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MONTANA ADMINISTRATIVE REGISTER

ISSUE NO. 1

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 The notice section contains state agencies' proposed new, amended or repealed rules, the rationale for the change, date and address of public hearing, and where written comments may be submitted.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 opinions and state declaratory rulings. Special notices and tables are inserted at the back of each register.

Page Number

TABLE OF CONTENTS

NOTICE SECTION

HEALTH AND ENVIRONMENTAL SCIENCES, Department of, Title 16

16-2-317 Notice of Proposed Amendment - Hazardous Wastes - Consolidation and Updating All Incorporations by Reference of Federal Agency Rules Contained in Chapter 44 of Title 16 of the Administrative Rules of Montana. No Public Hearing Contemplated. 1-5

SOCIAL AND REHABILITATION SERVICES, Department of, Title 46

46-2-487 Notice of Public Hearing on Proposed Amendment - Non-Institutionalized SSI-Related Individuals and Couples. 6-7

46-2-488 Notice of Public Hearing on Proposed Amendment - Reimbursement for Speech Pathology Services. 8-9

46-2-489 Notice of Public Hearing on Proposed Amendment - AFDC Protective and Vendor Payments. 10-11

46-2-490 Notice of Public Hearing on Proposed Amendment - Early Periodic Screening Diagnosis and Treatment (EPSDT). 12-15

RULE SECTION

JUSTICE, Department of, Title 23

AMD Alcohol Analysis. 16
REP

	<u>Page Number</u>
<u>STATE LANDS, Department of, Title 26</u>	
NEW Surface Leasing of State Land.	17-25
REP	

SPECIAL NOTICE AND TABLE SECTION

Functions of the Administrative Code Committee.	26
How to Use ARM and MAR.	27
Accumulative Table.	28-36
Cross Reference Index - July - December, 1986.	37-52

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

In the matter of the amendment of	)	NOTICE OF PROPOSED
rule 16.44.102 which consolidates	)	AMENDMENT OF RULE
and updates all incorporations by	)	(No Public Hearing
reference of federal agency regu-	)	Contemplated)
lations contained in rules)	
16.44.103 through 16.44.823	)	(Hazardous Waste Rules)

To: All Interested Persons

1. On February 17, 1987, the department proposes to amend ARM 16.44.102 to update and consolidate into one reference source all incorporations by reference of federal agency rules which are contained in chapter 44 of Title 16 of the Administrative Rules of Montana.

2. The proposed amendment provides as follows (new material underlined):

16.44.102 INCORPORATIONS BY REFERENCE

(1)-(4) Same as existing rule.

(5) As of February 17, 1987, all of the incorporations by reference of federal agency rules listed below within the specific state agency rules listed below shall refer to federal agency rules as they have been codified in the July 1, 1986 edition of Title 40 of the Code of Federal Regulations (CFR). References in the state rules to federal rules contained in Titles 49 and 33 are updated to the extent that they have been updated by the federal rules which also incorporate these rules by reference. For the proper edition of these rules in Titles 49 and 33, see the reference in Title 40 of the CFR (1986 edition), provided in parenthesis. A short description of the amendments to incorporated federal rules which have occurred since the last incorporation by reference is contained in the column to the right. This rule supersedes any specific references to editions of the CFR contained in other rules in this chapter.

<u>State Rule</u>	<u>Federal Rule Incorporated</u>	<u>Notation of Most Recent Changes to Federal Rules</u>
<u>16.44.103</u>	<u>40 CFR 264.17(b), 264.96, 264.117, 264.171, 264.172</u>	<u>NC</u>
<u>109</u>	<u>264.72, 264.73(b)(9), 264.76</u>	<u>Codification of HSWA language used oil & hazardous waste fuel regulations.</u>

<u>110</u>	<u>Parts 264 and 266</u>	<u>Codification of HSWA language; used oil & hazardous waste fuel regulations.</u>
<u>116</u>	<u>264.98, 264.99, 264.100, 264.112, 264.113, 264.117(a), 264.118, 264.147</u>	<u>NC</u>
<u>118</u>	<u>264.112, 264.113, 264.271, 264.272</u>	<u>NC</u>
<u>120</u>	<u>270.14 - 270.21</u>	<u>Regulations identifying dioxin wastes; codification of HSWA language.</u>
<u>123</u>	<u>264.343, 264.345</u>	<u>Regulations identifying dioxin wastes.</u>
<u>124</u>	<u>Part 264, Subpart M</u>	<u>Regulations identifying dioxin wastes.</u>
<u>126</u>	<u>Parts 264 and 266</u>	<u>Codification of HSWA amendments; used oil & hazardous waste fuel regulations</u>
<u>202</u>	<u>Parts 264 and 266, Appendix to Part 262</u>	<u>Codification of HSWA language; used oil & hazardous waste fuel regulations.</u>
<u>305</u>	<u>Part 266, Subparts C, D, and F</u>	<u>Codification of HSWA language; used oil & hazardous waste fuel regulations.</u>
<u>306</u>	<u>Part 264, Subpart O; Part 265, Subpart O; Part 266, Subparts C-G; 265.71, 265.72</u>	<u>Codification of HSWA language; used oil & hazardous waste fuel regulations.</u>

	<u>49 CFR</u>	
<u>321</u>	<u>173.300 (40 CFR 261.21)</u>	<u>NC</u>
<u>323</u>	<u>173.51, 173.53, 173.88</u> <u>(40 CFR 261.23)</u>	<u>NC</u>
	<u>40 CFR</u>	
<u>331</u>	<u>261.31</u>	<u>Listing of spent solvents; four new spent solvents listed.</u>
<u>332</u>	<u>261.32</u>	<u>New waste list-ings.</u>
<u>333</u>	<u>261.33(e) and (f)</u>	<u>New waste list-ings.</u>
<u>334</u>	<u>Part 265, Appendix V</u>	<u>NC</u>
<u>351</u>	<u>Part 261, Appendix I</u>	<u>NC</u>
<u>352</u>	<u>Part 261, Appendices II, III, VII, and VIII</u>	<u>Chlorinated hydrocarbons; dioxin wastes; solvents.</u>
<u>405</u>	<u>Part 262, the Appendix</u>	<u>Codification of HSWA language.</u>
	<u>49 CFR</u>	
<u>410</u>	<u>Parts 173, 178, and 179</u> <u>(40 CFR 262.30)</u>	<u>NC</u>
<u>411</u>	<u>Part 172, Subpart E</u> <u>(40 CFR 262.31)</u>	<u>NC</u>
<u>412</u>	<u>Part 172, Subpart D</u> <u>(40 CFR 262.32)</u>	<u>NC</u>
<u>413</u>	<u>Part 172, Subpart F</u> <u>(40 CFR 262.33)</u>	<u>NC</u>
	<u>40 CFR</u>	
<u>415</u>	<u>Part 265, Subparts C, D, I, and J, except 265.193, 265.16, 265.171, 265.172, 265.173(a)</u>	<u>Codification of HSWA language.</u>

	<u>49 CFR . . . / 33 CFR . . .</u>	
<u>511</u>	<u>171.15, 171.16 / 153.203</u> <u>(40 CFR 263.30)</u>	<u>NC</u>
	<u>40 CFR . . .</u>	
<u>609</u>	<u>Part 265, Subparts B - Q,</u> <u>excluding Subpart H and</u> <u>265.75</u>	<u>Codification of</u> <u>HSWA language;</u> <u>used oil & hazard-</u> <u>ous waste fuel</u> <u>regulations.</u>
<u>702</u>	<u>Part 264, Subparts B - Q,</u> <u>excluding Subpart H and</u> <u>264.75</u>	<u>Codification of</u> <u>HSWA language;</u> <u>used oil & hazard-</u> <u>ous waste fuel</u> <u>regulations.</u>
<u>802</u>	<u>264.228 and 264.258</u>	<u>Codification of</u> <u>HSWA language.</u>
<u>803</u>	<u>264.112, 264.117 - 264.120</u>	<u>NC</u>
<u>804</u>	<u>264.111 - 265.115, 264.178,</u> <u>264.197, 264.228, 264.258,</u> <u>264.280, 264.310, 264.351</u>	<u>Codification of</u> <u>HSWA language.</u>
<u>805</u>	<u>Subpart G, which includes</u> <u>264.110 - 264.120; 264.178,</u> <u>264.197, 264.228, 264.258,</u> <u>264.280, 264.310, 264.351</u>	<u>Codification of</u> <u>HSWA language.</u>
<u>811</u>	<u>264.143(f) and 264.145(f)</u>	<u>NC</u>
<u>817</u>	<u>264.143(f), 264.145(f),</u> <u>264.147(f)</u>	<u>NC</u>
<u>822</u>	<u>264.115</u>	<u>NC</u>
<u>823</u>	<u>264.151(a)-(e), (f), and</u> <u>(j)</u>	<u>NC</u>

NC - Refers to no change in the material which is being
incorporated by reference from the time of the last
formally noticed incorporation by reference.

