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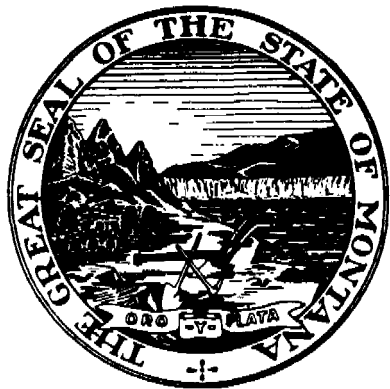
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**MONTANA
ADMINISTRATIVE
REGISTER**

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1985 ISSUE NO. 8
APRIL 25, 1985
PAGES 366-390



MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 8

The Montana Administrative Register (MAR), a twice-monthly publication, has three sections. The notice section contains state agencies' proposed new, amended or repealed rules, the rationale for the change, date and address of public hearing, and where written comments may be submitted.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 section indicates that the proposed rule action is adopted and lists any changes made since the proposed stage. The interpretation section contains the attorney general's opinion and state declaratory rulings. Special notices and tables are inserted at the back of each register.

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STATE OF MONTANA
DEPARTMENT OF COMMERCE
BEFORE THE BOARD OF MEDICAL EXAMINERS

In the matter of the proposed) NOTICE OF PROPOSED AMENDMENTS
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and fees, 8.28.420 concern-) PROPOSED ADOPTION OF A
ing the fee schedule, and) NEW RULE GRADUATE TRAINING
proposed adoption of a new) REQUIREMENTS FOR FOREIGN
rule concerning graduate) MEDICAL GRADUATES
training for foreign medical)
graduates)

NO PUBLIC HEARING CONTEMPLATED

TO: All Interested Persons.

1. On May 25, 1985, the Board of Medical Examiners proposes to amend the above-stated rules.

2. The changes to rules 8.28.406, 408, and 416 are being proposed as the Federation of State Medical Boards, who gives the medical examination for Montana, has changed the FLEX examination in various ways, including fees, structure of the examination, eligibility, retakes, and passing scores. The board must make changes to conform to the new FLEX, as it is the only licensing examination for the board and it will be the only examination offered by the Federation starting June 1985. Rather than show the explanation after each change, the rationale is being placed preceding the amendments.

3. The proposed amendment of 8.28.406 will amend subsection (2) of the rule and read as follows: (new matter underlined, deleted matter interlined) (full text of the rule is located at page 8-858, Administrative Rules of Montana)

"8.28.406 E.C.F.M.G REQUIREMENTS (1) ...

(2) The E.C.F.M.G. examination may be waived if the Federal Licensing Examination (FLEX) is successfully passed with a FLEX weighted average of 75%. The applicant may then apply to E.C.F.M.G. and if qualified, under E.C.F.M.G. requirements, may receive a certificate. If, however, the E.C.F.M.G. examination is taken, a grade of 75% is required."

Auth: 37-3-203, MCA Imp: 37-3-311, MCA

4. The proposed amendment of 8.28.408 will amend subsection (1) of the rule and read as follows: (new matter underlined, deleted matter interlined) (full text of the rule is located at page 8-859, Administrative Rules of Montana)

"8.28.408 RECIPROCITY (1) Applicants who are applying by reciprocity or endorsement must have an average grade of 75% successfully passed an examination deemed essentially

equivalent to the examination given by the board to those applicants being licensed by examination.

(2) ..."

Auth: 37-3-203, MCA Imp: 37-3-311, MCA

5. The proposed amendment of 8.28.416 will read as follows: (new matter underlined, deleted matter interlined)

"8.28.416 EXAMINATION (1) The examination will be the Federal Licensing Examination (FLEX), or any other equivalent examination adopted by the board consisting of Components I and II.

(2) All applicants for licensure to practice medicine and surgery by the FLEX examination shall pay an examination fee of \$100.

(3) Applicants seeking licensure on the basis of the FLEX examination must have attained a weighted average of at least score of 75% or more on each component of the examination. ~~Passing grades on individual section of a FLEX examination shall not be carried over to any future examination.~~

(4) Eligibility requirements are:

(a) Component I shall be given to candidates after graduation from medical school, providing they have successfully completed the FMGEMS and/or have been certified by the E.C.F.M.G.

(b) Component II shall be given to candidates who have passed Component I and who have completed one year of post-graduate training in accordance with Section 37-3-102 (3) and (4), MCA.

