
- (d) remain within direct voice contact with the apprentice without the use of enhancement or transmittal devices, except prescription hearing aids; and
- (e) remain within direct sight of the apprentice without the use of any magnifying or enhancing aids except prescription eyewear.

(2) [HB 140, Chapter 449, Laws of 2015] states a person cannot obtain an apprentice hunting certificate upon completion of a hunter safety course. For the apprentice hunter certificate, completion of a hunter safety and education course is defined as:

- (a) passing a state-approved hunter education course including the required test and field day; and
- (b) reaching 12 years of age by January 16 of the license year.

AUTH: HB 140, Chapter 449, Laws of 2015

IMP: HB 140, Chapter 449, Laws of 2015

REASON: The 2015 Legislature passed HB 140 creating an apprentice hunting certificate available for people 10 through 17 years of age who have not completed hunter education. The purpose of this rule is to state the legislative intent regarding

completion of hunter education; establish the process for designating and identifying a mentor; and define "sight of and direct voice contact with apprentice hunter" as required in statute.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Department of Fish, Wildlife and Parks, Wayde Cooperider, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail wacooperider@mt.gov, and must be received no later than July 31, 2015.

5. Kaedy Gangstad or another hearing officer appointed by the department has been designated to preside over and conduct the hearing.

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

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The sponsor has been notified via e-mail on May 28, 2015.

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

/s/ Aimee Fausser
Aimee Fausser
Rule Reviewer

/s/ Dan Vermillion
Dan Vermillion
Chairman
Fish and Wildlife Commission

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF JUSTICE
OF THE STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PUBLIC HEARING ON
ARM 23.16.1712, 23.16.1714, and	)	PROPOSED AMENDMENT
23.16.1715 pertaining to the conduct)	
of sports tab games, the award of)	
sports tab game prizes, and sports)	
tab game record keeping)	
requirements)	

TO: All Concerned Persons

1. On July 15, 2015, at 9:00 a.m., the Department of Justice will hold a public hearing in the conference room at the Gambling Control Division, 2550 Prospect Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rules.

2. The Department of Justice 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 Department of Justice no later than 5:00 p.m. on July 10, 2015, to advise it of the nature of the accommodation that you need. Please contact Rick Ask, Administrator, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, Montana, 59620-1424; telephone (406) 444-1971; fax (406) 444-9157; Montana Relay Service 711; or e-mail rask@mt.gov.

3. The proposed rule amendments provide as follows, new matter underlined, deleted matter interlined:

23.16.1712 DESIGN AND CONDUCT OF SPORTS TAB GAME (1) A sports tab game may be conducted ~~only as a traditional sports tab game~~ in conjunction with a single sports event with two competitors, or as a series sports tab game. A sponsor may conduct more than one sports tab game for each event.

(a) A "traditional sports tab game" involves a single sports event with two competitors that is conducted using a sports tab card. A winner is determined by matching the numbers printed on the sports tab with the only or last digit of the score of each competitor in the sports event at the conclusion of the event. Winners may also be determined by the score at predetermined intervals during the event as long as there is also a winner and prize awarded based upon the score at the conclusion of the event. If any prize is awarded for a score attained at a predetermined interval, the value of any such prize may not exceed the value of the prize awarded for the score attained at the conclusion of the event, as provided in ARM 23.16.1714.

(b) A "series sports tab game" is conducted using a single sports tab card in conjunction with a series of sports events. The pair of numbers on a participant's sports tab are used for each sports event in the series. The competitors in each sports event in the series may be individual teams or a combination of teams (e.g., a

group of teams designated as home teams versus a group of teams designated as away teams). Sports tabs must be sold for all events in the series of sports events and may not be sold for individual events. Winners for each sports event in the series are determined:

(i) in the same manner as in a traditional sports tab game; or

(ii) in the same manner as in a traditional sports tab game for the first sports event in the series. For the second and subsequent events, winners are determined by combining the scores generated by each competitor in the previous events.

~~(2) A winner or winners of a sports tab game are determined by matching the appropriate numbers on a participant's sports tab with the only or last digit of the competitors' score at the end of the sports event, and if designated before the event by the sponsor, at intervals during the sports event, as provided in ARM 23.16.1714.~~

~~(3) Before the sale of any sports tabs in a sports tab game, the sponsor shall describe the game by prominently displaying the following information on the sports tab card or on a board to which the card is attached:~~

~~(a) name of the competitors in the sports event;~~

~~(b) date of the sports event or dates of the series of sports events;~~

~~(c) notification of which competitor's score corresponds to the first and second numbers on the sports tab;~~

~~(d) name of the sponsor;~~

~~(e) cost of a sports tab;~~

~~(f) total dollar value of all prizes to be awarded to winners;~~

~~(g) total amount to be retained by the sponsor;~~

~~(h) dollar amount or type and value of merchandise to be awarded to each winner;~~

~~(i) predetermined intervals, as provided in ARM 23.16.1714, during the sports event for which prizes are to be awarded, if any; and~~

~~(j) name of the competitors and the date of the sports event that will be substituted for the original sports event if it is cancelled.~~

~~(4)(3) After sale of the sports tabs begins, the sponsor:~~

~~(a) may not cancel the sports tab game or alter the game in any manner; and~~

~~(b) shall award all prizes only at the end conclusion of the single sports event in a traditional sports tab game, or at the conclusion of all sports events in a series sports tab game, in accordance with the description required under ~~(3)(2)~~, regardless of whether all sports tabs on the sports tab card are sold to participants before the start of the sports event.~~

~~(5)(4) The sports tab games purchased must have a permanent, unduplicated serial number printed on the sports tab card and have the same number printed on each sports tab affixed to the sports tab card. The sports tab cards must not have any concealed numbers on the card other than those concealed by the 100 sports tabs.~~

~~(6)(5) All money paid to participate in each sports tab game shall be kept separate from any other money. No share for charitable contributions or administrative expenses may be separated from the total amount collected until after the sports event has occurred.~~

AUTH: 23-5-115, MCA

IMP: 23-5-501, 23-5-503, MCA

23.16.1714 SPORTS TAB GAME PRIZES (1) For the purposes of this rule, "cost of the sports tabs" means an amount that is equal to the amount paid by a participant for a single sports tab multiplied by 100.

(2) Winners may be determined by the score at predetermined intervals during the event as long as there is also a winner and prize awarded based upon the score attained at the ~~end~~ conclusion of the event. If any prize is to be awarded for a score attained at a predetermined interval during a sports event, the value of any such prize may not exceed the value of the prize to be awarded for the score at the ~~end~~ conclusion of the event.

(3) Except as provided in ~~(6)~~(5), a sponsor shall pay to the winners of a sports tab game at least 90% of the cost of the sports tabs. The sponsor may retain up to 10% of the cost of the sports tabs.

(4) The total value of all prizes awarded in a sports tab game may not exceed \$2,500. Prizes ~~must~~ may be in cash or merchandise, or a combination of cash and merchandise.

~~(5)~~ If merchandise is awarded, the purchase price paid for the merchandise is considered to be the value of the prize. Except as provided in ~~(6)~~(5), if the value of the merchandise is less than 90% of the cost of the sports tabs the difference must be awarded to the winners in cash.

~~(6)~~(5) A sponsor who is a nonprofit organization may retain up to 50% of the cost of the sports tabs if the organization meets the requirements of 23-5-503, MCA.

~~(7)~~(6) All prizes must be available for distribution to winners immediately at the ~~end~~ conclusion of the sports event, or at the conclusion of all sports events in a series sports tab game.

AUTH: 23-5-115, MCA

IMP: 23-5-501, 23-5-502, 23-5-503, MCA

23.16.1715 SPONSOR RECORD KEEPING REQUIREMENTS (1) After a winning sports tab is submitted to the sponsor and a prize is awarded, the sponsor shall cancel the tab, by whatever means chosen, and attach the cancelled tab to the sports tab card or board. ~~A sports tab that was not sold to a participant must remain attached to the sports tab card.~~

(2) A sports tab that was not sold to a participant may be revealed by the sponsor after the beginning of the sports event, but all unsold sports tabs must remain attached to the sports tab card.

~~(2)~~(3) The sponsor shall retain a sports tab card that was used in a sports tab game for at least one year after the date of the sports event upon which the sports tab game was based.

~~(3)~~(4) If merchandise is awarded as a prize, the sponsor shall retain proof of the purchase price of the merchandise for one year after the date of the sports event.

AUTH: 23-5-115, MCA

IMP: 23-5-501, 23-5-503, MCA

RATIONALE AND JUSTIFICATION: Prior to the 2015 Legislature's passage of HB 38, sports tab games were only authorized to be used in conjunction with a single sports event. The legislative amendment to 23-5-501, MCA, authorized the use of sports tab games to be used in a series of sports events, in addition to single sports events as previously authorized. These amendments are reasonably necessary to implement HB 38, to differentiate between a traditional sports tab game and a series sports tab game, and to clarify the scope of the rules that apply to traditional sports tab games and series sports tab games. Because sports tab boards contain 100 tabs (or chances), these rule amendments largely adopt the administrative rules for the operation of traditional and series sports pools conducted on a 100-square (100 chances) sports pool board.

Unlike a sports pool where the identification of the participants is written on a sports pool board, only the sports tab game participants know the numbers which are printed on their selected tabs. As a result, the rules require participants in a series sports tab game to retain their sports tabs until the conclusion of the sports event in a traditional sports tab game, or until the conclusion of all events in a series of events. At that time, the winning tab numbers are redeemed by submitting them to the sports tab game sponsor for prize payout. The sponsor then attaches those winning tabs to the sports tab game card, as currently required by these rules.

As in a sports pool game, prizes in a sports tab game are based upon the price per tab. Therefore, when a sports tab game sponsor does not sell all of the sports tabs to participants, the unsold tabs belong to the game sponsor and must remain attached to the sports tab card for record keeping and reconciliation purposes. These amendments, however, allow the sponsor to reveal the concealed numbers printed on the unsold tabs in order that the sponsor may determine whether any of the unsold tabs contain winning numbers.

The amendments make other nonsubstantive stylistic changes for internal consistency, clarity, and ease of reading.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to Rick Ask, Administrator, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, Montana, 59620-1424; telephone (406) 444-1971; fax (406) 444-9157; or e-mail rask@mt.gov, and must be received no later than 5:00 p.m., July 23, 2015.

5. 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.

6. Cregg W. Coughlin, Assistant Attorney General, Gambling Control Division, has been designated to preside over and conduct the hearing.

7. An electronic copy of this proposal notice is available through the department's web site at <https://dojmt.gov/agooffice/administrative-rules>. The department strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the department works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirement of 2-4-302, MCA, does apply and has been fulfilled. Rep. Casey Schreiner, the primary bill sponsor of HB 38, was provided with an initial draft, in person, on May 15, 2015.

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/ Timothy C. Fox
TIMOTHY C. FOX
Attorney General
Department of Justice

/s/ Matthew T. Cochenour
MATTHEW T. COCHENOUR
Rule Reviewer

Certified to the Secretary of State June 15, 2015.

