



Economic Affairs Interim Committee

67th Montana Legislature

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FONG HOM, Secretary

April 13, 2022

TO: Economic Affairs Interim Committee
FROM: Jameson Walker, Staff Attorney
RE: Administrative Rulemaking and Rule Review, Update: April 2022

The Economic Affairs Interim Committee (Committee) is required to review administrative rules promulgated by the Department of Agriculture, Department of Commerce, Department of Labor and Industry, Department of Livestock, State Auditor's Office, Division of Banking & Financial Institutions, Governor's Office of Economic Development, and Department of Revenue, Liquor Control Division for compliance with the Montana Administrative Procedure Act (MAPA). The following notices are filed with the Secretary of State's Office for publication in the Montana Administrative Register (MAR). Notices are available at <http://www.mtrules.org> (search by notice number).

PROPOSAL NOTICES

Department of Agriculture and administratively attached entities

There are no new pending rules.

Department of Commerce and administratively attached entities

MAR Notice Number: 8-2-197

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

Summary: The department proposes to amend 8.2.328. The department states that it may define, through rule, exclusions that do not require further environmental review. The department states that it is providing types of actions that it considers to seldom, if ever, cause significant environmental impacts.

Notes/Hearing: The department held a public hearing on March 31, 2022, to consider the notice.

MAR Notice Number: 8-94-196

Subject: Amendment of rules pertaining to the submission and review of applications for funding under the Montana Coal Endowment Program.

Summary: The department proposes to amend 8.94.3814 and 8.94.3815. The department states that the rule amendments are necessary to update information in the 2025 biennium

administration manual. Specifically, the department is amending the Treasure State Endowment Program to the Coal Endowment Program. This change implements Senate Bill 258 from the 2021, session.

Notes/Hearing: The department held a public hearing on March 31, 2022, to consider the notice.

Department of Labor and Industry and administratively attached entities

MAR Notice Number: 24-15-201

Subject: Repeal of rules relating to the Employment Relations Division.

Summary: The department proposes to repeal 24.15.101 and 24.15.501. The department states that both rules are archaic and duplicative.

Notes/Hearing: The department does not contemplate the need to conduct a public hearing relating to the rule notice.

MAR Notice Number: 24-101-313

Subject: Notice of receiving public comments relating to the multidisciplinary health care provider task force.

Summary: The department states that it is receiving public comments relating to House Bill 495 from the 2021, session. This bill created a five-member Multidisciplinary Health Care Provider Task Force tasked with submitting a report of proposed legislation to the Children, Families, Health, and Human Services Interim Committee.

Notes/Hearing: The department will hold a public hearing on April 15, 2022 to consider public comment.

MAR Notice Number: 24-129-19

Subject: Amendment of rules relating to the Board of Clinical Laboratory Science Practitioners.

Summary: The board proposes to amend 24.129.603 (minimum standards for licensure) to include the National Registry of Certified Chemists (NRCC). The board states that the rule amendment is necessary to add the NRCC to the approved list of examination agencies.

Notes/Hearing: The department held a public hearing on April 1, 2022 to the notice.

Department of Revenue, Liquor Control Division and Cannabis Control Division

MAR Notice Number: 42-1048

Subject: Adoption of rules pertaining to marijuana and marijuana products packaging and labeling application and approval processes.

Summary: The department proposes to adopt New Rule I. The proposed rule provides a definition for a "unique marijuana product package" and provides application requirements for a licensee or license applicant for the approval of a label. The proposed rule also provides application requirements for a licensee or license applicant for the approval of a label, sets forth what is required of a licensee or applicant, provides the process for the approval of exit packaging, and sets fees. The department states that the fiscal impact of the process cannot be accurately measured because the number of packages and labels is dependent upon the individual marijuana licensee.

Notes/Hearing: The department held a public hearing on March 22, 2022, to consider the notice.

Department of Livestock and administratively attached entities

There are no new pending rules.

State Auditor's Office

There are no new pending rules.

Division of Banking & Financial Institutions

There are no new pending rules.

Governor's Office of Economic Development

There are no new pending rules.