HSWA - Refers to the Hazardous and Solid Waste Act of 1984
which amends the Resource Conservation and Recovery
Act of 1976, as amended in 1980.

(6) All material which is incorporated by reference may
be obtained from the Solid and Hazardous Waste Bureau, Depart-
ment of Health and Environmental Sciences, Cogswell Building,

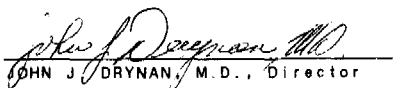
Capitol Station, Helena, Montana 59620. Interested persons seeking a copy of the CFR may address their requests directly to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.
AUTHORITY: 75-10-404, MCA
IMPLEMENTING: 75-10-405, MCA

3. The department is proposing to amend the above rule in order to reflect changes in 1986 (not otherwise set out in full text in previous rulemakings) which the U.S. EPA has made in federal requirements under the federal Resource Conservation and Recovery Act (RCRA). Montana must keep its rules current with EPA requirements in order to maintain the state's authorization to implement the RCRA program in Montana. The department also is attempting to simplify the source of the federal agency rules to one edition of the CFR for interested or affected members of the public.

4. Interested parties may submit their data, views, or arguments concerning the proposed amendments, in writing, to Robert L. Solomon, Cogswell Building, Capitol Station, Helena, Montana 59620, no later than February 13, 1987.

5. If a person who is directly affected by the proposed action wishes to express his data, views, and 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 Robert L. Solomon at the above address.

6. If the agency receives requests for a public hearing on the proposed action from either 10% or 25, whichever is fewer, of the persons who are directly affected by the proposed action; from the Administrative Code 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 persons directly affected has been determined to be 4, based on the number of hazardous waste generators which are required to comply with ARM Title 16, chapter 44, subchapter 3.


JOHN J. DRYNAN, M.D., Director

Certified to the Secretary of State January 5, 1987.

BEFORE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES OF THE
STATE OF MONTANA

In the matter of the amend-	)	NOTICE OF PUBLIC HEARING ON
ment of Rules 46.12.3601 and	)	THE PROPOSED AMENDMENT OF
46.12.3603 pertaining to	)	RULES 46.12.3601 AND
non-institutionalized SSI-	)	46.12.3603 PERTAINING TO
related individuals and	)	NON-INSTITUTIONALIZED
couples	)	SSI-RELATED INDIVIDUALS AND
	)	COUPLES

TO: All Interested Persons

1. On February 5, 1987, at 1:30 p.m., a public hearing will be held in the auditorium of the Social and Rehabilitation Services Building, 111 Sanders, Helena, Montana, to consider the proposed amendment, of Rules 46.12.3601 and 46.12.3603 pertaining to non-institutionalized SSI-related individuals and couples.

2. The rules as proposed to be amended provide as follows:

46.12.3601 GROUPS COVERED, NON-INSTITUTIONALIZED SSI-RELATED INDIVIDUALS AND COUPLES Subsections (1) through (2)(c) remain the same.

(d) Individuals who would currently be eligible for an SSI payment if the January 1, 1984, increase in social security retirement benefits for disabled widows or widowers had not raised the individual income over the SSI income standards identified as applicable to medicaid eligibility in ARM 46.12.3603.

Subsections (3) through (4)(b)(ii) remain the same.

AUTH: Sec. 53-6-113 MCA

IMP: Sec. 53-6-131 MCA

46.12.3603 FINANCIAL REQUIREMENTS, NON-INSTITUTIONALIZED SSI-RELATED INDIVIDUAL AND COUPLES Subsections (1) through (2) remain the same.

(a) Notwithstanding the above and in accordance with ARM 46.12.3601(2)(b)4 and (c)7 and (d) for purposes of this coverage group:

(i) the increase in OASDI benefits on July 1, 1972, will be excluded from unearned income; and

(ii) any cost-of-living increases in OASDI paid under section 215(i) of the Social Security Act after April, 1977, will be excluded from unearned income; and

(iii) the January 1, 1984, increase in social security disabled widow's and widower's benefits caused by an elimination factor for individuals who became entitled to said benefits before age 60 will be excluded from unearned income.

Subsections (2)(b) through (4)(a) remain the same.

1-1/15/87

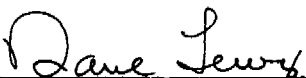
IAF Notice No. 46-2-487

AUTH: Sec. 53-2-201, 53-6-113 and 53-6-402 MCA
IMP: Sec. 53-2-201, 53-6-101, 53-6-131 and 53-6-402 MCA

3. These rules are being amended to ensure that the Department's administrative rules coincide with federal Medicaid requirements.

4. Interested parties 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 the Office of Legal Affairs, Department of Social and Rehabilitation Services, P.O. Box 4210, Helena, Montana 59604, no later than February 12, 1987.

5. The Office of Legal Affairs, Department of Social and Rehabilitation Services has been designated to preside over and conduct the hearing.



Director, Social and Rehabilitation Services

Certified to the Secretary of State January 5, 1987.

BEFORE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES OF THE
STATE OF MONTANA

In the matter of the amend-	)	NOTICE OF PUBLIC HEARING ON
ment of Rule 46.12.532	)	THE PROPOSED AMENDMENT OF
pertaining to reimbursement	)	RULE 46.12.532 PERTAINING
for speech pathology serv-	)	TO REIMBURSEMENT FOR SPEECH
ices	)	PATHOLOGY SERVICES

TO: All Interested Persons

1. On February 5, 1987, at 3:00 p.m., a public hearing will be held in the auditorium of the Social and Rehabilitation Services Building, 111 Sanders, Helena, Montana, to consider the proposed amendment of Rule 46.12.532 pertaining to reimbursement for speech pathology services.

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

46.12.532. SPEECH PATHOLOGY SERVICES, REIMBURSEMENT

(1) The department will pay the ~~lowest~~ lower of the following for speech pathology services not covered by medicare: the provider's actual (submitted) charge for the service or ~~\$26.01-per-hour.~~ the medicaid fee schedule contained in this rule.

(2) The department will pay the lowest of the following for speech pathology services which are also covered by medicare: the provider's actual (submitted) charge for the service; the amount allowable for the same service under medicare; ~~or-\$23.65-per-hour.~~ or the medicaid fee schedule contained in this rule.

(3) Speech pathology fee schedule:

(a) Z-9242 - evaluation ... \$26.01 per hour; and

(b) Z-9241 - treatment ... \$26.01 per hour.

AUTH: Sec. 53-6-113 MCA

IMP: Sec. 53-6-101 and Sec. 53-6-141 MCA

3. These amendments are necessary to include allowable procedures, the fee schedule for speech therapy services and the Health Care Financing Administration (HCFA) Common Procedure Coding System (HCPCS) as required by HCFA, effective October 1, 1986. The conversion to HCPCS codes will not increase or decrease provider fees nor will it expand or reduce medical services and benefits currently available under Montana medicaid. The new codes offer the degree of specificity and uniformity necessary for cost containment and budgetary restraints.


The proposed change to the rule is anticipated to be budget neutral because speech therapy services and fees remain the same. Copies of this rule change are available at local human service offices.