BEFORE THE BOARD OF OIL AND GAS CONSERVATION AND
THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA

In the matter of the proposal of	)	NOTICE OF PROPOSAL OF
Temporary Rule I to certify carbon	)	TEMPORARY RULE
sequestration equipment placed in)	
service after January 1, 2014, and)	
certified by the Department of)	
Environmental Quality prior to)	
October 1, 2015)	

To: All Concerned Persons

1. On July 27, 2015, the Department of Natural Resources and Conservation Montana Board of Oil and Gas Conservation (board) proposes to adopt the above-stated temporary rule because House Bill 156 (2015) amended 15-68-158, MCA, and required the board to provide certification of qualifying carbon sequestration equipment placed in service after January 1, 2014, to the Department of Revenue. Before the effective date of House Bill 156 (2015), but after January 1, 2014, the Department of Environmental Quality issued certifications of carbon sequestration equipment. This temporary rule will ensure that the Department of Environmental Quality's earlier certifications remain valid until a permanent rule can be adopted by October 1, 2015.

2. The board 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 board no later than 5:00 p.m. on July 16, 2015, to advise us of the nature of the accommodation that you need. Please contact James Halvorson, Montana Board of Oil and Gas Conservation, 2535 St. Johns Avenue, Billings, Montana, 59102; telephone (406) 656-0040; fax (406) 655-6015; or e-mail jhalvorson@mt.gov.

3. The board held a public meeting and voted to initiate the temporary rulemaking process on Monday, June 15, 2015, at 9:00 a.m. in the conference room at its office at 2535 St. Johns Avenue in Billings, Montana.

4. Written data, views, or arguments regarding the temporary rule may be submitted to: James Halvorson, Montana Board of Oil and Gas Conservation, 2535 St. Johns Avenue, Billings, Montana, 59102; telephone (406) 656-0040; fax (406) 655-6015; or e-mail jhalvorson@mt.gov, and must be received no later than 5:00 p.m., July 23, 2015.

5. The board will hold a public meeting to consider any comments submitted on the temporary rule during the comment period on Monday, July 27, 2015, at 9:00 a.m. in the conference room at its office at 2535 St. Johns Avenue in Billings, Montana.

6. The text of the temporary rule provides as follows:

RULE I CERTIFICATION OF CLASS FIFTEEN PROPERTY ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY BEFORE OCTOBER 1, 2015 (1) Carbon sequestration equipment as defined in 15-6-158(2)(c), MCA, placed in service after January 1, 2014, and certified by the Department of Environmental Quality before October 1, 2015, is certified by the Board of Oil and Gas Conservation.

AUTH: 2-4-303, 15-6-158, MCA

IMP: 15-6-158, MCA

7. A standard rulemaking procedure will be undertaken prior to the October 1, 2015, expiration of this temporary rule. Concerned persons are encouraged to submit their comments during the upcoming standard rulemaking process. If concerned persons wish to be personally notified of that rulemaking process, they should submit their name, e-mail, and mailing address to Lucy Richards, P.O. Box 201601, 1625 Eleventh Avenue, Helena, MT 59620; fax (406) 444-2684; e-mail lrichards@mt.gov.

8. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the 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 conservation districts and resource development, forestry, oil and gas conservation, trust land management, water resources, or a combination thereof. 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 Lucy Richards, P.O. Box 201601, 1625 Eleventh Avenue, Helena, MT 59620; fax (406) 444-2684; e-mail lrichards@mt.gov; or may be made by completing a request form at any rules hearing held by the department.

9. An electronic copy of this notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register> and the department's web site at <http://www.dnrc.mt.gov>. The department strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

10. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted by telephone and e-mail on June 12, 2015.

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

/s/ John E. Tubbs
JOHN E. TUBBS
Director
Natural Resources and Conservation

/s/ Anne Yates
ANNE YATES
Rule Reviewer

/s/ Linda Nelson
LINDA NELSON
Board Chair
Montana Board of Oil and Gas Conservation

Certified to the Secretary of State June 15, 2015

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 37.87.2203 and the repeal of) PROPOSED AMENDMENT AND
ARM 37.87.2202, 37.87.2205,) REPEAL
37.87.2225, and 37.87.2233)
pertaining to Non-Medicaid Respite)
Care Services for youth with serious)
emotional disturbance)

TO: All Concerned Persons

1. On July 15, 2015, at 10:00 a.m., the Department of Public Health and Human Services will hold a public hearing in Room 207 of the Department of Public Health and Human Services Building, 111 North Sanders, Helena, Montana, to consider the proposed amendment and repeal of the above-stated rules.

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 July 8, 2015, to advise us of the nature of the accommodation that you need. Please contact Kenneth Mordan, 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 rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

37.87.2203 NON-MEDICAID SERVICES PROGRAM (1) The Children's Mental Health Bureau (CMHB) administers the Non-Medicaid Services Program for youth with serious emotional disturbance to provide the following short-term funding:

- (a) remains the same.
- (b) Room and Board Account; ~~and~~
- (c) System of Care Account; and
- (d) Non-Medicaid Respite Care Service.

(2) remains the same.
(3) The department adopts and incorporates by reference the CMHB's Non-Medicaid Services Program Provider Manual, dated ~~November 1, 2013~~ September 1, 2015 (the Manual), which sets forth the requirements and limitations of the CMHB's Non-Medicaid Services Program.

(4) The CMHB Non-Medicaid Services Program for youth with serious emotional disturbance must be delivered in accordance with the requirements and limitations of the ~~Children's Mental Health Bureau's Non-Medicaid Services Program~~

~~Provider Manual, dated November 1, 2013~~ Manual. A copy of the ~~m~~Manual may be obtained from the Department of Public Health and Human Services, Developmental Services Division, Children's Mental Health Bureau, 111 N. Sanders, P.O. Box 4210, Helena, MT 59604 or at <http://www.dphhs.mt.gov/mentalhealth/children/> <http://dphhs.mt.gov/dsd/CMB/Manuals.aspx>.

AUTH: 53-2-201, 53-6-113, 53-21-703, MCA
IMP: 53-1-601, 53-1-602, 53-1-603, 53-2-201, 53-21-201, 53-21-202, 53-21-701, 53-21-702, MCA

4. The department proposes to repeal the following rules:

37.87.2202 MENTAL HEALTH SERVICES FOR YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE (SED) NON-MEDICAID RESPITE CARE SERVICES, DEFINITION is found on page 37-21491 of the Administrative Rules of Montana.

AUTH: 53-2-201, 53-6-101, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-111, MCA

37.87.2205 MENTAL HEALTH SERVICES FOR YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE (SED) NON-MEDICAID RESPITE CARE SERVICES, LIMITATIONS is found on page 37-21493 of the Administrative Rules of Montana.

AUTH: 53-2-201, 53-6-101, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-111, MCA

37.87.2225 MENTAL HEALTH SERVICES FOR YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE (SED) NON-MEDICAID RESPITE CARE SERVICES, PROVIDER PARTICIPATION is found on page 37-21497 of the Administrative Rules of Montana.

AUTH: 53-2-201, 53-6-101, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-111, MCA

37.87.2233 MENTAL HEALTH SERVICES FOR YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE (SED) RESPITE CARE SERVICES, PROVIDER REIMBURSEMENT is found on page 37-21501 of the Administrative Rules of Montana.

AUTH: 53-2-201, 53-6-101, 53-6-113, MCA
IMP: 53-2-201, 53-6-101, 53-6-111, MCA

5. STATEMENT OF REASONABLE NECESSITY

The department proposes to amend ARM 37.87.2203 to reflect proposed revisions to the Children's Mental Health Bureau's (CMHB) Non-Medicaid Services Provider

Manual (the Manual), which was adopted and incorporated by reference into ARM 37.87.2203, effective November 15, 2013, under MAR No. 37-649. The department also proposes to repeal ARM 37.87.2202, 37.87.2205, 37.87.2225 and 37.87.2233, due to the proposed Manual changes, which will eliminate the need for specific Respite Care Service rules.

ARM 37.87.2203

The proposed Manual revisions, effective September 1, 2015, are described as follows:

(a) The Manual has had general comprehensive revisions of typesetting, layout, formatting, and nonsubstantive grammar changes, which are intended to improve navigation and reading of the Manual;

(b) Non-Medicaid Respite Care Services for youth with serious emotional disturbance, which are currently provided in ARM 37.87.2202, 37.87.2205, 37.87.2225, and 37.87.2233 have been incorporated into the Manual;

(c) Room and Board Account and Systems of Care Account sections have been amended with additional specification as to how and when those accounts' funds may be used for youth in state or tribal custody;

(d) Additional language has been added to the Supplemental Services Program, Room and Board Account, and System of Care Account sections to specify income eligibility determinations for these services, including family income guidelines, joint income calculations, Social Security income, and Social Security Disability Income; and

(e) Additional language has been incorporated to define further the permissible use for Non-Medicaid funding sources.

These revisions to the Manual are necessary because all other Non-Medicaid Services Program services, which are described in (1) of this rule, were previously adopted into the Manual. By adding Non-Medicaid Respite Care Services to the Manual, the department completes its consolidation, into a single source, of its authority, procedures, and references for all Children's Mental Health Bureau's Non-Medicaid Services Programs.

The department proposes to amend this rule further by amending the effective date of the revised Manual in (3) and the language adopting the Manual by reference, to be consistent with ARM 1.2.210, regarding how agencies reference adopted and incorporated legal sources, other laws, or documents into administrative rule.

Finally, the department proposes amending (4) for the effective date and abbreviated reference of the revised Manual and the department's web site address where an electronic copy of the Manual can be located.

An electronic copy of the proposed revised Manual can be accessed through the department's revised internet link described in (4), or a paper copy of the proposed revised Manual may be requested from CMHB at the mailing address also described in (4).

ARM 37.87.2202, 37.87.2205, 37.87.2225, and 37.87.2233

As a result of the above-described proposed actions, the department considers it necessary to propose the repeal of ARM 37.87.2202, 37.87.2205, 37.87.2225 and 37.87.2233, as the regulations and procedures for Non-Medicaid Respite Care Services for youth with serious emotional disturbance will be located within the Manual, which removes the need for specific Respite Care Service rules.

The department makes the proposed Manual revisions, rule amendments, and rule repeals only after having given careful consideration to (a) its current internal policies and the Manual in relationship to the affected administrative rules; (b) feedback received from providers and program participants regarding the need for greater clarity in the Manual; and (c) the department's required periodic review of its administrative rules and policy manuals. The department did explore alternatives to the above-described actions, but as the intended actions clarify and improve operational procedures in the operation of its Non-Medicaid Services Program, the department contends the proposed Manual and rule amendments and rule repeals are the most efficient means of meeting its program goals.

FISCAL IMPACT

There is no anticipated fiscal impact resulting from the proposed rulemaking and Manual revisions.

6. 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: Kenneth Mordan, 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., July 23, 2015.

7. The Office of Legal Affairs, Department of Public Health and Human Services, has been designated to preside over and conduct this hearing.

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

delivered to the contact person in 6 above or may be made by completing a request form at any rules hearing held by the department.

9. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

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

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

12. With regard to the requirements of Chapter 453, Laws of Montana (2015), the department has determined that the amendment and repeal of the above-referenced rules do not apply.

/s/ Cary Lund
Cary Lund, Attorney
Rule Reviewer

/s/ Richard H. Opper
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF REVENUE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 42.19.1401 pertaining to) PROPOSED AMENDMENT
targeted economic development)
districts)

TO: All Concerned Persons

1. On July 16, 2015, at 11 a.m., the Department of Revenue will hold a public hearing in the Third Floor Reception Area Conference Room of the Sam W. Mitchell Building, located at 125 North Roberts, Helena, Montana, to consider the proposed amendment of the above-stated rule. The conference room is most readily accessed by entering through the east doors of the building.

2. The Department of Revenue 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, please advise the department of the nature of the accommodation needed, no later than 5 p.m. on July 6, 2015. Please contact Laurie Logan, Department of Revenue, Director's Office, P.O. Box 7701, Helena, Montana 59604-7701; telephone (406) 444-7905; fax (406) 444-3696; or e-mail lalogan@mt.gov.

