



Economic Affairs Interim Committee

67th Montana Legislature

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JAMESON WALKER, Staff Attorney
FONG HOM, Secretary

December 8, 2021

TO: Economic Affairs Interim Committee
FROM: Jameson Walker, Staff Attorney
RE: Administrative Rulemaking and Rule Review, December 2021

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

There are no new pending rules.

Department of Labor and Industry and administratively attached entities

There are no new pending rules.

Department of Revenue, Liquor Control Division and Cannabis Control Division

There are no new pending rules.

Department of Livestock and administratively attached entities

There are no new pending rules.

State Auditor's Office

MAR Notice Number: 6-266

Subject: Amendment and repeal of rules pertaining to rates and premiums.

Summary: The department proposes to amend 6.6.2102 (Rates and Premiums; Property and Casualty Insurance) to allow insurers to consider the sex or marital status of the insured for property and casualty insurance. The department proposes to repeal 6.2.2103 (Payment or Benefits). This rule generally prohibited payment of insurance benefits or consideration of insurance rates based on sex or marital status.

Notes/Hearing: The department does not contemplate the need to hold a public hearing.

Division of Banking & Financial Institutions

There are no new pending rules.

Governor's Office of Economic Development

There are no new pending rules.

NOTABLE RULES NOT UNDER THE PURVIEW OF THE EAIC

Department of Public Health and Human Services

MAR Notice Number: 37-967

Subject: Adoption and amendment of rules pertaining to marijuana sampling.

Summary: The department proposes to adopt New Rule I (Quality Assurance Sampling Protocol). This rule will establish procedures for collecting samples of marijuana items for testing in addition to requirements for testing. The department proposes to adopt New Rule II (Suspension of Testing Laboratories). This rule will allow the department to suspend a testing laboratory's license for a period of up to 3 months upon determining that a testing laboratory is providing inconsistent results. The department proposes to amend 37.107.301, 37.107.302, 37.107.303., 37.107.307, 37.107.309, 37.107.311, 37.107.313, 37.107.315, and 37.107.316. Generally, the amendments will implement House Bill 701 by revising requirements applicable to testing laboratories, adopting necessary definitions for new terminology, updating terminology, clarifying control criteria for the determination of failed laboratory testing, and removing redundant language.

Notes/Hearing: The department will hold a public hearing on December 9, 2021, to consider the notice.