1-1/15/87

MAR Notice No. 46-2-488

4. Interested parties 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 the Office of Legal Affairs, Department of Social and Rehabilitation Services, P.O. Box 4210, Helena, Montana 59604, no later than February 12, 1987.

5. The Office of Legal Affairs, Department of Social and Rehabilitation Services has been designated to preside over and conduct the hearing.



Director, Social and Rehabilitation Services

Certified to the Secretary of State January 5, 1987.

BEFORE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES OF THE
STATE OF MONTANA

In the matter of the amend-	)	NOTICE OF PUBLIC HEARING ON
ment of Rule 46.10.317 per-	)	THE PROPOSED AMENDMENT OF
taining to AFDC protective	)	RULE 46.10.317 PERTAINING
and vendor payments	)	TO AFDC PROTECTIVE AND
	)	VENDOR PAYMENTS

TO: All Interested Persons

1. On February 4, 1987, at 3:00 p.m., a public hearing will be held in the auditorium of the Social and Rehabilitation Services Building, 111 Sanders, Helena, Montana, to consider the proposed amendment of Rule 46.10.317 pertaining to AFDC protective and vendor payments.

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

46.10.317 PROTECTIVE AND VENDOR PAYMENTS Subsections (1) through (1)(b) remain the same.

~~(a) The protective payee shall be bonded in an amount equal to six times the amount of the monthly payment involved with adequate corporate surety. The department must approve the form for the bond and the county welfare department pays for the bond. The bond must run in favor of the dependent child and the state of Montana and be conditioned upon the faithful use by the protective payee of the AFDC payments for the welfare of the dependent child.~~

~~(c) Vendor payments are made to individuals selected by the recipient to the extent possible.~~

(d) The county welfare department or office of human services reviews the family situation at least every six months to determine if the payment procedure is appropriate.

(2) When it appears that protective payments or vendor payments will continue or are likely to continue beyond two years ~~because all efforts have not resulted in sufficiently improved~~ due to insufficient improvement in the use of assistance in behalf of the child, the county welfare department or office of human services will seek judicial appointment of a guardian or other legal representative and will terminate the protective or vendor payments when the appointment has been made.

Subsections (3) through (4)(a) remain the same.

AUTH: Sec. 53-4-212 MCA

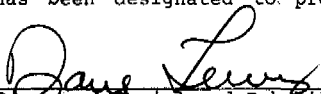
IMP: Sec. 53-4-211 MCA

3. The current rule stipulates that a protective payee is appointed and bonded in an amount equal to six times the amount of the monthly payment involved with adequate corporate

surety. The Department no longer demands that the protective payee be bonded and is removing the language of ARM 46.10.317 (1) (b) (i) which pertains to this issue.

4. Interested parties 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 the Office of Legal Affairs, Department of Social and Rehabilitation Services, P.O. Box 4210, Helena, Montana 59604, no later than February 12, 1987.

5. The Office of Legal Affairs, Department of Social and Rehabilitation Services has been designated to preside over and conduct the hearing.



Director, Social and Rehabilitation
Services

Certified to the Secretary of State January 5, 1987.

BEFORE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES OF THE
STATE OF MONTANA

In the matter of the amend-	)	NOTICE OF PUBLIC HEARING ON
ment of Rules 46.12.514,	)	THE PROPOSED AMENDMENT OF
46.12.515 and 46.12.516	)	RULES 46.12.514, 46.12.515
pertaining to Early Periodic	)	AND 46.12.516 PERTAINING TO
Screening Diagnosis and	)	EARLY PERIODIC SCREENING
Treatment (EPSDT)	)	DIAGNOSIS AND TREATMENT
	)	(EPSDT)

TO: All Interested Persons

1. On February 4, 1987, at 10:30 a.m., a public hearing will be held in the auditorium of the Social and Rehabilitation Services Building, 111 Sanders, Helena, Montana, to consider the proposed amendment of Rules 46.12.514, 46.12.515 and 46.12.516 pertaining to Early Periodic Screening Diagnosis and Treatment (EPSDT).

2. The rules as proposed to be amended provides as follows:

46.12.514 EARLY PERIODIC SCREENING DIAGNOSIS AND TREATMENT, DEFINITION Subsection (1) remains the same.

(2) Screening services are standardized tests performed under medical direction in a mass examination of a designated population or an individual examination.

AUTH: Sec. 53-6-113 MCA

IMP: Sec. 53-6-101 MCA

46.12.515 EARLY PERIODIC SCREENING DIAGNOSIS AND TREATMENT, REQUIREMENTS (1) These requirements are in addition to those contained in ARM 46.12.301 through 46.12.308.

Subsection (1) remains the same in text but will be renumbered as (2).

~~(2) These services shall be provided subject to all other conditions and limitations imposed on medicaid program services by the rules of the department.~~

(3) At a minimum, screenings must include, but are not limited to:

- (a) comprehensive health and developmental history;
- (b) comprehensive unclothed physical examination;
- (c) appropriate vision and hearing testing;
- (d) appropriate laboratory tests;
- (e) dental screening furnished by direct referral to a dentist for children age 3 and over.

(4) The following services must be provided to EPSDT recipients when the need is indicated by screening:

- (a) diagnosis and treatment for defects in vision and hearing, including eyeglasses and hearing aids;

(b) dental care needed for relief of pain and infections, restoration of teeth and maintenance of dental health;
(c) appropriate immunizations.

AUTH: Sec. 53-6-113 MCA
 IMP: Sec. 53-6-101 MCA

46.12.516 EARLY PERIODIC SCREENING DIAGNOSIS AND TREATMENT, REIMBURSEMENT Subsection (1) remains the same.

(2) Screening services reimbursement rates shall be based on reasonable costs and shall not exceed prevailing charges in the state for comparable services under comparable circumstances.

<u>Code</u>	<u>Service</u>	<u>Rate</u>
<u>90751</u>	<u>Adolescent (age 12 through 17 years)</u>	<u>47.08</u>
<u>90752</u>	<u>Late Childhood (age 5 through 11 years)</u>	<u>37.66</u>
<u>90753</u>	<u>Early Childhood (age 1 through 4 years)</u>	<u>28.24</u>
<u>90754</u>	<u>Infant (age under 1 year)</u>	<u>23.54</u>
<u>90755</u>	<u>Infant care to one year, with maximum of 12 office visits during regular office hours, including tuberculin skin testing and immunization of DPT and oral polio</u>	<u>By Report</u>
<u>90761</u>	<u>Adolescent (age 12 through 17 years)</u>	<u>37.66</u>
<u>90762</u>	<u>Late Childhood (age 5 through 11 years)</u>	<u>28.24</u>
<u>90763</u>	<u>Early Childhood (age 1 through 4 years)</u>	<u>23.54</u>
<u>90764</u>	<u>Infant (age under 1 year)</u>	<u>18.84</u>
<u>90774</u>	<u>Administration and medical interpretation of developmental tests (e.g. Denver, Sprigle)</u>	<u>32.02</u>
<u>90701</u>	<u>Immunization, active; diphtheria and tetanus toxoids and pertussis vaccine (DTP)</u>	<u>15.96</u>
<u>90702</u>	<u>Diphtheria and tetanus toxoids (DT)</u>	<u>10.64</u>
<u>90703</u>	<u>Tetanus toxoid</u>	<u>5.32</u>
<u>90704</u>	<u>Mumps virus vaccine, live</u>	<u>16.64</u>
<u>90705</u>	<u>Measles virus vaccine, live attenuated</u>	<u>16.64</u>

<u>Code</u>	<u>Service</u>	<u>Rate</u>
90706	<u>Rubella virus vaccine, live</u>	<u>16.64</u>
90707	<u>Measles, mumps and rubella virus vaccine, live</u>	<u>16.64</u>
90708	<u>Measles and rubella virus vaccine, live</u>	<u>16.64</u>
90709	<u>Rubella and mumps virus vaccine, live</u>	<u>16.64</u>
90712	<u>Poliovirus vaccine, live, oral (any type(s))</u>	<u>16.64</u>
90713	<u>Poliomyelitis vaccine</u>	<u>16.64</u>
90719	<u>Diphtheria toxoid</u>	<u>5.32</u>
90724	<u>Influenza virus vaccine</u>	<u>16.64</u>
90726	<u>Rabies vaccine</u>	<u>16.64</u>
90731	<u>Hepatitis B vaccine</u>	<u>16.64</u>

AUTH: Sec. 53-6-113 MCA

IMP: Sec. 53-6-101 MCA

3. These amendments are necessary to include allowable procedures, the fee schedule for EPSDT services and the Health Care Financing Administration (HCFA) Common Procedure Coding System (HCPCS) as required by HCFA, effective October 1, 1986. The conversion to HCPCS codes will not increase or decrease provider fees nor will it expand or reduce medical services and benefits currently available under Montana Medicaid. The new codes offer the degree of specificity and uniformity necessary for cost containment and budgetary restraints.