(c) Component I and II may be given to a candidate in the same sitting if the candidate meets all the requirements as set forth in (a) and (b).

(5) The following procedures will be used for retakes of the FLEX examination:

(a) If the candidate takes Component I and Component II in separate sittings, Component I must be passed before Component II may be taken.

(b) If both components are taken at once and one of the two is failed, only the component failed must be retaken.

(c) If an applicant fails to meet the minimum grade requirements in his first examination, he may be re-examined not more than 2 additional times on each of the component parts of the examination.

(d) Both components must be passed within a seven year period in order to be eligible for licensure.

(e) Anyone who has previously taken the examination as previously required by the board and is eligible for a retake must take the FLEX as set forth above."

Auth: 37-3-203, MCA Imp: 37-3-311, MCA

6. The proposed amendment of 8.28.418 will amend subsection (2) of the rule and will read as follows: (new matter underlined, deleted matter interlined) (full text of the rule is located at page 8-862, Administrative Rules of Montana)

"8.28.418 ANNUAL REGISTRATION AND FEES (1) ...

(2) The annual license fee for a A physician actively engaged in the practice of medicine on a permanent certificate shall pay an annual license fee of \$35.

(3) A physician with a permanent license not actively engaged in the practice of medicine in this state or absent from this state for a period of 1 or more years may renew as an inactive licensee for an annual fee of \$5.00."

Auth: 37-1-134, 37-3-203, MCA Imp: 37-1-134, 37-3-313, MCA

7. The board is proposing the amendment to eliminate the fee amount from the rule, as it will be included in a separate fee schedule. In the future when a fee is changed, only the fee schedule rule will be amended, rather than both rules.

8. The proposed amendment to rule 8.28.420 will read as follows: (new matter underlined, deleted matter interlined)

8.28.420 FEE SCHEDULE (1) The following fees will be charged:

- (a) Application fee - reciprocity or endorsement \$100.00
- (b) Temporary certificate fee 25.00
- (c) Temporary locum tenens 40.00
- (d) Examination fee
 - Component I 190.00
 - Component II 215.00
 - Component I and II 340.00
- (e) Renewal fee (active) 50.00
- (f) Renewal fee (inactive) 5.00
- (g) ~~(e)~~ Penalty fee 10.00"

Auth: 37-1-134, 37-3-203, MCA Imp: 37-1-134, 37-3-308, 311, 313, MCA

9. Section 37-1-134, MCA requires that the boards set fees commensurate with program area costs. The board has determined that the above fees are those necessary to cover the administrative costs associated with each program area.

10. The board is proposing to adopt a new rule regarding graduate training requirements for foreign medical graduates, which will read as follows:

"I. GRADUATE TRAINING REQUIREMENTS FOR FOREIGN MEDICAL GRADUATES (1) A license will not be granted to a medical graduate of any medical school that has not been approved by the council on medical education of the American Medical

Association or its equivalent council of the American Osteopathic Association, unless such graduate has had 3 years of post graduate training education in a post graduate institution that has been approved by one of these councils."

Auth: 37-3-203, MCA Imp: 37-3-305, MCA

11. The Board of Medical Examiners does not have the personnel or finances to check out foreign medical schools to determine whether their training is equivalent to that of American or Canadian medical schools. The board feels if foreign medical graduates receive three years of post-graduate training in an approved institution, they will be more prepared to enter into medical practice in the United States.

12. Interested persons may submit their data, views or arguments concerning the proposed amendments and adoption in writing to the Board of Medical Examiners, 1424 9th Avenue, Helena, Montana, 59620-0407, no later than May 23, 1985.

13. If a person who is directly affected by the proposed amendments and 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 comments he has to the Board of Medical Examiners, 1424 9th Avenue, Helena, Montana, 59620-0407, no later than May 23, 1985.

14. If the board receives requests for a public hearing on the proposed amendments and adoption from either 10% or 25, whichever is less, of those persons who are directly affected by the proposed amendments and adoption, from the Administrative Code Committee of the legislature, from a governmental agency or subdivision, or from an association having no less than 25 members who will be directly affected, a public hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

BOARD OF MEDICAL EXAMINERS
JOHN W. STRIZICH, M.D.
PRESIDENT

BY: Keith P. Colbo
KEITH L. COLBO, DIRECTOR
DEPARTMENT OF COMMERCE

Certified to the Secretary of State, April 15, 1985.