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

42.19.1401 DEFINITIONS The following definitions apply to this subchapter:

~~(1) "Secondary value-adding industry" means an industrial process that engages in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the North American Industry Classification System Manual prepared by the United States Office of Management and Budget, and that engages in the:~~

~~(a) processing of raw materials, such as minerals, ore, oil, gas, coal, agricultural products, and forestry products; or~~

~~(b) processing of semi-finished products that are used by the industry as a raw material in further manufacturing.~~

(2) through (4) remain the same, but are renumbered (1) through (3).

~~(5) "Value-added" means an increase in the worth of the raw or semi-finished product that results from a mechanical or chemical transformation and may not be attributable to a mere increase in existing production.~~

(4) "Value-adding economic projects" means projects that, through the employment of knowledge or labor, add value to industrial or technological products, processes, or export services resulting in the creation of new wealth.

(a) Value-adding economic projects do not include projects undertaken by service-based businesses or industries including, but not limited to, hotels, restaurants, automobile dealerships, and other similar businesses or industries.

AUTH: 15-1-201, MCA

IMP: 7-15-4202, 7-15-4203, 7-15-4204, 7-15-4205, 7-15-4206, 7-15-4207, 7-15-4208, 7-15-4209, 7-15-4210, 7-15-4211, 7-15-4212, 7-15-4213, 7-15-4214, 7-15-4215, 7-15-4216, 7-15-4217, 7-15-4218, 7-15-4278, 7-15-4279, 7-15-4280, 7-15-4281, 7-15-4282, 7-15-4283, 7-15-4284, MCA

REASONABLE NECESSITY: The department proposes amending ARM 42.19.1401 to strike the terms and definitions for "secondary value-adding industry" and "value-added," because they do not accurately reflect the legislative intent or properly define terms used in the governing statute for targeted economic development districts.

The department further proposes adding a definition for the term "value-adding economic projects" for clarity and to set forth the department's interpretation of the term as it is used in statutes pertaining to targeted economic development districts.

The department also proposes adding a missing implementing statute to the rule.

4. Concerned persons may submit their data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also be submitted to: Laurie Logan, Department of Revenue, Director's Office, P.O. Box 7701, Helena, Montana 59604-7701; telephone (406) 444-7905; fax (406) 444-3696; or e-mail lalogan@mt.gov and must be received no later than July 27, 2015.

5. Laurie Logan, Department of Revenue, Director's Office, has been designated to preside over and conduct this hearing.

6. The Department of Revenue 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 e-mail or mailing address of the person to receive notices and specifies that the person wishes to receive notice regarding a particular subject matter or matters. Notices will be sent by e-mail unless a mailing preference is noted in the request. A written request may be mailed or delivered to the person in 4 above or faxed to the office at (406) 444-3696, or may be made by completing a request form at any rules hearing held by the Department of Revenue.

7. An electronic copy of this notice is available on the department's web site at revenue.mt.gov/rules. The department strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. While the department also strives to keep its web site accessible at all times, in some instances it may be temporarily unavailable due to system maintenance or technical problems.

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/ Laurie Logan
Laurie Logan
Rule Reviewer

/s/ Mike Kadas
Mike Kadas
Director of Revenue

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF REVENUE
OF THE STATE OF MONTANA

In the matter of soliciting applications) NOTICE OF NEGOTIATED
for membership on a negotiated) RULEMAKING
rulemaking committee relating to)
agency liquor stores)

TO: All Concerned Persons

1. The Department of Revenue intends to establish a negotiated rulemaking committee (committee) to develop, amend, and repeal department rules relating to agency liquor stores. This negotiated rulemaking process is required by 16-1-303, MCA, for any rules relating to the operation of agency liquor stores.

2. The committee will consider rule actions to implement Senate Bill 193, L. 2015, which established set commission rates for all agency liquor stores. The proposed actions will include the repeal of rules that set forth the three discount rates currently in effect and amendments to remove any related language from the rules that remain. The committee will draft new rule language to implement House Bill 506, L. 2015, which permits microdistilleries to deliver product directly to agency liquor stores. The committee may also review and amend the definitions in the agency liquor store rules.

3. Interests that are likely to be significantly affected by the proposed rulemaking actions are owners of Montana agency liquor stores.

4. The individuals proposed to represent the department on the committee are: Shauna Helfert, Liquor Control Division Administrator; LaNora Stigen, Liquor Distribution Bureau Chief; Steve Swanson, Liquor Control Division Management Analyst; and Laurie Logan, Rule Reviewer. Shauna Helfert will serve as the department's voting member of the committee.

5. The department is seeking applications from interested parties to serve on the committee.

6. The proposed working schedule for the committee is as follows:

(a) On June 25, 2015, this notice will be published in the Montana Administrative Register (MAR). The notice will also be mailed to persons known to the agency to have an interest in this matter.

(b) Applications for membership on the committee must be received no later than July 31, 2015. The members selected to serve on the committee must be able to adequately represent the interests of the persons that will be significantly affected by the proposed rules.

(c) The department will consider all applications and comments and establish the committee not later than August 17, 2015. The committee members will be notified in writing of their selection and receive an information packet within five

working days of the selection.

(d) The committee will convene its first meeting on September 14, 2015, at 10 a.m. in the State Liquor Warehouse Conference Room, 2517 Airport Road, in Helena, Montana. Teleconferencing and e-mail correspondence will be utilized as much as possible. The committee will begin with an initial draft of proposed rule actions at this meeting.

(e) If the committee is successful in achieving a consensus on the proposed rules, the committee will transmit, to the department, a report specifying the areas in which the committee has reached a consensus and the issues that remain unresolved.

(f) Thereafter, the department will file the proposed rules with the Secretary of State for publication in the Montana Administrative Register. The department may seek the assistance and advice of the committee with respect to comments received during the formal rulemaking process.

7. Any individual or entity interested in applying for or nominating another person for membership on the committee must submit the following information in writing to: Laurie Logan, Department of Revenue, P.O. Box 7701, Helena, Montana 59604-7701, no later than July 31, 2015:

(a) the person's or nominee's name, address, and contact information including telephone or e-mail address;

(b) evidence that the person or nominee is authorized to represent parties related to the interests of the persons proposed to be represented;

(c) a commitment that the person or nominee will be able to participate in the negotiated rulemaking process as contemplated in paragraph 6 and will actively participate in good faith in the development of the rules under consideration;

(d) the ability of the person or nominee to cover committee participation costs (such as telephone calls, travel, and per diem expenses).

8. Interested parties may submit their views and comments concerning the proposed negotiated rulemaking process to Laurie Logan, Department of Revenue, P.O. Box 7701, Helena, Montana 59604-7701, faxed to (406) 444-3696, or e-mailed to lalogan@mt.gov no later than July 31, 2015.

9. Initially, the department proposes to limit the size of the committee to no more than four persons in addition to the department staff identified in paragraph 4. After receipt of comments and applications, the department may determine that a smaller or larger number is necessary to adequately represent the interests of the persons significantly affected by the proposed rules.

10. The department will make reasonable accommodations for persons with disabilities who wish to participate on the committee. If you require an accommodation, please advise the department of the nature of the accommodation you need when applying for membership on the committee.

11. Please note the following concerning the process of negotiated rulemaking:

(a) "Interest" for the purpose of this process means multiple parties that have similar points of view or that are likely to be affected in a similar manner in relationship to matters affected by the rule(s). (2-5-103(5), MCA)

(b) Negotiated rulemaking is not a substitute for the public notification and participation requirements of the Montana Administrative Procedure Act, and a consensus agreement by a negotiated rulemaking committee may be modified by an agency as a result of the subsequent rulemaking process. (2-5-102, MCA)

12. The specific grant of rulemaking authority authorizing the department to adopt the proposed rules is found in 16-1-303, MCA. The proposed rules will implement Title 16, chapter 2, parts 1, 2, and 3, MCA.

/s/ Laurie Logan
Laurie Logan
Rule Reviewer

/s/ Eugene Walborn acting for
Mike Kadas
Director of Revenue

Certified to the Secretary of State June 15, 2015.

BEFORE THE PUBLIC EMPLOYEES' RETIREMENT BOARD
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 2.43.3505 pertaining to)
establishment of long-term disability)
trust fund)

TO: All Concerned Persons

1. On April 16, 2015, the Public Employees' Retirement Board published MAR Notice No. 2-43-525 pertaining to the proposed amendment of the above-stated rule at page 348 of the 2015 Montana Administrative Register, Issue Number 7.

2. The Public Employees' Retirement Board has amended the following rule as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

2.43.3505 ESTABLISHMENT OF LONG-TERM DISABILITY TRUST FUND
(1) through (5) remain as proposed.

AUTH: 19-3-2104, 19-3-2141, MCA
IMP: 19-2-504, 19-3-2117, 19-3-2141, MCA

3. The Public Employees' Retirement Board has thoroughly considered the comments and testimony received. A summary of the comments received and the Public Employees' Retirement Board's responses are as follows:

COMMENT #1: A member of the Legislative Services Division noted that the implementation statutes did not include 19-2-504, MCA, Investment of pension trust funds. The changes to the rules concerned long-term disability trust fund investments. They are not mentioned in any of the current implementing statutes under the proposed amended rule.

The commenter also inquired as to who made the determination that the long-term disability plan is an Other Post-Employment Benefit (OPEB).

RESPONSE #1: The board agrees with the comment and has added 19-2-504, MCA, to the implementation statutes.

The board explained that the board's actuary, Cheiron, made the determination that the Defined Contribution long-term disability trust fund is an OPEB. Ice Miller, the board's tax counsel, agreed with the determination.

/s/ Melanie A. Symons
Melanie A. Symons
Chief Legal Counsel
and Rule Reviewer

/s/ Scott Moore
Scott Moore
President
Public Employees' Retirement Board

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF ADMINISTRATION
OF THE STATE OF MONTANA

In the matter of the amendment of ARM) NOTICE OF AMENDMENT
2.59.127, 2.59.128, and 2.59.129)
pertaining to derivatives and securities)
financing transactions as they relate to)
lending limits and credit exposures)

TO: All Concerned Persons

1. On April 30, 2015, the Department of Administration published MAR Notice No. 2-59-524 pertaining to the proposed amendment of the above-stated rules at page 390 of the 2015 Montana Administrative Register, Issue Number 8.

2. No comments were received.

3. The department has amended ARM 2.59.127, 2.59.128, and 2.59.129 exactly as proposed.

By: /s/ Sheila Hogan
Sheila Hogan, Director
Department of Administration

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

Certified to the Secretary of State June 15, 2015.

BEFORE THE DEPARTMENT OF COMMERCE
OF THE STATE OF MONTANA

In the matter of the repeal of ARM) NOTICE OF REPEAL
8.99.1001, 8.99.1002, 8.99.1003, and)
8.99.1004 pertaining to the)
implementation of the Montana Indian)
Language Preservation Pilot Program)

TO: All Concerned Persons

1. On May 14, 2015, the Department of Commerce published MAR Notice No. 8-99-132 pertaining to the proposed repeal of the above-stated rules at page 504 of the 2015 Montana Administrative Register, Issue Number 9.
2. The department has repealed the above-stated rules as proposed.
3. No comments or testimony were received.

/s/ G. Martin Tuttle
G. MARTIN TUTTLE
Rule Reviewer

/s/ Douglas Mitchell
DOUGLAS MITCHELL
Deputy Director
Department of Commerce

Certified to the Secretary of State June 15, 2015.

