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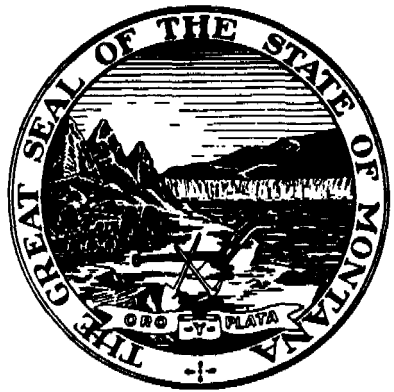
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MONTANA
ADMINISTRATIVE
REGISTER

1979 ISSUE NO. 7
PAGES 377-382



NOTICE: The July 1977 through June 1978 Montana Administrative Registers have been placed on jacketing, a method similar to microfiche. There are 31 jackets 5 3/4" x 4 1/4" each, which take up less than one inch of file space. The jackets can be viewed on a microfiche reader and the size of print is easily read. The charge is \$.12 per jacket or \$3.72 per set. If the set is to be mailed, please include \$.93 postage. Montana statutes require prepayment on all material furnished by this office. Please direct your orders along with a check in the correct amount to the Secretary of State, Room 202, Capitol Building, Helena, Montana, 59601. Allow one to two weeks for delivery.

MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 7

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BEFORE THE DEPARTMENT OF BUSINESS REGULATION
OF THE STATE OF MONTANA
MILK CONTROL DIVISION

In the Matter of the Amendment of) NOTICE OF PROPOSED AMENDMENT
Rule 8-2.12(6)-S1220 Regarding) OF RULE 8-2.12(6)-S1220.
Levying and Assessment Upon)
Licensees.) NO PUBLIC HEARING CONTEMPLATED

TO: All Interested Persons:

1. On May 25, 1979, the Department of Business Regulation proposes to amend Rule 8-2.12(6)-S1220 relating to an assessment to be levied upon licensees subject to the Milk Control Act. The proposed amendment will become effective July 1, 1979.

2. The purpose of the amendment is to change the effective date of the assessments already in existence in the above-identified rule. The rule as proposed to be amended would read as follows:

"8-2.12(6)-S1220 LICENSEE ASSESSMENTS -

(1) Pursuant to Section 27-409, R.C.M. 1947, 81-23-202, MCA, as amended, the following assessments for the purpose of deriving funds to administer and enforce the Milk Control Act during the fiscal year beginning July 1, ~~1977~~, 1979, and ending June 30, ~~1978~~, 1980, are hereby levied upon the Milk Control Act licensees of this Department.

(a) A fee of eight cents (\$0.08) per hundredweight on the total volume of all milk subject to the Milk Control Act produced and sold by a producer distributor.

(b) A fee of eight cents (\$0.08) per hundredweight on the total volume of all milk subject to the Milk Control Act sold in this state by a distributor home based in another state. Said fee is to be paid either by the foreign distributor or his jobber who imports such milk for sale within this state.

(c) A fee of four cents (\$0.04) per hundredweight on the total volume of all milk subject to the Milk Control Act sold by a producer.

(d) A fee of four cents (\$0.04) per hundredweight on the total volume of milk subject to the Milk Control Act sold by a distributor, excepting that which is sold to another distributor."

3. Interested persons are asked to note that there is no change in the amount of assessment proposed for fiscal year 1979 through 1980. The purpose of the amendment is merely to change the effective dates from July 1, 1978 through June 30, 1979 to July 1, 1979 through June 30, 1980.

4. Interested persons may submit their data, views or arguments concerning the proposed amendments in writing to the Department of Business Regulation, 805 North Main, Helena, Montana 59601, no later than May 14, 1979.

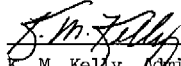
5. If the agency receives requests for a public hearing on the proposed amendment for more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the administrative code committee of the legislature, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 33 persons based on an estimate of 332

resident and nonresident producers, producer-distributors, and jobbers subject to this assessment.

6. The authority of the agency to make the proposed amendment is based on Section 81-23-202, MCA. (Sec. 27-409, R.C.M. 1947).

Kent Kleinkopf, Director
Department of Business Regulation

By: _____


R. M. Kelly, Administrator
Milk Control Division

Certified to the Secretary of State March 28, 1979.

BEFORE THE DEPARTMENT OF BUSINESS REGULATION
OF THE STATE OF MONTANA
MILK CONTROL DIVISION

In the Matter of the Amendment) NOTICE OF PROPOSED AMENDMENT
of Rule 8-2.12(6)-S1230 Reducing) OF RULE 8-2.12(6)-S1230
Producer Assessments to Fund a)
Raw-Milk Testing Program.) NO PUBLIC HEARING CONTEMPLATED

TO: All Interested Persons:

1. On May 25, 1979, the Department of Business Regulation proposes to amend Rule 8-2.12(6)-S1230 relating to an assessment levied upon producers subject to the Milk Control Act. The amendment will become effective on July 1, 1979.

2. The purpose of the amendment is to reduce the amount levied on licensed producers for the period July 1, 1979 through June 30, 1980.