On November 7, 1986, the Department was notified that the EPSDT compliance issue, first cited on October 27, 1982, was resolved. A part of the clearance was an agreement to revise all rules, documents and manuals for current EPSDT regulations. By including the mandated EPSDT services in the rule, we are meeting the compliance agreement.

The proposed change to the rule is anticipated to be budget neutral because increased expenditures in screening activities will be neutralized by savings in long term preventive health care. Copies of this rule change are available at local human service offices.

4. Interested parties 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 the Office

of Legal Affairs, Department of Social and Rehabilitation Services, P.O. Box 4210, Helena, Montana 59604, no later than February 12, 1987.

5. The Office of Legal Affairs, Department of Social and Rehabilitation Services has been designated to preside over and conduct the hearing.



Director, Social and Rehabilitation Services

Certified to the Secretary of State January 5, 1987.

BEFORE THE DEPARTMENT OF JUSTICE
OF THE STATE OF MONTANA

In the Matter of the	)	NOTICE OF AMENDMENT
Amendment of ARM 23.4.101	)	AND REPEAL OF RULES
through 103, 23.4.105,	)	PERTAINING TO ALCOHOL
23.4.107, 23.4.110, 23.4.115,	)	ANALYSIS
23.4.116, 23.4.118, 23.4.119,)	
23.4.121, 23.4.132, 23.4.133,)	
23.4.135, and 23.4.136 and)	
the repeal of ARM 23.4.120)	

TO: All Interested Persons:

1. On November 28, 1986, the Department of Justice published notice of proposed amendments and repeal of rules pertaining to alcohol analysis at pages 1945 - 1949 of the Montana Administrative Register, issue number 22.

2. The Department repealed rule 23.4.120 as proposed. The Department has adopted all rules as proposed, except rule 23.4.102, which has been adopted with the following change:

23.4.102 DEFINITIONS Subsections (1) - (7) same as proposed.

(8) ~~{7}~~ "Certificate" means a document issued by the department certifying that a person, ~~facility,~~ and/or installation has fulfilled the requirements set by this subchapter and may practice in the field of alcohol analysis.

(9) - (15) same as proposed.

3. No public hearing was held on the proposed amendments and repeal. John MacMaster of the Administrative Code Committee staff called and suggested that the Department explain more specifically the reason for the amendments and repeal.

4. Section 61-8-405(6), MCA, states that the Department "shall adopt uniform rules for the giving of blood alcohol tests and may require certification of training to administer such tests as deemed necessary." Thus, such certification requirements are to be set by the Department. The major change implemented here by the Department was the elimination of the requirement that "facilities" be certified. It is not necessary to certify facilities, as persons are certified to administer breath tests. With the proposed amendments and repeal of section 23.4.120, the rules reflect the certification requirements deemed necessary by the Department.

5. The authority and implementing section for the amendment and repeal of the rules is section 61-8-405(6), MCA.


MIKE GREELY

Certified to the Secretary of State

1/5/87

BEFORE THE DEPARTMENT OF STATE LANDS

OF THE STATE OF MONTANA

In the matter of the repeal of)	NOTICE OF THE ADOPTION OF
Rules 26.3.101 through 26.3.127)	RULES I THROUGH XXXVII,
ARM and the adoption of rules)	NOW 26.3.128 THROUGH
on surface leasing of state)	26.3.164 ARM, RELATING TO
land.)	THE LEASING OF THE
	SURFACE OF STATE LANDS
	AND THE REPEAL OF RULES
	26.3.101 THROUGH 26.3.127
	ARM

TO: All Interested Persons

1. On September 25, 1986, the Department of State Lands published notice of a proposed repeal of existing surface leasing Rules 26.3.101 through 26.3.127 ARM and adoption of new rules concerning the surface management of state lands at page 1547 of the 1986 Montana Administrative Register, issue number 18.

2. The agency has repealed Rules 26.3.101 through 26.3.127, ARM, as proposed and has adopted the new surface management Rules 26.3.128 through 26.3.164, ARM, with the following changes:

RULE IV 26.3.131 ADMINISTRATIVE DETAILS AND INFORMATION

(1) and (2) Same as proposed rule

(3) Any notice or correspondence required to be sent to a lessee or licensee shall be sent to the name and address appearing on the lease, license or permit form filed in the department records. Correspondence sent by the department to such name and address shall be deemed sufficient notice for all purposes. If the lessee or licensee desires to change such address ~~he must request such change in writing to the department he must notify the department in writing.~~ Any change in name of the lessee shall be made only through assignment procedures in Rule XVIII. (AUTH. 77-1-209, MCA; IMP. 77-1-301, MCA)

RULE IX 26.3.136 RECLASSIFICATION

(1) and (2) Same as proposed rule

(3) Each tract of land ~~reclassified~~ to be licensed for ~~an alternative~~ a use other than that for which it is reclassified shall only be subject to the bidding procedures for ~~unleased or unlicensed land as described set forth in Rule XV where such procedures are deemed to be in the best interest of the state.~~

(4) and (5) Same as proposed rule

(AUTH. Sec. 77-1-209 MCA; IMP. Sec. 77-1-202,
77-6-206, 209, MCA)

RULE XII 26.3.139 PAYMENTS - WHEN DUE

(1) and (2) Same as proposed rule

(3) For cabinsite leases or licenses, the department will send written notices to the address on the lease or license beginning in January of each year stating the amount of rental due. The notice shall also state that the payment is due by March 1 and if not paid by April 1, the lease or license is cancelled. At least two weeks prior to April 1, the department shall send by certified mail to each lessee or licensee who has not made payment a letter notifying the lessee or licensee that the lease or license is cancelled if payment is not received or postmarked on or before April 1. If payment is not received or postmarked by April 1, the entire lease or license is cancelled.

(4), (5) and (6) Same as proposed rule but renumbered

RULE XIII 26.3.140 LEASE AND LICENSE REPORTS

(1) The lessee or licensee is required to submit various reports on forms supplied by the department, including but not limited to the following:

(a) An agricultural seeding report shall be completed and returned to the department for each section or portion thereof ~~immediately~~ after spring planting, but not later than June 15, on all agricultural land. This includes all agricultural leases or licenses including those based on a cash lease or based on a cash lease/crop-share, whichever is greater.

(b) and (c) Same as proposed rule

(2) Same as proposed rule

RULE XV 26.3.142 ISSUANCE OF LEASE OR LICENSE ON UNLEASED OR UNLICENSED LAND AND RECLASSIFIED LAND

(1) Same as proposed rule

(2) (a) When the department receives an application to lease or obtain a license on an unleased or unlicensed tract of land or on a tract which has been reclassified, ~~(except where grazing land is reclassified to agricultural land upon application of the existing lessee, or land upon which a cabinsite lease or license was in existence on or before October 17, 1983)~~ it shall advertise for written bids on the tract according to the procedures set forth in paragraph (2)(c) of this rule, except in the following circumstances:

(i) where grazing land is reclassified to agricultural land upon application of the existing lessee; or

(ii) where land is reclassified and a licensee applies for a lease on the land for the same use for which he was formerly licensed, or a lessee applies for a license to use

the land for the same use for which he formerly leased the land; or

(iii) where the application is for a cabinsite lease or license on a tract of land which was subject to a cabinsite lease or license on or before October 1, 1983.