BEFORE THE MONTANA STATE LIBRARY
OF THE STATE OF MONTANA

In the matter of the amendment of) CORRECTED NOTICE OF
ARM 10.101.101 pertaining to agency) AMENDMENT
organization)

TO: All Concerned Persons

1. On February 26, 2015, the Montana State Library published MAR Notice No. 10-101-1501 pertaining to the proposed amendment of the above-stated rule at page 166 of the 2015 Montana Administrative Register, Issue Number 4. On April 30, 2015, the Montana State Library published the notice of amendment at page 444 of the 2015 Montana Administrative Register, Issue Number 8.

2. A typographical error was found in the citation section and has been corrected. The rule itself has not been affected. The correct number was 2-4-201, MCA, rather than 2-4-102, MCA, as indicated. The rule, as amended in corrected form, reads as follows, deleted matter interlined, new matter underlined:

10.101.101 AGENCY ORGANIZATION (1) through (5) remain as amended.

AUTH: 2-4-201, MCA
IMP: ~~2-4-102~~ 2-4-201, MCA

3. The replacement pages for this corrected notice were submitted to the Secretary of State for publication with the June 30, 2015, replacement pages.

/s/ Jennie Stapp
Jennie Stapp
Rule Reviewer

/s/ Colet Bartow
Colet Bartow
Chairman
Montana State Library

Certified to the Secretary of State June 15, 2015.

BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA

In the matter of the amendment of ARM)	NOTICE OF AMENDMENT
17.8.102 and 17.8.103 pertaining to)	
incorporation by reference--publication)	(AIR QUALITY)
dates and incorporation by reference)	
and availability of referenced documents)	

TO: All Concerned Persons

1. On February 12, 2015, the Board of Environmental Review published MAR Notice No. 17-369 regarding a notice of public hearing on the proposed amendment of the above-stated rules at page 104, 2015 Montana Administrative Register, Issue Number 3.

2. The board has amended the rules exactly as proposed.

3. No public comments or testimony were received.

Reviewed by: BOARD OF ENVIRONMENTAL REVIEW

/s/ John F. North
JOHN F. NORTH
Rule Reviewer

By: /s/ Robin Shropshire
ROBIN SHROPSHIRE
Chairman

Certified to the Secretary of State, June 15, 2015.

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

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.29.1433, 24.29.1534,)
24.29.1538, and 24.29.1591, related)
to workers' compensation medical)
service fee schedules and utilization)
and review of medical services)

TO: All Concerned Persons

1. On April 30, 2015, the Department of Labor and Industry (department) published MAR Notice No. 24-29-306 regarding a public hearing on the proposed amendment of the above-stated rules at page 406 of the 2015 Montana Administrative Register, Issue No. 8.

2. On May 22, 2015, at 10:00 a.m., the department held a public hearing at the Beck Building, 1805 Prospect Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rules. No members of the public attended. Two members of the public submitted written comments prior to the close of the comment period.

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

Comment 1: Two commenters stated that the proposed Facility Fee Instruction Set does not correctly reflect the proper methodology for reimbursement of certain implant charges.

Response 1: The department agrees with the comment. Because ARM 24.29.1433 (11)(e) correctly describes the reimbursement methodology for certain implants, the department will delete from page 11 of the publication entitled "Montana Workers' Compensation Facility Fee Schedule Instruction Set Effective July 1, 2015," under the sub-heading Outliers, first paragraph, the sentence "Implants are excluded from outlier calculations." In addition, the department will also delete item (2)(d) on page 12 of those instructions.

4. The department has amended ARM 24.29.1433, 24.29.1534, 24.29.1538, and 24.29.1591 as proposed. As described in Response 1, above, the department has deleted certain material from the final version of the "Montana Workers' Compensation Facility Fee Schedule Instruction Set Effective July 1, 2015" which is incorporated by reference in ARM 24.29.1433.

/s/ MARK CADWALLADER
Mark Cadwallader
Alternate Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State June 15, 2015

BEFORE THE BOARD OF MEDICAL EXAMINERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF AMENDMENT AND
ARM 24.156.601, 24.156.805,	)	REPEAL
24.156.1002, 24.156.1302,)	
24.156.1402, 24.156.1618, and)	
24.156.2731 fees, 24.156.1408 and)	
24.156.2718 continuing education,)	
24.156.2701 definitions, 24.156.2707)	
obligation to report to board,)	
24.156.2711, 24.156.2713,)	
24.156.2717, 24.156.2719, and)	
24.156.2751 regarding ECP licenses,)	
24.156.2732 medical direction,)	
24.156.2754 initial ECP course)	
requirements, 24.156.2757 ECP)	
clinical requirements, 24.156.2761)	
procedures for board-approved ECP)	
curriculum, and 24.156.2771 scope of)	
practice, and the repeal of ARM)	
24.156.2706 obligation to report to)	
board)	

TO: All Concerned Persons

1. On February 26, 2015, the Board of Medical Examiners (board) published MAR Notice No. 24-156-82 regarding the public hearing on the proposed amendment and repeal of the above-stated rules, at page 169 of the 2015 Montana Administrative Register, Issue No. 4.

2. On March 19, 2015, a public hearing was held on the proposed amendment and repeal of the above-stated rules in Helena. One comment was received by the March 27, 2015, deadline.

3. The board has thoroughly considered the comment and the board's response is as follows:

COMMENT 1: One commenter opposed the increase in licensing fees for "Medical Doctors."

RESPONSE 1: The board appreciates all comments made in the rulemaking process. The board is amending the licensing fees exactly as proposed.

4. The board has amended ARM 24.156.601, 24.156.805, 24.156.1002, 24.156.1302, 24.156.1402, 24.156.1408, 24.156.1618, 24.156.2701, 24.156.2707,

24.156.2711, 24.156.2713, 24.156.2717, 24.156.2718, 24.156.2719, 24.156.2731, 24.156.2732, 24.156.2751, 24.156.2754, 24.156.2757, 24.156.2761, and 24.156.2771 exactly as proposed.

5. The board has repealed ARM 24.156.2706 exactly as proposed.

BOARD OF MEDICAL EXAMINERS
BRUCE HAYWARD, PHYS,
PRESIDENT

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

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State June 15, 2015

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 37.40.1026, 37.40.1135,)
37.85.104, and 37.85.105 pertaining)
to the revision of fee schedules for)
Medicaid provider rates)

TO: All Concerned Persons

1. On May 14, 2015, the Department of Public Health and Human Services published MAR Notice No. 37-705 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 536 of the 2015 Montana Administrative Register, Issue Number 9.

2. The department has amended the above-stated rules as proposed.

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

COMMENT #1: A commenter sent a letter of support regarding the increase in reimbursement for the additional vaccine administration that pharmacists may provide, the dispensing fee for preferred brand name and generic drugs, and generic drugs not identified on the preferred drug list.

RESPONSE #1: The department appreciates the comment submitted.

COMMENT #2: A commenter sent a letter of support regarding the increase of the dispensing fees for pharmacy providers.

RESPONSE #2: The department appreciates the comment submitted.

COMMENT #3: A commenter, representing an agency-based and self-directed personal assistance and community first choice provider agency, expressed support for the increase in provider rates. The same person recommended that the 2015 legislatively appropriated funding for direct-care worker bonuses and wage increases be included in the overall reimbursement rate rather than a lump-sum payment distributed to providers on a semi-annual basis.

RESPONSE #3: The department appreciates the suggestion to incorporate the direct-care worker wage funding into the reimbursement rate for personal assistance and community first choice services. Over the past few years the funding for direct-care worker wages and bonuses has changed from one-time-only funding to an ongoing funding allocation. The department will complete an analysis of the impact

of incorporating this funding into the overall rate calculation for providers that are eligible to participate in this direct-care wage funding and will take under consideration the possibility of incorporating the direct-care wage funding into the overall rate calculation during the next state fiscal year starting on July 1, 2016.

4. These rule amendments are effective July 1, 2015.

/s/ Geralyn Driscoll
Geralyn Driscoll, Attorney
Rule Reviewer

/s/ Mary E. Dalton acting for
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

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 37.40.307, 37.40.337, and)
37.40.361 pertaining to nursing)
facility reimbursement)

TO: All Concerned Persons

1. On May 14, 2015, the Department of Public Health and Human Services published MAR Notice No. 37-707 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 550 of the 2015 Montana Administrative Register, Issue Number 9.

2. The department has amended the above-stated rules as proposed.

3. No comments or testimony were received.

4. This rule amendment is effective July 1, 2015.

/s/ Valerie A. Bashor
Valerie A. Bashor, Attorney
Rule Reviewer

/s/ Mary E. Dalton acting for
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

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 37.86.2402, 37.86.2602, and)
37.86.2606 pertaining to Medicaid)
transportation, personal per diem,)
and ambulance services)

TO: All Concerned Persons

1. On April 30, 2015, the Department of Public Health and Human Services published MAR Notice No. 37-709 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 433 of the 2015 Montana Administrative Register, Issue Number 8.

2. The department has amended ARM 37.86.2602 and 37.86.2606 as proposed.

3. The department has amended the following rule as proposed, but with the following changes from the original proposal, new matter underlined, deleted matter interlined:

37.86.2402 TRANSPORTATION AND PER DIEM, REQUIREMENTS

(1) and (2) remain as proposed.

(3) Coverage for transportation and per diem is only available for transportation and per diem to the site of medical services at the provider closest to the locality of the recipient ~~unless:~~

(a) through (15) remain as proposed.

AUTH: 53-6-113, MCA

IMP: 53-6-101, MCA

4. The department has thoroughly considered the comments and testimony received. A summary of the comments received and the department's responses are as follows:

COMMENT #1: A comment was received from department staff indicating that the word "unless" was inadvertently added to ARM 37.86.2402(3) implying that (3)(a), (b), and (c) are exceptions to (3). That is not accurate, only (c) is an exception to (3).

RESPONSE #1: The department will strike the word "unless" in the proposed rulemaking. The department does not believe striking the word "unless" substantively changes the proposed rule amendment.

5. These rule amendments are effective July 1, 2015

/s/ Susan Callaghan
Susan Callaghan, Attorney
Rule Reviewer

/s/ Richard H. Opper
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

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 37.34.3005 and 37.86.3607)
pertaining to the increase of)
reimbursement rates and clarification)
of language in the developmental)
disabilities manual)

TO: All Concerned Persons

1. On May 14, 2015, the Department of Public Health and Human Services published MAR Notice No. 37-710 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 556 of the 2015 Montana Administrative Register, Issue Number 9.
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, 2015.

/s/ Cary B. Lund
Cary B. Lund
Rule Reviewer

/s/ Mary E. Dalton acting for
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

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 37.12.401 and 37.57.301)
pertaining to laboratory fees for)
analysis and newborn screening for)
severe combined immunodeficiency)
disease (SCID))

TO: All Concerned Persons

1. On May 14, 2015, the Department of Public Health and Human Services published MAR Notice No. 37-711 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 561 of the 2015 Montana Administrative Register, Issue Number 9.

2. The department has amended the above-stated rules as proposed.

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

COMMENT #1: At the public hearing, one commenter supported this rulemaking. The commenter said he "was elated this is happening" and it will be a "huge benefit for babies born with SCID." The commenter thanked those present for making this happen.

RESPONSE #1: The department appreciates the commenter's support and thanks the commenter for attending the public hearing.