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

"8-2.12(6)-S1230 - ADDITIONAL PRODUCER ASSESSMENT" -

For the purpose of securing the necessary funds to conduct a program of testing raw milk, as required by Section 27-430, R.C.M. 1947, 81-23-105, MCA, an assessment is hereby levied on licensed producers in the amount of ~~two cents (\$0.02)~~ one cent (\$0.01) per hundredweight on the total volume of all milk subject to the Milk Control Act sold by a producer."

4. The reduction is proposed in order to maintain funding and enforcement of the raw milk testing program, Section 81-23-105, MCA, and to avoid the collection of excess funds for that program.

5. Interested parties may submit their data, views or arguments concerning the proposed amendment in writing to the Department of Business Regulation, 805 North Main, Helena, Montana 59601, no later than May 14, 1979.

6. If the agency receives requests for a public hearing on the proposed amendment from more than 10 percent or 25 or more persons who are directly affected by the proposed amendment, or from the administrative code committee of the legislature, the hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be 29 persons based on an estimate of 283 producers subject to the testing assessment.

7. The authority of the agency to make the proposed amendment is based on Section 81-23-105, MCA. (Sec. 27 430, R.C.M. 1947).

Kent Kleinkopf, Director
Department of Business Regulation

By: *K. M. Kelly*
K. M. Kelly, Administrator
Milk Control Division

Certified to the Secretary of State March 28, 1979.

STATE OF MONTANA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
BEFORE THE BOARD OF RADIOLOGIC TECHNOLOGISTS

IN THE MATTER of the Proposed) NOTICE OF PROPOSED ADOPTION
Adoption of a new rule provid-) OF A NEW RULE CONCERNING
ing Guidelines for Permit) GUIDELINES FOR PERMIT ISSUANCE
Issuance)

NO PUBLIC HEARING CONTEMPLATED

TO: All Interested Persons:

1. On May 12, 1979, the Board of Radiologic Technologists proposes to adopt a new rule concerning guidelines for issuance of permits.

2. The rule as proposed will read as follows:

"(1) Applicants for permit to perform x-ray procedures must meet the following requirements for approval to take the examination for permit.

(a) Must show proof of employment from physician or administrator.

(b) Must have completed a minimum of 24 hours of formal classroom x-ray training under the direction of a radiologic technologist or radiologist.

(c) Must have proof of formal experience or minimum of 6 months practical experience."

3. The Board is proposing the adoption to implement Section 37-14-306 MCA (66-3707 R.C.M. 1947) by providing guidelines for the Board in reviewing and approving applications to take the permit examination.

4. Interested parties may submit their data, views or arguments concerning the proposed adoption in writing to the Board of Radiologic Technologists, Lalonde Building, Helena, Montana 59601 no later than May 10, 1979.

5. If a person who is directly affected by the proposed adoption wishes to express his data, views or arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to the Board of Radiologic Technologists, Lalonde Building, Helena, Montana 59601 no later than May 10, 1979.


6. If the Board receives requests for a public hearing on the proposed adoption from 10% or 25 or more of the persons directly affected by the proposed adoption, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

7. The authority of the Board to make the proposed adoption is based on section 37-14-202 MCA (66-3704 R.C.M. 1947). The proposed adoption implements Section 37-14-306 MCA (66-3707 R.C.M. 1947).

BOARD OF RADIOLOGIC TECHNOLOGISTS
R. J. BENEDETTI, CHAIRMAN

-381-

BY:


ED CARNEY, DIRECTOR
DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL LICENSING

Certified to the Secretary of State, April 3, 1979.

7-4/12/79

MAR NOTICE NO. 40-3-96-5

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
BEFORE THE BOARD OF COSMETOLOGISTS

In the matter of the proposed) NOTICE OF AMENDMENT OF ARM
Amendment of ARM 40-3.30(8)-) 40-3.30(8)-S30095 (1)(a) and
S30095, sub-section (1) (a)) (2) MANAGER OPERATOR
and (2) Manager Operator)

TO: All Interested Persons:


1. On February 28, 1979, the Board of Cosmetologists published a notice of a proposed amendment to ARM 40-3.30(8)-S30095 (1)(a) and (2) concerning manager operators at page 183, 1979 Montana Administrative Register, Issue number 4.
2. The Board has amended the rule exactly as proposed.
3. No comments or testimony were received. The Board proposed the amendment to implement section 37-31-302(3) MCA (66-801 R.C.M. 1947) and to clearly define the requirements for applying for a manager operator license.

BEFORE THE BOARD OF OPTOMETRISTS

In the matter of the proposed) NOTICE OF ADOPTION OF ARM 40-
Adoption of a new rule) 3.70(6)-S70020 RULES FOR
implementing 37-10-304 MCA) DIAGNOSTIC PHARMACEUTICAL
Diagnostic Drugs) AGENTS

TO: All Interested Persons:

1. On February 28, 1979, the Board of Optometrists published a notice of a proposed new rule concerning diagnostic drugs at page 184, 1979 Montana Administrative Register, issue number 4.
2. The Board has adopted the rule exactly as proposed.
3. No comments or testimony were received. The Board has adopted the rule for the reasons stated in the notice.


ED CARNEY, DIRECTOR
DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL LICENSING

Certified to the Secretary of State, April 3, 1979.