STATE OF MONTANA
DEPARTMENT OF COMMERCE
BEFORE THE BOARD OF PHYSICAL THERAPY EXAMINERS

In the matter of the proposed) NOTICE OF PROPOSED ADOPTION
adoption of a new rule con-) OF A RULE LIST OF LICENSED
cerning the list of licensed) PHYSICAL THERAPISTS
physical therapists)

NO PUBLIC HEARING CONTEMPLATED

TO: All Interested Persons.

1. On May 25, 1985, the Board of Physical Therapy Examiners proposes to adopt a rule concerning the list of licensed physical therapists.

2. The rule will read as follows:

"1. LIST OF LICENSED PHYSICAL THERAPISTS (1) Upon written request and payment of \$5.00, the board office shall mail to an interested person a list of licensed physical therapists. The list is furnished by the board for public information purposes only. It is not intended for use by private parties as a mailing list and no permission has been obtained from the individual licensee's for such purposes. The use of material supplied by a state agency as a mailing list to private parties without the permission of those on the list is prohibited by Section 2-6-109, MCA."

Auth: 37-11-201 (1) (a), MCA Imp: 37-11-201 (4), MCA

3. The board is proposing the rule adoption as the Legislative Auditors have cited the board for not charging a fee when supplying interested persons with a copy of the list of licensed physical therapists. The board has determined that based on computer costs for the list, administrative costs, postage and mailing envelopes, the \$5.00 fee is appropriate to cover those costs.

4. Interested persons may submit their data, views or arguments concerning the proposed adoption in writing to the Board of Physical Therapy Examiners, 1424 9th Avenue, Helena, Montana, 59620-0407, no later than May 23, 1985.

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 comments he has to the Board of Physical Therapy Examiners, 1424 9th Avenue, Helena, Montana, 59620-0407, no later than May 23, 1985.

6. If the board receives requests for a public hearing on the proposed adoption from either 10% or 25, whichever is less, of those persons who are directly affected by the proposed adoption, from the Administrative Code Committee of the legislature, from a governmental agency or subdivision, or from an association having no less than 25 members who will be directly affected, a public hearing will be held at a later

date. Notice of the hearing will be published in the Montana Administrative Register.

BOARD OF PHYSICAL THERAPY
EXAMINERS
THOMAS G. LARSON, R.P.T.
CHAIRMAN

BY: Keith P. Colbo
KEITH L. COLBO, DIRECTOR
DEPARTMENT OF COMMERCE

Certified to the Secretary of State, April 15, 1985.

BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
OF THE STATE OF MONTANA

In the matter of the emergency) NOTICE OF EMERGENCY AMEND-
amendment of rules pertaining) MENT OF ARM 16.28.201 AND
to reportable diseases.) 16.28.202

TO: All Interested Persons.

1. Statement of reasons for emergency: On March 2, 1985, the Food and Drug Administration approved testing procedures for Human T-Lymphotropic Virus - Type III (HTLV-III), which is an indicator of Acquired Immune Deficiency Syndrome (AIDS). Control of this highly contagious syndrome requires timely reporting of occurrences to the Department. The Department intends to adopt permanent rules for the inclusion of HTLV-III and AIDS in the list of reportable diseases set forth in the Department's rules. However, in the interim before permanent rules can become effective, the lack of reporting requirements constitutes a continuing and imminent threat to public health.

Consequently, the Department adopts these emergency rules pending adoption of permanent rules. Because of the present and immediate need to report these occurrences as soon after recognition as possible, these emergency rules shall become effective immediately upon filing with the Secretary of State.

2. The emergency rules amend 16.28.201 and 16.28.202, and provide as follows:

16.28.201 REPORTERS

- (1) Same as existing rule.
(2)(a), (b) Same as existing rule.
(c) The diseases subject to notification under subsection (2) of this rule are:

Brucella
Chancroid
Diphtheria
Gonorrhea
Granuloma inguinale
Hepatitis A or B
Human T-Lymphotropic Virus Type III
Leptospirosis
Lymphogranuloma venereum
Rubella (non-immune persons only)
Salmonellosis
Shigellosis
Syphilis
Tuberculosis
Typhoid or Paratyphoid Fever

or any other disease in ARM 16.28.202.