4. These rule amendments are effective July 1, 2015.

/s/ Nicholas Domitrovich
Nicholas Domitrovich, Attorney
Rule Reviewer

/s/ Mary E. Dalton acting for
Richard H. Opper, Director
Public Health and Human Services

Certified to the Secretary of State June 15, 2015.

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.

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 a soft back, bound 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 the accumulative table 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. |

ACCUMULATIVE TABLE

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 March 31, 2015. This table includes those rules adopted during the period April 1, 2015, through June 30, 2015, 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 March 31, 2015, this table, and the table of contents of this issue of the MAR.

This table indicates the department name, title number, rule numbers in ascending order, catchphrase or the subject matter of the rule, and the page number at which the action is published in the 2015 Montana Administrative Register.

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

ADMINISTRATION, Department of, Title 2

I	Annual Report by Consumer Loan Licensees, p. 2061, 2827
I-VII	Requiring Deferred Deposit Loan Applicants to Use the Nationwide Multistate Licensing System for All Future Licensing, p. 1654, 2449, 369
I-VIII	Transitioning Existing Sales Finance Company Licenses to the Nationwide Multistate Licensing System - Use of the System for All Future Licensing, p. 1633, 2446, 366
I-VIII	Transitioning Existing Consumer Loan Company Licenses to the Nationwide Multistate Licensing System - Use of the System for All Future Licensing, p. 1640, 2447, 367
I-VIII	Transitioning Existing Escrow Business Company Licenses to the Nationwide Multistate Licensing System - Use of the System for All Future Licensing, p. 1647, 2448, 368
2.59.104	Semiannual Assessment for Banks, p. 351, 748
2.59.127	and other rules - Derivatives and Securities Financing Transactions as They Relate to Lending Limits and Credit Exposures, p. 390
2.59.1502	and other rule - Annual Report by Deferred Deposit Loan Licensees, p. 2058, 2826
2.59.1716	and other rules - Recovery of the Costs in Bringing an Administrative Action - Treatment of Initial License Applications Submitted Near Year-End - Abandonment of Initial License Applications - Mortgage Licensees, p. 499

(Public Employees' Retirement Board)

2.43.3505 Establishment of Long-Term Disability Trust Fund, p. 348

(State Compensation Insurance Fund)

2.55.320 Classifications of Employments, p. 2904, 141

AGRICULTURE, Department of, Title 4

4.5.206 and other rules - State Noxious Weed List - Regulated Plant List,
p. 612

4.12.113 Apiary Registration Fees, p. 45, 299

4.12.1405 Nursery Fees, p. 47, 300

4.17.105 and other rules - Organic Application Procedures and Fees - Fees for
Services - Annual Report and Assessment Fees, p. 602

STATE AUDITOR, Office of, Title 6

(Commissioner of Securities and Insurance)

I Patient-Centered Medical Homes, p. 1863, 3045

I-III Fire Tax, p. 394

I-VII Network Adequacy, p. 3017, 565

6.6.507B and other rules - Medicare Supplements, p. 689

6.6.3104A Long-Term Care, p. 398

6.6.3504 Annual Audited Reports and Establishing Accounting Practices and
Procedures to Be Used in Annual Statements, p. 256

6.6.4902 and other rules - Patient-Centered Medical Homes, p. 2702, 3051

COMMERCE, Department of, Title 8

8.94.3708 and other rules - Administration of the CDBG Program, p. 3026, 142

8.94.3727 Administration of the 2015-2016 Federal Community Development
Block Grant (CDBG) Program, p. 98, 301

8.94.3727 Administration of the 2015-2016 Federal Community Development
Block Grant (CDBG) Program, p. 402, 750

8.94.3817 Administration of the 2017 Biennium Treasure State Endowment
Program – Planning Grants, p. 355, 749

8.99.1001 and other rules - Implementation of the Montana Indian Language
Preservation Pilot Program, p. 504

8.111.602 and other rule - Low Income Housing Tax Credit Program, p. 288, 753

EDUCATION, Department of, Title 10

(Board of Public Education)

I-XV Preschool Programming for Public Schools, p. 2318, 2943

10.57.101 and other rules - K-12 Educator/Specialist Licensing, p. 2211, 2930

10.57.102 and other rules - Educator Licensure, p. 698

10.58.102 and other rules - Educator Preparation Programs, p. 2250, 2936

10.63.108 Preschool Hours, p. 616

(State Library)

10.101.101 Agency Organization, p. 166, 444

FISH, WILDLIFE AND PARKS, Department of, Title 12

(Fish and Wildlife Commission)

12.6.2204 and other rules - Exotic Species Classification, p. 618

12.7.807 Fishing Contests, p. 295

12.9.206 McLean Game Preserve, p. 2907, 268

12.11.501 and other rule - Recreational Use on Silver Lake in Deer Lodge
County, p. 50, 583

12.11.501 and other rule - Recreational Use on Silver Lake in Deer Lodge
County, p. 507

12.11.501 and other rules - Recreational Use on the Blackfoot River Recreation
Corridor, p. 292

12.11.645 Whitefish River, p. 434, 1460, 3053

(State Parks and Recreation Board)

12.14.120 Payment of Fees for Outfitting Services, p. 2707, 18

ENVIRONMENTAL QUALITY, Department of, Title 17

17.53.113 Hazardous Waste - Registration and Registration Maintenance Fees -
Fee Assessment, p. 101, 298

(Board of Environmental Review)

17.8.101 and other rules - Definitions - Incorporation by Reference - Availability
of Referenced Documents - Ambient Air Monitoring - Fluoride in
Forage - Methods and Data, p. 3031, 370

17.8.102 and other rule - Air Quality - Incorporation by Reference--Publication
Dates - Availability of Referenced Documents, p. 104

17.30.1101 and other rules - Montana Pollutant Discharge Elimination System
(MPDES) Permits - Purpose and Scope - Definitions - Permit
Requirements - Exclusions - Designation Procedures: Small
Municipal Separate Storm Sewer Systems (MS4s) - Application
Procedures - General Permits - Conditions Applicable to All Permits -
Application Procedures: General - Notice of Intent Procedures -
Transfer of Permit Coverage Pertaining to Storm Water Discharges,
p. 1667, 3056

TRANSPORTATION, Department of, Title 18

18.2.261 Montana Environmental Policy Act Categorical Exclusions, p. 2492,
2950

18.6.202 and other rules - Outdoor Advertising Control, p. 2909, 21

18.7.102 and other rules - Highway Right-of-Way Encroachment Permits,
p. 2329, 2828

JUSTICE, Department of, Title 23

23.12.407 House Number Height for Day Care Centers, p. 621

(Public Safety Officer Standards and Training Council)

23.13.101 and other rules - Certification of Public Safety Officers, p. 1698, 2951

LABOR AND INDUSTRY, Department of, Title 24

Boards under the Business Standards Division are listed in alphabetical order following the department rules.

24.11.101 and other rules - Requests for Information - Unemployment Insurance,
p. 357, 510

24.16.101 and other rules - Workplace Safety - Wage Protection - Workforce
Services, p. 107

24.17.101 and other rules - Prevailing Wage Rates for Public Works Projects,
p. 2499, 3058

24.21.415 and other rule - Apprenticeship Training Ratios, p. 2920, 374

24.21.1003 Apprenticeship Training Ratios, p. 363, 405, 754

24.29.1433 and other rules - Workers' Compensation Medical Service Fee
Schedules - Utilization and Review of Medical Services, p. 406

24.117.101 and other rules - Board Organization - General Information - Club
Boxing - Kickboxing - Wrestling - Australian Tag Team Wrestling -
Mixed Martial Arts - License Suspension and Revocation, p. 2339,
2954

24.131.301 and other rules - Construction Blasters - Crane and Hoisting Operating
Engineers - Elevator Licensing Program Renewals, p. 2924, 64

(Workers' Compensation Court)

24.5.301 and other rules - Amended Petition - Computation of Time - Joinder
and Service of Alleged Uninsured Employers - Recusal, p. 1021, 2829

(Board of Barbers and Cosmetologists)

24.121.301 and other rules - Definitions - General Requirements - Licensure by
Examination - Out-of-State Applicants - Postsecondary School
Licensure - Examination Requirements and Process - School
Requirements - School Operating Standards - School Curricula -
Student Withdrawal, Transfer, or Graduating - Instructor Requirements
- Teacher-Training Curriculum - Salons/Booth Rental - Implements,
Instruments, Supplies, and Equipment - Salon Preparation Storage
and Handling - Continuing Education - Unprofessional Conduct -
Nonroutine Application - Granting Exception - Licensure Equivalency -

Credited Hours for Montana-Licensed Individuals - Inactive Instructor License - Licensee and Applicant Contact Information, p. 705

(Board of Dentistry)

24.138.402 Fee Schedule, p. 2346, 2710, 3062

(Board of Hearing Aid Dispensers)

24.150.401 and other rules - Fees - Examination - Renewals, p. 412

(Board of Medical Examiners)

24.156.508 and other rules - Approved Residency - Examination - Graduate Training Requirements - Occasional Case Exemption - Unprofessional Conduct - Definitions - Initial License - Professional Conduct and Standards - Physician Assistant License Renewal - Podiatry Postgraduate Training, p. 1474, 2833

24.156.601 and other rules - Fees - Continuing Education - Definitions - Obligation to Report to Board - ECP Licenses - Medical Direction - Initial ECP Course Requirements - ECP Clinical Requirements - Procedures for Board-Approved ECP Curriculum - Scope of Practice, p. 169

(Board of Nursing)

24.159.401 and other rules - Fees - Nonroutine Applications - Medication Aide II Training Program Curriculum - Licensed Practical Nurses - Registered Nurses - Initial APRN License - Alternative Monitoring Track Admission Criteria - Inactive Status Licensure - Supervision of Probationary Licensees - APRN Educational Requirements and Qualifications, p. 115, 642

24.159.604 and other rules - Nursing Education Programs - Waiver of Faculty Qualifications, p. 186, 644

24.159.1010 and other rules - Standards Related to Intravenous (IV) Therapy - Nurse Licensure Compact, p. 516

(Board of Occupational Therapy Practice)

24.165.401 and other rules - Fees - Applications for Licensure - Examinations - Supervision—General Statement - Supervision—Methods - Standards of Practice - Documentation of Instruction and Training - Qualifications to Apply Topical Medications—Clinician Defined - Inactive Status - Continuing Education - Continuing Education—Waiver - Definitions - Deep Modality Endorsement, p. 1883, 56

(Board of Optometry)

24.168.2301 and other rules - Unprofessional Conduct - Nonroutine Applications - Renewals, p. 2350, 143

(Board of Outfitters)

24.171.401 and other rules - Fees - Inspection - Outfitter Records - Safety Provisions - Watercraft Identification - Application for Outfitter License

- Outfitter Qualifications - Successorship - Outfitter Examination - Amendment to Operations Plan - Guide Qualifications - Guide License - NCHU Categories, Transfers, and Records - Renewals - Unprofessional Conduct - Booking Agents and Advertising - Outfitter Assistants - Nonroutine Applications - Effect of Fee for Expansion of Net Client Hunter Use - Outfitter Application, p. 2354, 58, 269
- 24.171.502 Outfitter Qualifications, p. 521, 624

(Board of Pharmacy)

- 24.174.301 and other rules - Definitions - Pharmacist Meal/Rest Breaks - Internship Requirements - Registration Requirements - Patient Counseling - Personnel - Drug Distribution and Control - Use of Contingency Kits - Requirements for Submitting Prescription Registry Information - Legal Suspension or Revocation - Prescription Requirements - Sterile Products - Quality Assurance Program Requirements, p. 2508, 302
- 24.174.503 and other rules - Administration of Vaccines - Additions, Deletions, and Rescheduling of Dangerous Drugs - Scheduling of Dangerous Drugs, p. 524