(b) The department may advertise for bids according to the procedures set forth in paragraph (2)(c) of this rule in any of the above circumstances where such procedures are deemed by the department to be in the best interests of the state.

(c) When advertisement for bids is called for under this rule, the department shall advertise for written bids on the tract once a week for two weeks in the official county newspaper of the county in which the unleased tract lies. The tract will be leased or licensed to the highest bidder unless the board determines that the bid is not in the best interests of the state. All bids shall be sealed bids and will not be opened until a specified time and place. If the high bid is rejected, the board will issue its reason for the rejection in writing. The lease or license shall then be issued, at the fair market value determined by the board, to the first bidder willing to pay the board-determined rental whose name is selected through a random selection process from all bidders on the tract.

(3), (4), (5) and (6) Same as proposed rule

RULE XVII 26.3.144 RENEWAL OF LEASE AND LICENSE OR PREFERENCE RIGHT

(1), (2), (3), (4) and (5) Same as proposed rule

(6) (a) A surface lessee or licensee who has lost the opportunity to exercise a preference right because of a sublease or other arrangement may apply to the commissioner and set forth the specific grounds why the lessee or licensee is entitled to a hearing. Such application for the hearing must be submitted in writing to the commissioner within 15 days of receipt of notice of loss of preference right by the lessee or licensee. If the grounds include a bonafide factual dispute, the commissioner shall order a hearing within twenty days. When such a hearing is granted the contested case provision of the Montana Administrative Procedure Act shall apply. The board shall make a final decision after considering the entire record or may delegate such authority to the commissioner. The commissioner may appoint a hearings examiner to conduct the hearing and produce proposed findings of fact, proposed conclusions of law and a proposed order. The hearings examiner may be from the department's staff or from another source.

(b) If a surface lessee or licensee has lost the opportunity to exercise a preference right because of a sublease or other arrangement and disputes only the legal ground upon which the rights were lost, then the lessee or licensee may apply to the commissioner for a declaratory

judgment concerning legal grounds. Such application for declaratory judgment must be submitted in writing to the commissioner within 15 days of receipt of notice of loss of preference right by the lessee or licensee. The application shall specify the legal grounds which the lessee or licensee disputes. The procedure of applying for and issuing such a declaratory judgment shall be that set forth in the Montana Administrative Procedure Act.

(7), (8) AND (9) Same as proposed rule

(AUTH. Sec. 77-6-205, MCA, Sec. 2, Ch. 687, L.1985, Sec. 7, Ch. 488, L.1985; IMP. Sec 77-6-205, MCA)

RULE XXVIII 26.3.155 SALES (1) The board may sell any land under lease or license, except those lands classified as forest lands, under the same terms and conditions as land not under lease or license. The board shall notify the lessee prior to such sale and at least 6 months prior to possession being given to the purchaser and such notice shall be made only during the period of May 1 through October 31 of any calendar year. The lessee or licensee shall be entitled to compensation for improvements as provided in Rule XXV. The purchaser will be given possession of land sold on March 1 next succeeding the date of the sale unless the lease or license expires prior to that date or the lessee or licensee and purchaser agree in writing on another date. (AUTH. Sec. 77-1-209 and 77-2-328, MCA; IMP. Secs. 77-2-326, MCA)

RULE XXXV 26.3.162 LESSEE OR LICENSEE DAMAGE COMPENSATION REQUIREMENTS (1) A-lessee-or-licensee-holding-a-grazing-or-agricultural-lease-or-forestry-license-shall-be compensated-for-damages-to-his-crops,-improvements,-or-leasehold-interest.-When-the-board-or-department-issues-any other-type-of-lease-or-license-for-the-same-property,-the lessee-or-licensee-holding-a-grazing-or-agricultural-lease-or-forestry-license-may-not-receive-any-compensation-in excess-of-the-value-of-the-actual-damages-to-the-crops, improvements,-or-leasehold-interest. When the board or department issues a lease or license on property upon which a lease or license of a different type already exists, the existing lessee or licensee shall be compensated by the more recent lessee or licensee for damages to the crops, improvements or leasehold interest of said existing lessee or licensee. Lessees or licensees may not receive compensation for such damages in excess of the value of actual damages to the crops, improvements or leasehold interest of said existing licensee. Only in exceptional cases documented to and approved by the department may the lessee or licensee receive damages for natural resources or crops in excess of the annual rate that the lessee or licensee is making to the department for rental payments. If a lessee or licensee collects or attempts to collect an amount in excess of said

actual damages, such action may constitute sufficient grounds for cancellation of the lease or license. The department may adjust the AUM's allocated to a grazing lease or license when there is issued a lease or license for another purpose and that other purpose interferes with the grazing on the state lease. (AUTH. 77-1-209 MCA; IMP. 77-1-202 MCA)

The Department of State Lands has fully considered all written and oral submissions respecting the proposed rules and makes the following responses:

1. A written comment was received from Gerald Vandenaere, of Conrad, Montana stating that the definition of "animal unit" at paragraph (2) of Rule II (now 26.3.129, ARM, Definitions) should be changed from 1 cow, etc. to one cow and calf, etc.

This proposal is overruled. The definition of "animal unit" contained in this rule must be consistent with the definition contained in the statutes at Section 77-6-507, MCA, "Formula for fixing annual rental", which defines "animal unit" as one cow, one horse, five sheep, or five goats." (emphasis supplied)

2. Rule IV (now 26.3.131, ARM, Administrative Details and Information) was changed in response to written comments from the Montana Stockgrowers Association.

3. In response to comments from the department, subsection (3) of Rule IX (now 26.3.136, ARM, Reclassification) was rewritten to bring it into accord with subsection 2 of Rule XV (now 26.3.142, ARM, Issuance of Lease or License on Unleased or Unlicensed Land and Reclassified Land).

4. Pursuant to comment from the department, paragraph 3 of Rule XII (now 26.3.139, ARM, Payments - When Due) was inserted in order to conform the dates and procedures for payment of cabinsite rentals with those of grazing leases as specified in paragraph (1) of this rule.

5. Rule XIII (now 26.3.140, ARM, Lease and License Reports) was changed in response to a comment of the Administrative Code Committee that the proposed rule did not take into consideration that some crops, such as winter wheat, are planted in the fall rather than in the spring.

6. Pursuant to comment from the department, paragraph (2) of Rule XV (now 26.3.142, ARM, Issuance of Lease or License on Unleased or Unlicensed Land and Reclassified Land) has been rewritten in order to bring it into conformity with paragraph (3) of Rule IX (now 26.3.136, ARM, Reclassification).

7. Pursuant to comment from the department, paragraph (6) of Rule XVII (now 26.3.144, ARM, Renewal of Lease or License and Preference Right) was amended to include a time limit for applications for a hearing or for a declaratory judgment.

8. At the public hearing held at Great Falls, Mr. Jack Gunderson objected to paragraph (2) of Rule XVII (now 26.3.144, ARM, Renewal of Lease or License and Preference Right). He contended that if a state agricultural lease is seeded at one crop share rate in the fall, and upon expiration of the lease term in February, the lessee exercises his preference right to meet the high bid and renew the lease, that the crop then in the field should be harvested at the lower rate at which it was seeded, not at the increased rate resulting from competitive bidding.

The argument of Mr. Gunderson is overruled. The crop in the field at the time of renewal will be harvested under the terms of the new lease, which constitutes a new contract with the state. The lessee is aware that his lease will be expiring and that the possibility of competitive bidding exists. The lessee is under no obligation to enter into a new lease and will be compensated for his improvements, including the crop in the field, if he decides not to do so.