AUTHORITY: Sec. 50-1-202, 50-17-103, 50-18-105 MCA

IMPLEMENTING: Sec. 50-1-202, 50-2-118, 50-17-103, 50-18-102, 50-18-106 MCA

16.28.202 REPORTABLE DISEASES Reportable communicable diseases include:

- (1) Category A diseases:
Acquired Immune Deficiency Syndrome
Botulism, including Infant Botulism

Cholera
Diphtheria
Measles
Plague
Poliomyelitis, paralytic
Poliomyelitis, non-paralytic
Rabies, Human
Relapsing Fever (louse-borne)
Smallpox
Typhus (louse-borne)
Yellow Fever

Category A diseases also include an undiagnosed febrile illness in a person recently returning from a foreign country such as Ebola Hemorrhagic Fever, Lassa Fever, or Marburg Virus disease.

- (a) Same as existing rule.
(2) - (4) Same as existing rule.

AUTHORITY: Sec. 50-1-202, 50-17-103, 50-18-105 MCA
IMPLEMENTING: Sec. 50-1-202, 50-2-118, 50-17-103, 50-18-102, 50-18-106 MCA

3. The foregoing amendments are effective April 15, 1985.

John J. Drynan by George M. Fenner
JOHN J. DRYNAN, M.D., Director
George M. Fenner
GEORGE M. FENNER, Administrator
Health Services and Medical
Facilities Division

Certified to the Secretary of State April 15, 1985

BEFORE THE DEPARTMENT OF INSTITUTIONS
OF THE STATE OF MONTANA


In the Matter of the Proposed) NOTICE OF ADOPTION OF NEW
Adoption of Rules Setting) RULES I THROUGH VIII
Forth an Admissions Policy) (20.14.201 THROUGH 20.14.208)
For the Montana Veterans) RELATING TO THE IMPLEMENTA-
Home) TION OF AN ADMISSIONS POLICY
) FOR THE MONTANA VETERANS
) HOME

TO: All Interested Persons

1. On February 4, 1985, the Department of Institutions gave notice of proposed adoption of new rules I through VIII (20.14.201 through 20.14.208) relating to the implementation of an admissions policy for the Montana Veterans Home at Columbia Falls, at page 150 of the MAR, issue no. 3.

2. A public hearing was conducted by the Department of Institutions on the proposed rules on March 15, 1985. There were no adverse written or oral comments concerning the agency's proposed adoption of rules. Two employees of the Department testified in support of the rules. A written letter of support was received from Rich Brown, Administrator of the Veterans Affairs Division, supporting the proposed rules.

3. Based on the foregoing, the Department hereby adopts the rules as proposed, setting forth an admission policy for the Montana Veterans Home.


CARROLL V. SOUTH
Director
Department of Institutions

CERTIFIED TO THE SECRETARY OF STATE April 9, 1985.

BEFORE THE DEPARTMENT OF REVENUE
OF THE STATE OF MONTANA

IN THE MATTER OF THE AMEND-)	NOTICE OF THE AMENDMENT OF
MENT of Rules 42.23.416 and)	Rules 42.23.416 and 42.23.417
42.23.417 and the ADOPTION of)	and the ADOPTION of New Rule
New Rule I (42.23.111) all of)	I (42.23.111) all of which
which relate to the tax)	relate to the tax treatment of
treatment of interest earned)	interest earned on federal
on federal obligations.)	obligations.

TO: All Interested Persons:

1. On January 31, 1985, the Department of Revenue published notice of the proposed amendment of rules 42.23.416 and 42.23.417 and the proposed adoption of new rule I (42.23.111), all of which relate to the tax treatment of interest earned on federal obligations, at pages 59 through 61 of the 1985 Montana Administrative Register, issue no. 2.

2. The Department has amended rules 42.23.416 and 42.23.417 as proposed and adopted new rule I (42.23.111) as proposed.

3. The Department received comments on the proposed rule from Daniels County in two separate but substantially identical letters. One letter was on behalf of the county commissioners and the other letter was on behalf of the public schools. The Department also received a letter from the Montana Association of Counties which supported Daniels County.

Daniels County opposes the new rule apparently in the belief that it discriminates against Daniels County. The alleged discrimination is based on the fact that Daniels County chose to pay refunds to financial institutions in its county out of existing funds rather than defer such refund payments until future tax payments were received. This was one option presented to the county by the Department to avoid additional interest payments by the county. The Department did not advise or order the county to take any one of the options presented.