(Board of Physical Therapy Examiners)

- 24.177.501 and other rules - Examinations - Licensure of Out-of-State Applicants - Dry Needling - Renewals - Complaint Procedure, p. 531
- 24.177.2105 Continuing Education, p. 1057, 2835

(Board of Professional Engineers and Professional Land Surveyors)

- 24.101.413 and other rules - Renewal Dates and Requirements - Definition of Responsible Charge - Board Meetings - Fee Schedule - Approval of Schools - Application References - Examination Procedures - Grant and Issue Licenses - Comity - Classification of Experience - Form of Corner Records - Uniform Standards for Monumentation - Uniform Standards for Final Subdivision Plats - Remonumentation and Rehabilitation - Architectural Services Incidental to Engineering - Exhibits of Land Surveying Projects - Unprofessional Conduct - Introduction - Performance of Services - Conflicts of Interest - Avoidance of Improper Solicitation - Issuance of Public Statements, p. 1339, 2840

(Board of Public Accountants)

- 24.101.413 and other rules - Renewal Dates and Requirements - Public Participation - Definitions - Board Meetings - Fee Schedule - Use of CPA/LPA Designation - Licensing and Examinations - Acts - Professional Conduct Rules - Peer Review Enrollment - Alternatives and Exemptions - Renewal and Continuing Education - Anonymous Complaints - Exercise of Practice Privilege - Enforcement Against Licensees - Applicant by Exam - Examination Credits - Requirements for Previously Held Certificates - Who Must Comply - Nonresident

Holders - Standards for CPE Program Development - Enforcement Procedures, p. 1734, 2849

(Board of Real Estate Appraisers)

24.207.401 and other rules - Fees - Regulatory Reviews - Appraisal Review - Definitions - Military Training or Experience - Examination - Application Requirements - Experience—Number of Hours Required - Qualifying Education Course Requirements - Ad Valorem Tax Appraisal Experience - Qualifying Experience - Scope of Practice - Trainee Requirements - Mentor Requirements - Appraisal Management Record Keeping - AMC Audit Requirements - Continuing Education - Continuing Education Noncompliance - Unprofessional Conduct, p. 2714, 3064

(Board of Realty Regulation)

24.210.625 and other rules - Inactive to Active License Status - New Licensee Mandatory Continuing Education - Continuing Real Estate Education - Inactive to Active Status—Property Management - Continuing Property Management Education, p. 416

(Board of Respiratory Care Practitioners)

24.213.301 and other rules - Definitions - Application for Licensure - Examination - Inactive Status - Authorization to Perform Testing - Continuing Education Requirements - Traditional Education by Organizations - Teaching—Category III - Papers, Publications, Journals, and Course Work - Unprofessional Conduct - Training—Conscious Sedation - Institutional Guidelines Concerning Education and Certification, p. 1960, 22

24.213.412 and other rule - Renewals - Board Seal, p. 259

(Board of Sanitarians)

24.216.402 - Fee Schedule, p. 262, 584

(Board of Speech-Language Pathologists and Audiologists)

24.222.401 Fees, p. 2736, 3066

LIVESTOCK, Department of, Title 32

32.2.401 and other rules - Department Fees, p. 216, 376

32.2.405 Miscellaneous Fees, p. 2739, 3073

32.3.139 and other rules - Appointment as Deputy State Veterinarian - Requirements for Importation - Official Health Certificate - Permits - Brands and Earmarks - Permit Required for Livestock, Game, Furbearing Animals, Wild Animals, Embryos, and Semen, p. 208, 423

32.3.212 and other rule - Additional Requirements for Cattle - Brucellosis Vaccination of Imported Cattle Under Four Months of Age, p. 2067, 3069

- 32.3.212 Additional Requirements for Cattle, p. 213, 445
- 32.3.221 and other rules - Special Requirements for Alternative Livestock as Defined in 87-4-406, MCA - Elephants - Change of Ownership Test - Handling of Live Animals - Handling of Carcasses and Carcass Parts of Anthrax-Infected Animals, p. 2376, 2955
- 32.3.502 Official Trichomoniasis Testing and Certification Requirements, p. 2928, 271
- 32.23.301 Licensee Assessments, p. 132, 305

NATURAL RESOURCES AND CONSERVATION, Department of, Title 36

- I Conservation Strategies on Forested State Trust Lands, p. 53
- 36.12.101 and other rules - Definitions - Procedural Rules for Hearings, p. 2525, 2956

PUBLIC HEALTH AND HUMAN SERVICES, Department of, Title 37

- I-XVI Implementing the New Program Community First Choice Services, p. 2381, 3075
- 37.5.118 and other rules - Substantiations of Child Abuse and Neglect - Background Checks for Placement and Licensing, p. 1, 306
- 37.12.401 and other rule - Laboratory Fees for Analysis - Newborn Screening for Severe Combined Immunodeficiency Disease (SCID), p. 561
- 37.34.3005 and other rule - Increase of Reimbursement Rates - Clarification of Language in the Developmental Disabilities Manual, p. 556
- 37.40.307 and other rules - Nursing Facility Reimbursement, p. 550
- 37.40.402 and other rules - Updating the Hospital Swing-Bed Direct Care Wage to the Current Fiscal Year, p. 2548, 3085
- 37.40.830 Updating Hospice Reimbursement Fee Schedules to Reflect New Federal Rates, p. 2812, 144
- 37.40.1026 and other rules - Revision of Fee Schedules for Medicaid Provider Rates, p. 536
- 37.40.1101 and other rules - Establishment of Regulations for the Personal Assistance Services Program, p. 2552, 3086
- 37.50.315 Addition of a New Supervision Level Within the Foster Care Classification Model System, p. 1772, 24
- 37.79.304 Updating the HMK Evidence of Coverage Document, p. 429, 762
- 37.81.304 Big Sky Rx Prescription Drug Premium Changes, p. 2573, 3093
- 37.85.105 Revision of Fee Schedules for Medicaid Provider Rates, p. 2544, 26
- 37.85.403 and other rule - Date Changes to ICD CM and PCS Services-ICD-10, p. 1778, 3074
- 37.86.101 and other rules - Extension of Enhanced Reimbursements for Primary Providers, p. 3041, 145
- 37.86.1103 Addition of Definitions to the Outpatient Drugs, Fraud, Waste, and Abuse Rules, p. 2576, 3094
- 37.86.1802 Coverage Codes for Durable Medical Equipment, p. 2579, 3095

- 37.86.2402 and other rules - Medicaid Transportation - Personal Per Diem - Ambulance Services, p. 433
- 37.86.2901 and other rules - Changes to Medicaid Inpatient Hospital Services, p. 2742, 3096
- 37.86.4401 and other rule - Federally Qualified Health Centers and Rural Health Clinics, p. 425, 761
- 37.87.807 and other rule - Revision of Fee Schedules for Medicaid Provider Rates, p. 1911, 2858
- 37.88.205 and other rules - Updating the Date of the Current Procedural Terminology (CPT) Codes, p. 1906, 2857
- 37.97.102 and other rules - Updating Rules for Youth Care Facilities, p. 12, 756
- 37.106.514 Removal of References to Anesthesiologist Assistants in Outpatient Centers for Surgical Services, p. 1572, 2974
- 37.110.201 and other rules - Updating the Montana Retail Food Establishment Rules, p. 1364, 2957

PUBLIC SERVICE REGULATION, Department of, Title 38

- 38.3.104 and other rules - Motor Carriers, p. 628
- 38.5.1307 and other rules - Telephone Extended Area Service, p. 265
- 38.5.2102 Utility Electricity Voltage, p. 138, 309
- 38.5.2202 and other rule - Pipeline Safety, p. 135, 308

REVENUE, Department of, Title 42

- I Filing Requirements for Pass-Through Entities With More Than 100 Partners, p. 2410, 2979
- I Value Before Reappraisal for Agricultural Land, p. 2768, 3097
- 42.3.101 and other rules - 2009 Recodification of Statutes in Title 15, Chapter 30, MCA, p. 439, 763
- 42.12.101 and other rules - Liquor Licenses and Permits - Fees - Regulation of Licensees, p. 2413, 2980
- 42.13.902 and other rules - Responsible Alcohol Sales and Service Act Server Training Programs, p. 732
- 42.15.109 and other rules - Montana Family Education Savings Program - Income Tax General Provisions - Tax Returns, p. 2403, 2976
- 42.17.101 and other rules - Withholding and Estimated Tax Payments—General Withholding and Mineral Royalty Withholding, p. 2815, 27
- 42.18.121 and other rules - The Montana Reappraisal Plan, p. 2582, 2990
- 42.20.102 and other rules - Valuation and Classification of Real Property, p. 2612, 2994
- 42.21.113 and other rules - Trended Depreciation Schedules for Valuing Property, p. 2589, 2991

SECRETARY OF STATE, Office of, Title 44

44.6.110 and other rules - Secretary of State's Electronic Filing System - Filing of a Title 71 Lien - Requirements for Filing UCC Amendments With the Business Services Division, p. 743

(Commissioner of Political Practices)

44.12.204 Payment Threshold--Inflation Adjustment for Lobbyists, p. 2823, 28

BOARD 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 appointees and upcoming or current vacancies on those boards and councils.

In this issue, appointments effective in May 2015 appear. Vacancies scheduled to appear from July 1, 2015 through September 30, 2015, are listed, as are current vacancies due to resignations or other reasons. Individuals interested in serving on a board should refer to the bill that created the board for details about the number of members to be appointed and necessary qualifications.

Each month, the previous month's appointees are printed, and current and upcoming vacancies for the next three months are published.

IMPORTANT

Membership on boards and commissions changes constantly. The following lists are current as of June 1, 2015.

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.

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of County Printing (Administration)			
Commissioner Laura Obert Townsend	Governor	reappointed	5/8/2015 4/1/2017
Qualifications (if required): County Commissioner			
Mr. Scott Turner Worden	Governor	reappointed	5/8/2015 4/1/2017
Qualifications (if required): printing industry			
Mr. Roger Wagner Nashua	Governor	reappointed	5/8/2015 4/1/2017
Qualifications (if required): general public			
Mr. Lance Zanto Helena	Governor	reappointed	5/8/2015 4/1/2017
Qualifications (if required): general public			
Board of Nursing Home Administrators (Labor and Industry)			
Ms. Kathryn Beaty Hamilton	Governor	reappointed	5/28/2015 6/1/2020
Qualifications (if required): Nursing Home Administrator			
Board of Optometry (Labor and Industry)			
Mr. Douglas Kimball Bozeman	Governor	reappointed	5/22/2015 4/1/2019
Qualifications (if required): Optometrist			

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Board of Radiologic Technologists (Labor and Industry)			
Mr. C.E. "Abe" Abramson Missoula Qualifications (if required): public member	Governor	Dinstel	5/8/2015 7/1/2017
Coal Board (Commerce)			
Representative Ralph L. Lenhart Glendive Qualifications (if required): Optometrist	Governor	reappointed	5/29/2015 1/1/2019
Rep. Veronica Small-Eastman Lodge Grass Qualifications (if required): District 2 and expertise in education	Governor	Acton	5/29/2015 1/1/2019
Family Support Services Advisory Council (Public Health and Human Services)			
Ms. Kandis Franklin Helena Qualifications (if required): Agency Representative	Governor	Barnard	5/8/2015 4/9/2016
Hard-Rock Mining Impact Board (Commerce)			
Commissioner Dolores Plumage Chinook Qualifications (if required): District 2 impact area	Governor	Roose	5/29/2015 1/1/2019
Commissioner Marianne Roose Eureka Qualifications (if required): District 1 impact area	Governor	Roose	5/29/2015 1/1/2019