9. A written statement advocating certain changes in proposed Rule XVII (now 26.3.144, ARM, Renewal of Lease or License and Preference Right) was received from the Montana Stockgrowers Association, Inc. Montana Stockgrowers Association proposes amending paragraph (6) to provide for a hearing for a lessee who has lost his preference right due to a sublease arrangement without any discretion on the part of the commissioner to deny such a hearing if he finds that there is no bona fide factual dispute. The stockgrowers argue that a lessee in this situation deserves a hearing regardless of what the commissioner believes.

Montana Stockgrowers Association also advocates amending the fourth sentence paragraph (7) of Rule XVII (now 26.3.144, ARM, Renewal of Lease or License and Preference Right) to permit any "relevant evidence" to be urged as grounds for reduction of a competitive bid which a lessee exercising his preference right deems to be excessive. It is argued that this amendment is necessary to give the Board authority to consider a clear cut "spite bid" and that the language proposed by the department is unduly restrictive.

The argument of Montana Stockgrowers Association as to a lessee's entitlement to a hearing upon loss of his preference right is overruled. It is necessary for the commissioner to make a determination, based on the lessee's application for a hearing, as to whether or not the grounds urged by the lessee include a bona fide factual dispute. For if there is no dispute of fact, a hearing would have no purpose. If the grounds alleged constitute only a question of interpretation of the law or the rules, the lessee may apply to the commissioner for a declaratory judgment on such issues as provided in paragraph 6(a) of this rule.

The argument of Montana Stockgrowers Association as to amending paragraph (7) to expand the grounds for relief from "excessive" bids must also be overruled. The grounds

contained in this rule for reducing on "excessive bid" are those provided by statute at section 77-6-205, MCA. Under this statute, a bid is to be considered excessive only if it is so high as to be detrimental to the best interests of the state, such as by encouraging poor husbandry of the land. Factors not bearing on the state's best interests may not be considered.

10. Written comment was received from the Montana Stockgrowers Association advocating amending paragraph (2) of Rule XX (now 26.3.147, ARM, Pasturing Agreements) to allow a lessee under a pasturing agreement to receive "compensation for services actually provided by lessee" in addition to combined grazing and management fees in an amount up to 2 times the grazing rate charged by the state for the lease or license as allowed by the rule as proposed.

The argument of Montana Stockgrowers Association is overruled. Twice the grazing rate is the limit for compensation under a pasturing agreement and such limit implements the policy of section 77-6-208, MCA, which states: "Preference shall always be given to the applicant who wants the land for his own individual use, so that the full advantage coming from the leasing and use of the lands may reach those who actually till the soil and so that they are not compelled to pay a higher rental than that due the state." Also, the department believes it would be unduly burdensome for the department to be required to attempt to ascertain whether charges made by a lessee were justified by the services rendered by him.

11. A written comment was received from Frederick F. Sherwood, an attorney representing Don Senvold of Bloomfield, opposing Rule XXIII (now 26.3.150, ARM, Estates). Mr. Sherwood argued that the provision of this rule, transferring the lease to lessee's estate upon lessee's death, violated the legislative intent of section 77-6-208, MCA, that leases should be held by those actually running cattle.

The argument of Mr. Sherwood is overruled. Under this rule, a state leasehold is treated in the same manner as a private leasehold upon the death of the tenant under state law. And presumably, the deceased lessee's livestock or farming operation would also pass to his estate so that the estate would be actually managing the land through the personal representative or other agent. In the event the state lease was no longer managed by the estate, but by some other person, this would be considered a sublease and subject to the restrictions of section 77-6-208, MCA.

12. The Montana Stockgrowers Association has made written objection to the last sentence of paragraph (1) of Rule XXV (now 26.3.152, ARM, Improvements) which states: "Any improvements or fixtures paid for by state or federal monies shall not be compensable to the former lessee or licensee." Montana Stockgrowers Association argues that

this provision will discourage state lessees from utilizing any available state or federal monies to improve the lands leased from the state.

The argument of the Montana Stockgrowers Association is overruled. A former lessee of state land is not entitled to be compensated for improvements on such land which were paid for by the public at no cost to the lessee. Such compensation would amount to a windfall. If the former lessee has contributed his own money, labor or other resources to the improvement, he is entitled to be compensated under this rule.

13. Jack R. Beckert of Helena objected in writing to Rule XXVIII (now 26.3.154, ARM), as originally proposed as authorizing the sale of leased land by the state without notice to the lessee and probably to his detriment. In response, the department added a sentence to the rule as indicated. It should be pointed out that section 77-7-322, MCA, requires notice by publication prior to sale and section 77-2-324, MCA, gives the lessee a preference right to purchase the land by matching the highest bid.

14. Robert L. Pelton of Fishtail submitted written comments (1) that licenses should be issued only when compatible with lessee's grazing and (2) that a lessee of agricultural land should have a preference right to meet the high bid offered for a license on such land. These comments appear to be directed to Rule XXXIII (now 26.3.160, ARM, Licenses).

Mr. Pelton's first comment is largely addressed by existing provisions in Rule XXXV (now 26.3.162, ARM, Lessee or Licensee Damage Compensation Requirements) regarding compensation to be paid by a licensee to the existing lessee for damages to his crops, improvements or leasehold interest. Section 77-1-203, MCA, charges the board with the duty to manage state lands under a multiple use concept so that the various resources on a tract are utilized in a harmonious and coordinated manner without impairment of the productivity of the land.

Mr. Pelton's second proposition is overruled. The preference right provided for in Section 77-6-205, MCA, applies only to lessees who are faced with a competitive bid to lease the land for the same use as the existing lessee. A license on leased land will, by definition, be for some use other than that for which the land is classified and leased.

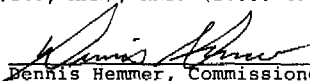
15. Rule XXXV (now 26.3.162, ARM, Lessee or Licensee Damage Compensation Requirements) was changed in order to clarify that any damages incurred by an existing lessee or licensee of state land as a result of subsequent lease or license of such land for a different use will be compensated by the subsequent lessee or licensee rather than by the state. This change was made in response to comment from the Department.

16. A written statement was received from the Montana Stockgrowers Association advocating the addition of language to Rule XXXV (now 26.3.162, ARM, Lessee or Licensee Damage Compensation Requirements) to the effect that the amount of allowable damages include full consideration for future damage to the lands caused by weed infestation as a result of the licensee's activity. Montana Stockgrowers Association argues that the lessee is required by the terms of the lease to provide fire protection and weed control at his own expense and that the entry of licensee's vehicles, such as seismograph trucks, drilling crews, pipeline crews, etc. generally bring in a host of weeds. Montana Stockgrowers Association argues that some compensation ought to be allowed for those lessees who are impacted in this fashion and must take care of the damage through the years.

The argument of Montana Stockgrowers is overruled. Weed infestation caused by the activities of licensees is already compensable as damage to the leasehold interest and need not be specifically set out.

17. Pursuant to comment from the Administrative Code Committee, changes have been made in the citations of rule-making authority and statutes implemented in the following rules: III (26.3.130, ARM), VI (26.3.133, ARM), IX (26.3.136, ARM), X (26.3.137, ARM), XV (26.3.142, ARM), XVI (26.3.143, ARM) and XVII (26.3.144, ARM).

18. Pursuant to comment from the Administrative Code Committee, references to statutes closely paraphrased were added to Rules XXI (26.3.148, ARM), XXII (26.3.149, ARM) and XXVI (26.3.153, ARM).


Dennis Hemmer, Commissioner
Department of State Lands

Certified to the Secretary of State January 5, 1987.

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 the 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 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 | 1. Consult ARM topical index, volume 16. |
| Subject | Update the rule by checking the |
| Matter | 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 list 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 which have been designated by the Montana Procedure Act for inclusion in the ARM. The ARM is updated through September 30, 1986. This table includes those rules adopted during the period September 30, 1986 through December 31, 1986 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 September 30, 1986, 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 1986 Montana Administrative Register.