The amendment and new rule do not discriminate against Daniels County. The determining factor as to liability for refunds is the date that the amended return was filed, not when payment was made. If the amended return was filed prior to the date of the court decision, the county is liable for the refund payment. This is true whether it decides to pay the refund immediately or defer payment. In other words, under the amendment and new rule, Daniels County would still be liable for the refund payment even if it had decided to defer the refund payments.

No further comments were received concerning the Department's interpretation of the court decision or the proposals.

4. The authority for the amendments and new rule is § 15-31-501, MCA, and the amended rules and new rule implement §§ 15-31-113, 15-31-114, and 15-31-116, MCA.



JOHN D. LaFaver, Director

Certified to Secretary of State 04/15/85

VOLUME NO. 41

OPINION NO. 8

ANTIQUITIES - Preservation review board's duties to determine what are heritage properties;
HISTORICAL SOCIETY - Preservation review board's duties to determine what are heritage properties;
PRESERVATION REVIEW BOARD - Duties to determine what are heritage properties;
STATE AGENCIES - Duties concerning identification of heritage properties;
MONTANA CODE ANNOTATED - Sections 22-3-421 to 22-3-442;
SESSION LAWS OF 1979 - Chapter 563;
SESSION LAWS OF 1983 - Chapter 351.

HELD: The Antiquities Act gives exclusive authority to the Preservation Review Board to determine which properties on state-owned lands are "heritage properties."

4 April 1985

Robert Archibald, Director
Montana Historical Society
225 North Roberts Street
Helena MT 59620

Dear Mr. Archibald:

You have asked for my opinion on the following question:

Does the State Antiquities Act confer authority to any entity other than the State Historic Preservation Review Board to determine which properties on state-owned land are "heritage properties"?

The State Antiquities Act was adopted in 1979 and is codified in sections 22-3-421 to 442, MCA. It provides for the preservation of "heritage property" and paleontological remains. "Heritage property" is defined in section 22-3-421(2), MCA.

"Heritage property" means any district, site, building, structure, or object located upon or beneath the earth or under water that is

significant in American history, architecture, archaeology, or culture.

As heritage properties are identified, they may be added to the statewide inventories of heritage properties and included in the National Register of Historic Places, the official list of the nation's heritage properties worthy of preservation because of national, state, or local significance. § 22-3-421(7), MCA.

The State Preservation Review Board, hereinafter referred to as the Review Board, is the entity primarily concerned with the administration of the Antiquities Act. The membership of the Review Board must include professionals in the fields of archaeology, history, architecture, architectural history, and paleontology. § 2-15-1512(2), MCA. Nominations of heritage properties to the National Register of Historic Places are recommended and either approved or disapproved by the Review Board. § 22-3-422(1) and (2), MCA. The Review Board is also charged with the responsibility of approving or disapproving additions to statewide inventories of heritage properties. § 22-3-422(3), MCA.

The State's inventory file is maintained by the historic preservation officer who is also responsible for conducting an ongoing survey to "identify" heritage properties. § 22-3-423(2) and (3), MCA. The historic preservation officer's duty to identify heritage properties is shared with state agencies, who are required to adopt rules for identifying and preserving heritage properties located on state lands, in order to avoid actions that would substantially alter the properties. If a state agency does not adopt its own rules, it must comply with model rules developed by the historic preservation officer. § 22-3-424(1), MCA.

Your inquiry concerns whether the duties of the state agencies include the final decision making as to which properties are determined to be heritage properties. A response to your inquiry requires an interpretation of the language of those statutes to which I have referred.

The fundamental rule of statutory construction is that the intent of the Legislature controls. This intent must first be determined from the plain meaning of the words used. Montana Association of Underwriters v. State Department of Administration, 172 Mont. 211, 563

P.2d 577 (1977). When there is doubt about the meaning of the statutes, their history may be considered to ascertain the legislative intent. State ex rel. Snidow v. State Board of Equalization, 93 Mont. 19, 17 P.2d 68 (1932).

A statute must be interpreted in a reasonable manner to give effect to it as a whole. Nice v. State, 161 Mont. 448, 507 P.2d 527 (1973). With respect to Montana's Antiquities Act, the language of section 22-3-422(3), MCA, clearly gives the Review Board the authority to approve or disapprove additions to the statewide inventories of heritage properties. Section 22-3-422, MCA, was adopted by the Legislature in 1979 as House Bill 785. Any ambiguity as to the meaning of subsection (3) may be resolved by reference to a discussion of the 1979 legislation before the Senate Natural Resources Committee. The Committee received testimony that House Bill 785 was intended to clarify the meaning of an historic site, to allow the State's heritage preservation staff to give direction to the overall program and to centralize authority in the State with respect to historical sites. Minutes of the Senate Natural Resources Committee, March 7, 1979, on House Bill 785 (Ch. 563).