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Hard-Rock Mining Impact Board (Commerce) cont.			
Ms. Donna von Nieda Nye	Governor	reappointed	5/29/2015 1/1/2019
Qualifications (if required): District 1 impact area			
Montana Cherry Commodity Advisory Committee (Agriculture)			
Mr. Cody Herring Bigfork	Director	Not Listed	5/22/2015 6/1/2017
Qualifications (if required): Cherry Producer			
Mr. Bruce Johnson Bigfork	Director	Not Listed	5/22/2015 6/1/2017
Qualifications (if required): Cherry Producer			
Mr. John Nasgovitz Missoula	Director	Not Listed	5/22/2015 6/1/2017
Qualifications (if required): Cherry Producer			
Ms. Lise Rousseau Polson	Director	Not Listed	5/22/2015 6/1/2017
Qualifications (if required): Cherry Producer			
Mr. Mark St. Sauver Bigfork	Director	Not Listed	5/22/2015 6/1/2017
Qualifications (if required): Cherry Producer			

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana HELP Act Oversight Committee (Public Health and Human Services)			
Sen. Edward Buttrey Great Falls	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): ex-officio non-voting member			
Mr. John Goodnow Great Falls	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): Representative of a Hospital			
Mr. S. Kevin Howlett Arlee	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): ex-officio non-voting member			
Mr. Jesse Laslovich Helena	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): Representative of the State Auditor's Office			
Dr. David Mark Hardin	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): Primary Care Physician			
Ms. Heather O'Loughlin Missoula	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): ex-officio non-voting member			
Ms. Barbara Schneeman Billings	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): ex-officio non-voting member			

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
Montana HELP Act Oversight Committee (Public Health and Human Services) cont.			
Ms. Cherie Taylor Cut Bank	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): Representative of a Critical Access Hospital			
Ms. Tara Veazey Helena	Governor	not listed	5/29/2015 1/1/2019
Qualifications (if required): Member of the General Public or a Staff Member of the Governor's Office			
State Employee Charitable Giving Campaign Advisory Council (SECGCAC) (Administration)			
Ms. Marcia Armstrong Helena	Director	Not Listed	5/8/2015 3/1/2017
Qualifications (if required): Employee Representative			
Ms. Pamela Carlson Helena	Director	Not Listed	5/8/2015 3/1/2017
Qualifications (if required): Federation Representative			
Mr. Frank Clinch Helena	Director	Not Listed	5/8/2015 3/1/2017
Qualifications (if required): Employee Representative			
Ms. Shelley Clinch Helena	Director	Not Listed	5/8/2015 3/1/2017
Qualifications (if required): Employee Representative			

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
State Employee Charitable Giving Campaign Advisory Council (SECGCAC) (Administration) cont.			
Mr. Bill Crane Helena Qualifications (if required): Federation Representative	Director	Not Listed	5/8/2015 3/1/2017
Mr. Matthew Dale Helena Qualifications (if required): Employee Representative	Director	Not Listed	5/8/2015 3/1/2017
Ms. Diane Larson Helena Qualifications (if required): Employee Representative	Director	Not Listed	5/8/2015 3/1/2017
Mr. Mike Manion Helena Qualifications (if required): Employee Representative	Director	Not Listed	5/8/2015 3/1/2017
Mr. Gary Owen Great Falls Qualifications (if required): Federation Representative	Director	Not Listed	5/8/2015 3/1/2017
Ms. Gloria Soja Helena Qualifications (if required): Employee Representative	Director	Not Listed	5/8/2015 3/1/2017
Ms. Hope Stockwell Helena Qualifications (if required): Employee Representative	Director	Not Listed	5/8/2015 3/1/2017

BOARD AND COUNCIL APPOINTEES FROM MAY 2015

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeds</u>	<u>Appointment/End Date</u>
State Employee Charitable Giving Campaign Advisory Council (SECGCAC) (Administration) cont.			
Ms. Kristen Wrzesinski	Director	Not Listed	5/8/2015
Helena			3/1/2017
Qualifications (if required): Employee Representative			