ADMINISTRATION, Department of, Title 2

- I Blind Vendors' Bidding Preference, p. 1730
- I-IX Emergency Telephone Service, p. 1523, 1889
- I-X Leaves of Absence Due to Disability, p. 1423, 1815
- I-XII Administration of a Sick Leave Fund for State Employees, p. 864, 1297
- 2.4.101 and other rules - Regulating Travel Expenses of State Employees While on Official Business, p. 1124, 1581
- (Public Employees' Retirement Board)
- 2.43.301 and other rules - Administration of Public Retirement Systems and the State Social Security Program, p. 702, 1454
- (State Tax Appeal Board)
- 2.51.307 and other rules - Operation of and Public Participation in the County and State Tax Appeals Process, p. 862, 1174

AGRICULTURE, Department of, Title 4

- I-VI Emergency Rules - Cropland Insect Detection and Spraying Program, p. 1175
- I-VIII Establishing Civil Penalties for Pesticide Act Violations, p. 618, 1013
- I-X and other rules - Commodity Dealers and Public Warehousemen - Grain Rules - Dry Beans, p. 872, 1178, 1825

- I-XLIII Establishing Standards for Anhydrous Ammonia
Facilities, p. 1231, 1820
4.10.101 and other rules - Pesticide Sale and Use, p. 589,
1007
4.10.1501 Definition of Terms in the Pesticide Act, p. 725,
1071

STATE AUDITOR, Title 6

- I-IX Montana Insurance Assistance Plan, Commercial
Liability, p. 879, 1460

COMMERCE, Department of, Title 8

- (Board of Architects)
8.6.405 and other rules - Reciprocity - Individual Seal-
Standards of Professional Conduct and Activities
Constituting Misconduct, p. 1648
(Board of Chiropractors)
8.12.601 Applications, Educational Requirements - Renewals -
Continuing Education Requirements, p. 730, 1182
(Board of Cosmetologists)
8.14.603 and other rule - School Requirements - Application
- Out-of-state Cosmetologists/Manicurists, p. 1132
(Board of Dentistry)
8.16.602 and other rules - Allowable Functions for Dental
Hygienists and Dental Auxiliaries - Prohibition -
Permit Required for Administration of Facility -
Minimum Qualifying Standards - Facility Standards,
p. 1654
(Board of Dentistry)
I-XVIII Licensing - Procedure - Unprofessional Conduct -
Inspections - Disciplinary Issues - Complaint
Procedures, p. 732, 1498
8.17.404 and other rules - Examination - Fee Schedule -
Renewal-Continuing Education, p. 1532, 1897
(Board of Horse Racing)
8.22.610 and other rules - Stewards - Trainers -
Veterinarians - General Requirements - Types of
Bets - Twin Trifecta - Alcohol and Drug Testing -
Pick (N) Wagering, p. 1732
(Board of Landscape Architects)
8.24.405 and other rule - Examinations - Fee Schedule, p.
1856, 2059
(Board of Medical Examiners)
8.28.904 and other rules - Implementation of an EMT
Defibrillation Training and Certification Program
for EMT - Basic Personnel, p. 626, 1073
(Board of Morticians)
I Disciplinary Actions, p. 740, 1304
8.30.606 Pre-arranged, Pre-financed or Prepaid Funerals, p.
1358
8.30.707 Disciplinary Actions, p. 1994
1-1/15/87 Montana Administrative Register

- (Board of Occupational Therapists)
I-XVI Procedures - Licensing and Discipline, p. 412, 943
(Board of Optometrists)
8.36.403 and other rules - Application for Examination - General Practice Requirements - Unprofessional Conduct - Violations - Disciplinary Actions - Requirements, p. 1269, 1582
(Board of Pharmacy)
8.40.403 and other rule - Examination for Licensure - Approved Programs, p. 305, 945
8.40.1215 Additions, Deletions and Rescheduling of Dangerous Drugs, p. 1534, 1957
(Board of Professional Engineers and Land Surveyors)
8.48.501 and other rules - Applications - Licensing - Comity - Disciplinary Action - Emeritus Status - Applications by Partnerships and Corporations, p. 1536, 1958, 2006
(Board of Private Security Patrolmen and Investigators)
8.50.423 and other rules - Definitions - Temporary Employment - Experience Requirements - Insurance Requirements - Fees - Probationary Investigators - Assessments, p. 419, 946
8.50.423 and other rule - Definitions - Fee Schedule, p. 1428, 1697
8.50.431 and other rule - Insurance Requirements - Fee Schedule, p. 1488, 1898
(Board of Public Accountants)
8.54.612 and other rules - Confidential Client Information - Enforcement Against Permit Holders - Enforcement Procedures - Investigators - Credit for Service as Lecturer, Discussion Leader, or Speaker - Reviewers Under the Positive Enforcement Program - Profession Monitoring, p. 998, 1500
(Board of Radiologic Technologists)
8.56.409 and other rule - Fee Schedule - Permit Fees, p. 1490, 1899
(Board of Realty Regulation)
I Continuing Education, p. 1545
8.58.414 Trust Account Requirements, p. 1492, 1858
(Board of Speech Pathologists and Audiologists)
8.62.702 and other rules - Definitions - Continuing Education Required - When - Education Activities Acceptable for Credit, p. 1996
(Board of Veterinary Medicine)
8.64.501 and other rules - Applications - Examinations - Disciplinary Actions, p. 316, 948
(Milk Control Bureau)
8.79.101 Transactions Involving Purchase and Resale of Milk Within the State, p. 883, 1183
(Board of Milk Control)
8.86.301 Class I Price Formula to Establish a Special Wholesale Price for Retail Grocery Stores, p. 495, 1016

- 8.86.301 Pricing Rules - Class I Price Formula to Change On-the-farm Retail Prices, p. 1134, 1504
- (Local Government Assistance Division)
- I-III Approval and Administration of Contracts for Audits of Local Government Units, p. 1745
- (Montana Economic Development Board)
- 8.97.308 Rates, Charges and Fee Schedule, p. 1430, 1698
- 8.97.308 Rates, Service Charges and Fee Schedule - Rate Reduction Fee, p. 1998
- 8.97.404 Permissible Investments and Deposits, p. 636, 1074
- (Hard Rock Mining Impact Board)
- I Board Review of Impact Plans for Compliance with Statutory Requirements and Board Rules, p. 1748
- 8.104.203 and other rules - Format of Plan - Content of Objection to Plan - Implementation of an Approved Plan - Definitions - Waiver of Impact Plan Requirement - Modification of Plan - Financial Guarantee of Tax Prepayments - Evidence of the Provision of Service or Facility - Contents of Petition for Plan Amendment, p. 1052, 1826, 1900

EDUCATION, Title 10

- (Superintendent of Public Instruction)
- I-III Special Education Transportation, p. 1003, 1383
- (Board of Public Education)
- I Minimum Scores on the National Teacher Examination Core Battery, p. 158, 1020
- 10.55.101 Accreditation Standards: Procedures, p. 649, 1305
- 10.55.202 Board of Trustees, p. 161, 1019, 1075
- 10.55.203 District Superintendent, p. 1859
- 10.55.204 Principal - Defining the Requirements for the Administrative Assistant Program, p. 1360, 1901
- 10.55.205 Professional Development, p. 1859
- 10.55.302 Certificates, p. 162, 1019
- 10.55.303 Teaching Assignments, p. 1362, 1901
- 10.55.402 Basic Instructional Program: High School, Junior High, Middle School and Grades 7 and 8 Budgeted at High School Rates, p. 1750
- 10.55.505 Safety, p. 163, 1020
- 10.57.101 Review of Policy, p. 647, 1305
- 10.57.102 Definitions - Accredited, p. 1861
- 10.57.301 Endorsement Information, p. 1363, 1902
- 10.57.403 Class 3 Administrative Certificate, p. 637, 1306
- 10.57.405 Class 5 Provisional Certificate, p. 639, 1306
- 10.57.501 School Psychologists, Social Workers, Nurses and Speech Therapists, p. 642, 1307
- 10.58.103 Visitations, p. 644, 1307
- 10.58.303 Professional Education, p. 645, 1308
- 10.58.511 Foreign Languages, p. 1364, 1902
- 10.64.301 and other rules - Minimum Standards for School Buses, p. 1752
- 10.64.601 Four-wheel Drive Vehicles, p. 1756