The revisions to the Antiquities Act that were adopted in 1983 were included in Senate Bill 246, a bill introduced at the request of the State Historical Society. Senate Bill 246 gave the historic preservation officer authority to adopt rules for the identification and preservation of heritage properties on state lands, which rules are to be followed by state agencies who fail to make their own rules. The testimony submitted by the director of the Montana Historical Society indicates that the bill was not intended to change the basic responsibilities of the original 1979 act. Minutes of the Senate Education and Cultural Resources Committee, January 28, 1983, on Senate Bill 246 (Ch. 351).

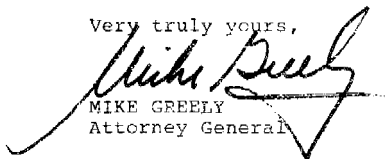
I conclude, based on the plain meaning of the statutes and the legislative committee minutes, that the ultimate decision as to which properties are "heritage properties" is within the exclusive authority of the Review Board. The duties of state agencies with respect to the "identification" of heritage properties are shared with the historic preservation officer, and

involve steps that are separate and distinct from the duty of the Review Board to determine which properties are to be approved or disapproved as additions to the statewide inventories of heritage properties, under section 22-3-422(3), MCA. "Identification" of heritage properties, in the context of the State Antiquities Act, refers to the recognition of properties that are significant in American history, architecture, archaeology, or culture, which may, in turn, be determined to be heritage properties by the Preservation Review Board.

THEREFORE, IT IS MY OPINION:

The Antiquities Act gives exclusive authority to the Preservation Review Board to determine which properties on state-owned lands are "heritage properties."

Very truly yours,



MIKE GREELEY
Attorney General

NOTICE OF FUNCTIONS OF ADMINISTRATIVE CODE COMMITTEE

The Administrative Code Committee reviews all proposals for adoption of new rules or amendment or repeal of existing rules filed with the Secretary of State. Proposals of the Department of Revenue are reviewed only in regard to the procedural requirements of the Montana Administrative Procedure Act. The Committee has 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. In addition, the Committee 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 or amend a rule.

The Committee welcomes comments from the public and invites members of the public to appear before it or to send it written statements in order to bring to the Committee's attention any difficulties with existing or proposed rules. The address is Room 138, Montana State Capitol, Helena, Montana 59620.

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) 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 statute 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
Matter | 1. Consult ARM topical index, volume 16. Update the rule by checking the accumulative table and the table of contents in the last Montana Administrative Register issued. |
| Statute
Number and
Department | 2. Go to cross reference table at end of each title which lists MCA section numbers and corresponding ARM rule numbers. |

ACCUMULATIVE TABLE

The Administrative Rules of Montana (ARM) is a compilation of existing permanent rules of those executive agencies which have been designated by the Montana Procedure Act for inclusion in the ARM. The ARM is updated through December 31, 1984. This table includes those rules adopted during the period January 1, 1985 through March 31, 1985, and any proposed rule action that is pending during the past 6 month period. (A notice of adoption must be published within 6 months of the published notice of the proposed rule.) This table does not, however, include the contents of this issue of the Montana Administrative Register (MAR).

To be current on proposed and adopted rulemaking, it is necessary to check the ARM updated through December 31, 1984, 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 1984 and 1985 Montana Administrative Registers.

ADMINISTRATION, Department of, Title 2

- I-IV Equal Employment Opportunity and Affirmative Action Program, p. 1533, 1798
- I-XVII Recruitment and Selection of Employees By State Agencies, p. 1199, 1560
- 2.5.201 and other rules - Definitions - Department of Administration - Delegation of Purchasing Authority - Requisitions from Agencies to the Department - Bidders List - Specifications Public Notice - Competitive Sealed Proposals - Exigency Procurements, p. 1818, 244
- 2.21.216 and other rules - Administration of Annual Vacation Leave, p. 1656, 100
- (Workers' Compensation Judge)
- 2.52.344 and other rule - Petition for New Trial or Reconsideration of Attorney Fee Award - Attorney Fees, p. 1598, 107

AGRICULTURE, Department of, Title 4

- 4.3.204 Loan Limits Through Junior Agriculture Loans, p. 1082, 1366
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