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
<p>Aging Advisory Council (Public Health and Human Services) Ms. Gladys Considine, Missoula Qualifications (if required): public representative</p>	Governor	7/18/2015
<p>Ms. Mary Lou Miller, Wolf Point Qualifications (if required): public representative</p>	Governor	7/18/2015
<p>Ms. JoLynn Yenne, Bigfork Qualifications (if required): public representative</p>	Governor	7/18/2015
<p>Alternative Health Care Board (Labor and Industry) Dr. Nancy Patterson, Great Falls Qualifications (if required): naturopathic physician</p>	Governor	9/1/2015
<p>Dr. Anne Camber, Libby Qualifications (if required): medical doctor</p>	Governor	9/1/2015
<p>Board of Banking (Administration) Mr. Jack Johnson, Billings Qualifications (if required): public representative</p>	Governor	7/1/2015
<p>Mr. Phil G. Gaglia, Billings Qualifications (if required): state bank officer of a large-sized bank</p>	Governor	7/1/2015
<p>Board of Funeral Service (Labor and Industry) Mr. Thomas Meeks, Great Falls Qualifications (if required): licensed crematory operator</p>	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
<p>Board of Funeral Service (Labor and Industry) cont. Mr. Michael Thompson, Ronan Qualifications (if required): licensed crematory operator</p>	Governor	7/1/2015
<p>Board of Hearing Aid Dispensers (Labor and Industry) Ms. Rebecca Wisnoskie, Helena Qualifications (if required): hearing aid dispenser (no masters)</p>	Governor	7/1/2015
<p>Mr. Alfred McLees, Billings Qualifications (if required): hearing aid dispenser (no masters)</p>	Governor	7/1/2015
<p>Board of Medical Examiners (Labor and Industry) Representative Mary Anne Guggenheim, Helena Qualifications (if required): doctor of medicine</p>	Governor	9/1/2015
<p>Dr. James D. Upchurch, Crow Agency Qualifications (if required): doctor of medicine</p>	Governor	9/1/2015
<p>Ms. Tanja A. Brekke, Bozeman Qualifications (if required): acupuncturist</p>	Governor	9/1/2015
<p>Board of Nursing (Labor and Industry) Ms. Laura Weiss, Great Falls Qualifications (if required): registered nurse</p>	Governor	7/1/2015
<p>Ms. Patsy Reece, Rexford Qualifications (if required): licensed practical nurse</p>	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Board of Pharmacy (Labor and Industry) Ms. Lee Ann Bradley, Missoula Qualifications (if required): licensed pharmacist	Governor	7/1/2015
Board of Physical Therapy Examiners (Labor and Industry) Mr. Christian Appel, Bozeman Qualifications (if required): physical therapist	Governor	7/1/2015
Ms. Dana Hughes, Conrad Qualifications (if required): physical therapist	Governor	7/1/2015
Ms. Kathy Van Hook, Helena Qualifications (if required): public member	Governor	7/1/2015
Board of Private Security (Labor and Industry) Sheriff Leo C. Dutton, Helena Qualifications (if required): county sheriff's office representative	Governor	8/1/2015
Mr. Daniel Taylor, Glasgow Qualifications (if required): contract security company representative	Governor	8/1/2015
Captain George Skuletich, Butte Qualifications (if required): city police department representative	Governor	8/1/2015
Mr. Tom Mangan, Helena Qualifications (if required): licensed private investigator	Governor	8/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Board of Private Security (Labor and Industry) cont. Mr. Charles Pesola, Kalispell Qualifications (if required): Contract Security Company	Governor	8/1/2015
Board of Professional Engineers and Professional Land Surveyors (Governor) Mr. Casey E. Johnston, Butte Qualifications (if required): licensed electrical engineer	Governor	7/1/2015
Mr. M. Ruhul Amin, Bozeman Qualifications (if required): licensed mechanical engineer and instructor	Governor	7/1/2015
Ms. Ingrid Clare Lovitt-Abramson, Missoula Qualifications (if required): public representative	Governor	7/1/2015
Ms. Jane Eby, Kalispell Qualifications (if required): licensed land surveyor	Governor	7/1/2015
Board of Psychologists (Labor and Industry) Ms. Bonnie Hyatt Murphy, Livingston Qualifications (if required): public representative	Governor	9/1/2015
Board of Radiologic Technologists (Labor and Industry) Ms. Kelli Bush, Butte Qualifications (if required): radiologic technician	Governor	7/1/2015
Ms. Sharlett Dale, Harlowton Qualifications (if required): radiologic technician	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
<p>Board of Research and Commercialization Technology (Commerce) Mr. Jim Davison, Anaconda Qualifications (if required): Public Representative</p>	Governor	7/1/2015
<p>Board of Sanitarians (Labor and Industry) Mr. Rodney Fink, Columbus Qualifications (if required): sanitarian</p>	Governor	7/1/2015
<p>Board of Veterans' Affairs (Military Affairs) Senator Joseph Tropila, Great Falls Qualifications (if required): veteran-at-large</p>	Governor	8/1/2015
<p>Senator Larry Jent, Bozeman Qualifications (if required): representative of the State Administration and Veterans' Affairs Committee</p>	Governor	8/1/2015
<p>Mr. David E. Boyd Sr., Poplar Qualifications (if required): veteran and Tribal member</p>	Governor	8/1/2015
<p>Mr. William Willing, Anaconda Qualifications (if required): experience with veterans' issues</p>	Governor	8/1/2015
<p>Mr. Gary Sorensen, Missoula Qualifications (if required): experience with veterans' issues</p>	Governor	8/1/2015
<p>Ms. Sarah Price, Helena Qualifications (if required): experience with veterans' issues</p>	Governor	8/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
<p>Board of Veterans' Affairs (Military Affairs) cont. Mr. Travis Monroe, Bozeman Qualifications (if required): representative of Senator Max Baucus</p>	Governor	8/1/2015
<p>Ms. Anita Old Bull Big Man, Billings Qualifications (if required): representative of Tribal governments</p>	Governor	8/1/2015
<p>Mr. Shawn Backbone, Crow Agency Qualifications (if required): Tribal Member</p>	Governor	8/1/2015
<p>Mr. Richard A. Juvik, Helena Qualifications (if required): Veterans At-Large</p>	Governor	8/1/2015
<p>Board of Veterinary Medicine (Governor) Ms. Joan Carey Marshall, Ekalaka Qualifications (if required): veterinarian</p>	Governor	7/31/2015
<p>Ms. Kim Baker, Hot Springs Qualifications (if required): consumer</p>	Governor	7/31/2015
<p>Board of Water Well Contractors (Natural Resources and Conservation) Mr. Kevin Haggerty, Bozeman Qualifications (if required): water well contractor</p>	Governor	7/1/2015
<p>Mr. Laurence Siroky, Helena Qualifications (if required): representative of the Board of Water Well Contractors</p>	Director	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Burial Preservation Board (Administration)		
Mr. Robert P. Four Star, Poplar Qualifications (if required): Representative of Fort Peck Tribe	Governor	9/1/2015
Mr. Steve Platt, Helena Qualifications (if required): Montana Historical Preservation Officer Representative	Governor	9/1/2015
Ms. Marilyn Silva, Miles City Qualifications (if required): Public Representative	Governor	9/1/2015
Ms. Skye Gilham, Browning Qualifications (if required): Physical Anthropologist	Governor	9/1/2015
Ms. Rosemary Caye, Elmo Qualifications (if required): Representative of Confederated Salish and Kootenai Tribes	Governor	9/1/2015
Commission on Community Service (Governor)		
Mr. Douglas M. Mitchell, Helena Qualifications (if required): State Agency Representative	Governor	7/1/2015
Major Lori Chamberlain, Fort Harrison Qualifications (if required): Agency Representative	Governor	7/1/2015
Committee on Telecommunications Access Services for Persons with Disabilities (Public Health and Human Services)		
Mr. Tyler Peart, Missoula Qualifications (if required): Largest Service Provider in Montana	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Economic Development Advisory Council (Commerce)		
Mr. Jim Atchison, Colstrip Qualifications (if required): public representative	Governor	7/23/2015
Ms. Elizabeth Marchi, Polson Qualifications (if required): public representative	Governor	7/23/2015
Mr. Joe Menicucci, Belgrade Qualifications (if required): public representative	Governor	7/23/2015
Mr. Richard Sangrey, Box Elder Qualifications (if required): tribal government representative	Governor	7/23/2015
Mr. Wade Sikorski, Baker Qualifications (if required): public representative	Governor	7/23/2015
Mr. Sean Becker, Bozeman Qualifications (if required): Public Representative	Governor	7/23/2015
Ms. Shari Eslinger, Bozeman Qualifications (if required): Prospera Business Network Region Representative	Governor	7/23/2015
Electrical Board (Labor and Industry)		
Mr. Mel Medhus III, Kalispell Qualifications (if required): master electrician	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Family Education Savings Oversight Committee (Commissioner of Higher Education) Mr. John Driscoll, Helena Qualifications (if required): public representative	Governor	7/1/2015
Future Fisheries Review Panel (Fish, Wildlife and Parks) Mr. Greg Munther, Missoula Qualifications (if required): Fisheries Expert	Governor	7/1/2015
Mr. Corey Fisher, Missoula Qualifications (if required): Licensed Angler	Governor	7/1/2015
Mr. Terry Chute, Helena Qualifications (if required): Silviculturist	Governor	7/1/2015
Mr. Charles Cristman, Three Forks Qualifications (if required): High School Student	Governor	7/1/2015
Mr. Chuck Dalby, Helena Qualifications (if required): Public Representative	Governor	7/1/2015
Mr. Clint Peck, Billings Qualifications (if required): Conservation Representative	Governor	7/1/2015
Mr. Bill Semmens, Helena Qualifications (if required): Department of Transportation Representative	Governor	7/1/2015
Mr. Joseph Willauer, Butte Qualifications (if required): Licensed Angler	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Historical Society Board of Trustees (Historical Society) Ms. Shirley Groff, Butte Qualifications (if required): public member	Governor	7/1/2015
Mr. James W. Murry, Clancy Qualifications (if required): public member	Governor	7/1/2015
Mr. Jude Sheppard, Chinook Qualifications (if required): Public Representative	Governor	7/1/2015
Judicial Standards Commission (Justice) Ms. Sue Schleif, Valier Qualifications (if required): public representative	Governor	7/1/2015
Low Income Energy Programs Policy Advisory Council (Public Health and Human Services) Ms. Lou Moore, Helena Qualifications (if required): none speified	Director	7/30/2015
Mr. Mike Vogel, Bozeman Qualifications (if required): none speified	Director	7/30/2015
Mr. Phil Cooke, Helena Qualifications (if required): none specified	Director	7/30/2015
Ms. Lesa Evers, Helena Qualifications (if required): Tribal Relations Manager	Director	7/30/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
<p>Low Income Energy Programs Policy Advisory Council (Public Health and Human Services) cont. Ms. Tina Shorten, Helena Qualifications (if required): Consumer Affairs Representative</p>	Director	7/30/2015
<p>Mental Disabilities Board of Visitors (Governor) Ms. Patricia Harant, Helena Qualifications (if required): Consumer of Mental Health Services</p>	Governor	7/1/2015
<p>Ms. Tracy Perez, Ronan Qualifications (if required): mental health treatment professional</p>	Governor	7/1/2015
<p>Ms. Miriam Hertz, Seeley Lake Qualifications (if required): Consumer of developmental disabilities services</p>	Governor	7/1/2015
<p>Mental Health Ombudsman (Governor) Ms. Jennifer L. Hensley, Butte Qualifications (if required): none specified</p>	Governor	8/2/2015
<p>Mr. Dennis Nyland, Helena Qualifications (if required): Mental Health Ombudsman</p>	Governor	8/2/2015
<p>Montana Wheat and Barley Committee (Agriculture) Mr. Buzz Mattelin, Culbertson Qualifications (if required): resident of District 1 and identifies himself as an Independent</p>	Governor	8/20/2015
<p>Mr. Bruce Myllymaki, Stanford Qualifications (if required): resident of District 5 and identifies himself to be a Democrat</p>	Governor	8/20/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Montana Wheat and Barley Committee (Agriculture) cont. Mr. Tom Siderius, Kalispell Qualifications (if required): resident of District 6 and identifies himself to be a Democrat	Governor	8/20/2015
Motorcycle Safety Advisory Commission (Commissioner of Higher Education) Ms. Tina Schmaus, Missoula Qualifications (if required): cycle group member	Governor	7/1/2015
Mr. Derek Brown, Bozeman Qualifications (if required): peace officer	Governor	7/1/2015
Noxious Weed Management Advisory Council (Agriculture) Mr. Duane Robertson, Helena Qualifications (if required): Eastern Montana Weed District Representative	Director	7/19/2015
Mr. Jack Eddie, Dillon Qualifications (if required): Montana Weed Control Association	Director	7/19/2015
Director Ron de Yong, Helena Qualifications (if required): none specified	Director	7/19/2015
Mr. Todd Wagner, Glasgow Qualifications (if required): Crop Production Representative	Director	7/19/2015
Mr. Jim Gordon, Huntley Qualifications (if required): Herbicide Dealer or Applicator	Director	7/19/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Noxious Weed Management Advisory Council (Agriculture) cont. Ms. Jennifer Anderson Vermillion, Livingston Qualifications (if required): Recreation Wildlife Group	Director	7/19/2015
Mr. Nico Cantalupo, White Sulphur Springs Qualifications (if required): At-Large member	Director	7/19/2015
Ms. Kellieann Morris, Stevensville Qualifications (if required): Western Weed District Representative	Director	7/19/2015
Mr. Bobby LaSalle, Box Elder Qualifications (if required): Livestock Production	Director	7/19/2015
Mr. Jim Oliverez, Missoula Qualifications (if required): Consumer Group	Director	7/19/2015
Mr. Kenny Keever, Havre Qualifications (if required): Biological Research and Control	Director	7/19/2015
Noxious Weed Seed Free Forage Advisory Council (Agriculture) Ms. Jane Mangold, Bozeman Qualifications (if required): Montana State University-Bozeman Extension Service	Governor	9/1/2015
Poet Laureate (Montana Arts Council) Ms. Tami Haaland, Billings Qualifications (if required): Montana Arts Council Nominee	Governor	8/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Private Land Public Wildlife Advisory Council (Fish, Wildlife and Parks) Dr. Daniel R. Fiehrer, Helena Qualifications (if required): Sportsperson	Governor	7/31/2015
Mr. Jack Billingsley, Glasgow Qualifications (if required): Outfitter	Governor	7/31/2015
Ms. Kathy Hadley, Deer Lodge Qualifications (if required): Sportsperson	Governor	7/31/2015
Sen. Jim Peterson, Buffalo Qualifications (if required): landowner	Governor	7/31/2015
Mr. Kevin Chappell, Helena Qualifications (if required): DNRC Ex-Officio	Governor	7/31/2015
Rep. Kendall Van Dyk, Billings Qualifications (if required): landowner	Governor	7/31/2015
Mr. Mike Henning, Fairfield Qualifications (if required): Sportsperson	Governor	7/31/2015
Mr. Dwayne Andrews, Miles City Qualifications (if required): Sportsperson	Governor	7/31/2015
Mr. George Bain, Missoula Qualifications (if required): USFS Ex-Officio Member	Governor	7/31/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Private Land Public Wildlife Advisory Council (Fish, Wildlife and Parks) cont.		
Mr. Rod Bullis, Helena Qualifications (if required): Landowner	Governor	7/31/2015
Ms. Lisa Flowers, Choteau Qualifications (if required): Sportsperson	Governor	7/31/2015
Rep. Tom Jacobson, Great Falls Qualifications (if required): Sportsperson	Governor	7/31/2015
Mr. Denley Loge, St. Regis Qualifications (if required): landowner	Governor	7/31/2015
Mr. Robert DesRosier, Browning Qualifications (if required): Tribal Member	Governor	7/31/2015
Public Defender Commission (Administration)		
Ms. Majel Russell, Billings Qualifications (if required): member of an organization advocating on behalf of racial minorities	Governor	7/1/2015
Mr. Charles Petaja, Helena Qualifications (if required): Attorney nominated by the Montana Supreme Court	Governor	7/1/2015
Teachers' Retirement Board (Administration)		
Mr. James Turcotte, Helena Qualifications (if required): public representative	Governor	7/1/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Teachers' Retirement Board (Administration) cont.		
Ms. Marilyn J. Ryan, Missoula Qualifications (if required): retired teacher	Governor	7/1/2015
Mrs. Lisa Cordingley, Helena Qualifications (if required): Public Representative	Governor	7/1/2015
Tourism Advisory Council (Commerce)		
Ms. Cynthia Andrus, Bozeman Qualifications (if required): resident of Yellowstone Country	Governor	7/1/2015
Ms. Kim Holzer, Stanford Qualifications (if required): resident of Russell Country	Governor	7/1/2015
Ms. Beverly Harbaugh, Jordan Qualifications (if required): resident of Missouri River Country	Governor	7/1/2015
Ms. Jackie Yellowtail, Crow Agency Qualifications (if required): tribal government representative and resident of Southeast Montana Country	Governor	7/1/2015
Mrs. Lark Paz, Crow Agency Qualifications (if required): Southwest Montana Country and Tribal Government Representative	Governor	7/1/2015
Upper Clark Fork River Basin Remediation and Restoration Advisory Council (Justice)		
Mr. Jim Kambich, Butte Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Upper Clark Fork River Basin Remediation and Restoration Advisory Council (Justice) cont.		
Mr. Jon A. Krutar, Helena Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015
Ms. Tracy Stone-Manning, Missoula Qualifications (if required): Director of Department of Environmental Quality	Governor	7/31/2015
Mr. Jim Davison, Anaconda Qualifications (if required): Resident of Upper Clark Fork River Basin	Governor	7/31/2015
Director Jeff Hagener, Helena Qualifications (if required): Director of Fish, Wildlife and Parks	Governor	7/31/2015
Mr. William Rossbach, Missoula Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015
Mr. Roy O'Connor, Missoula Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015
Mr. Elton Ringsak, Butte Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015
Ms. Katherine Eccleston, Anaconda Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015
Ms. Maureen Connor, Philipsburg Qualifications (if required): Resident of the Upper Clark Fork Basin	Governor	7/31/2015

VACANCIES ON BOARDS AND COUNCILS -- JULY 1, 2015 THROUGH SEPTEMBER 30, 2015

<u>Board/current position holder</u>	<u>Appointed by</u>	<u>Term end</u>
Upper Clark Fork River Basin Remediation and Restoration Advisory Council (Justice) cont. Director John Tubbs, Helena Qualifications (if required): Director of Department of Natural Resources and Conservation	Governor	7/31/2015