- 10.65.101 Policy Governing Pupil Instruction Related Days
Approved for Foundation Program Calculations, p.
1863
(Montana State Library Commission)
I-III and other rule - State Coal Severance Tax Funding
to Federations and Grant Programs, p. 324, 1506

FISH, WILDLIFE AND PARKS, Department of, Title 12

- I Prohibition of Shooting on a Portion of the Clark
Fork and Bitterroot Rivers near Missoula, p. 888
I Abandoning Teton - Spring Creek Bird Preserve, p.
424, Decision Not to Adopt, p. 1461
I Fish Plants by the Department or Commercial
Hatcheries, p. 429, 497, 949
I Closing a Part of the Ruby River to Public Access,
p. 1494
I-IV Transplant of Nuisance Animals and the Introduction
of Peregrine Falcons, p. 885, 1462
12.8.202 and other rules - Public Use Regulations on
Department Lands and Waters, p. 425, 952

HEALTH AND ENVIRONMENTAL SCIENCES, Department of, Title 16

- I Subdivisions - Authorizing Local Departments or
Boards of Health to Review Minor Subdivisions, p.
1139, 1509
I-III Water Quality - Regulation of Phosphorous Compounds
Used for Cleaning Purposes, p. 1137, 1464
I-VII Air Quality - Sulfur Dioxide Emission Controls, p.
2036
16.6.303 Recording of Delayed Birth Records, p. 1432
16.8.701 and other rules - Air Quality - Monitoring and Data
Requirements for Ambient Air Quality, p. 1658, 2007
16.8.704 and other rules - Air Quality - Testing and Air
Quality Permits, p. 2000
16.8.1404 and other rules - Air Quality - Limiting Visible
Air Contaminants - Prohibiting Wood Stove
Combustion of Certain Materials - Setting Standards
for Stack Heights, p. 20, 91, 1021
16.10.207 and other rules - Regulation of Food Service
Establishments, p. 501, 1076
16.18.201 and other rule - Water Treatment Operators
Requirement to Earn Continuing Education Units, p.
498, 1078
16.32.328 Minimum Standards for a Hospital - Retention of
Medical Records, p. 1061, 1583
16.44.104 and other rules - Hazardous Waste Management -
Updating State Regulations to Bring Them into
Conformance with the Federal Hazardous Waste
Program, p. 890, 1309

JUSTICE, Department of, Title 23

- 23.4.101 and other rules - Alcohol Analysis, p. 1945
(Board of Crime Control)
- 23.14.407 and other rules - Requirements for the Advance
Certificate - The Basic Course - The Intermediate
Course - The Advance Course, p. 507, 1023
- 23.14.416 and other rules - Basic Course - Intermediate
Course - Advance Course, p. 1434

LABOR AND INDUSTRY, Department of, Title 24

- 24.16.9007 Changing the Annual Effective Date of the Standard
Rate of Wages Applicable to Public Works from
October 1st to December 1st, p. 1141, 1466
- 24.16.9007 Adoption by Reference of Standard Prevailing Rates
of Wages Effective December 1, 1986 through
November 30, 1987, p. 1669, 1960
(Human Rights Commission)
- Public Hearing and Petition for Declaratory Ruling as to
whether Montana Department of Institutions, a State
Governmental Agency may Employ only Female Cottage
Life Attendants at its Correctional Facility for
Female Youth under Certain Circumstances, p. 1495,
2107
- Public Hearing and Petition for Declaratory Ruling as to
whether the Reasonable Demands of the Screening and
Selection of Adoptive Parents Requires
Consideration of the Race, Sex, Religion, Age,
Marital Status and Physical and Mental Handicap of
the Applicant Parents without Violating Section 49-
3-205, MCA, p. 2047
- I-IX Sex Equity in Education under the Montana Human
Rights Act, p. 1663
(Workers' Compensation Division)
- 24.29.702 Self-Insurers, p. 1273, 1903
- 24.29.803 Payment of Compensation, p. 1671, 2060
- 24.29.3801 Attorney Fee Regulation, p. 2050

STATE LANDS, Department of, Title 26

- I Shut-in Oil Royalties for Oil and Gas Leases on
State Land, p. 1144, 2010
- I-XI Consultation of the Department of State Lands with
the State Historic Preservation Office Under the
Antiquities Act, p. 1849, 953
- 26.3.101 and other rules - Surface Leasing of State Land, p.
1547

LIEUTENANT GOVERNOR, Title 30

(Montana Statehood Centennial Commission)
I-IX Sanctioning Official Centennial Commemorative
Products and Projects, p. 1437, 2062

LIVESTOCK, Department of, Title 32

32.2.401 Department of Livestock Fees and Licenses, p. 1950

MILITARY AFFAIRS, Department of, Title 34

I-XXII Montana State Veterans Cemetery, p. 2053

NATURAL RESOURCES AND CONSERVATION, Department of, Title 36

(Board of Natural Resources and Conservation)
36.16.101 and other rules - Water Reservations - Applications
in the Yellowstone River Basin - Applications in
the Missouri River Basin - Reservation Changes and
Transfers, p. 920, 1584

(Board of Water Well Contractors)
36.21.410 Examinations, p. 1146, 1601
36.21.601 and other rules - Current Construction Standards -
Minimum Construction Standards for Water Wells in
Montana, p. 1148, 1699

(Board of Oil & Gas Conservation)
36.22.1242 Increasing the Oil and Gas Privilege and License
Tax, p. 742, 1063, 1384

REVENUE, Department of, Title 42

I Gasoline Distributor's License Tax, p. 1673, 2012
I Commercial Personal Property Audits, p. 1784, 2067
I-II Industrial Machinery and Equipment Trend Factors -
Industrial Machinery and Equipment Depreciation
Schedules, p. 1779, 1956, 2074
I-III Adjusting a Jointly Filed Tax Return, p. 509, 1026
I-IV Seven Day Credit Limit of Cigarette and Tobacco
Products, p. 940, 1320
I-IV Child Support Debt Tax Offsets, p. 1864, 2065
I-V Emergency Telephone Service, p. 1574, 1963
I-IX Disclosure of Child Support Information, p. 1065,
1832
I-XI Classification Requirements for Class 18 Property
for Nonproductive, Patented Mining Claims -
Classification Requirements for Class 19 Property,
p. 1806
42.11.104 Retail Liquor/Wine Price Restructuring, p. 1952
42.15.511 Energy Related Tax Incentives, p. 1675, 2011
42.17.105 Computation of Withholding Taxes, p. 1867, 2066
42.17.120 Individual Liability for State Withholding Taxes,
p. 1443, 1835
42.21.101 and other rules - Personal Property Taxes, p. 1786,
1956, 2068

Montana Administrative Register

1-1/15/87

- 42.22.1101 and other rules - Net Proceeds On Miscellaneous Mines, p. 1762, 2072
- 42.22.1102 and other rule - Net Proceeds Reclamation Costs, p. 1604, 30, 1080
- 42.22.1201 Net Proceeds Tax on Oil and Gas Production, p. 1770, 2073
- 42.22.2101 and other rules - Gross Proceeds Tax on Coal Production, p. 1757, 2079

SECRETARY OF STATE, Title 44

- I Fees for Clerks and Recorders for Filing Certified Copies of Agricultural Liens and Continuations and Prescribing a Method of Payment, p. 744, 1082
- 1.2.419 Scheduled Dates for the Montana Administrative Register, p. 1682, 2013
- 44.3.1737 and other rules - Processing and Counting of Computer Election Services Votomatic Punchcard Ballots, p. 1445, 1703

SOCIAL AND REHABILITATION SERVICES, Department of, Title 46

- I Interstate Compact on the Placement of Children, p. 1290, 1602
- I-IX Residential Alcohol and Drug Treatment for Indigent Juveniles, p. 585, 911, 1251
- 46.5.621 and other rules - Child and Youth Care Facilities, p. 511, 1579, 1814, 2080
- 46.5.1202 and other rules - Supplemental Payments to Recipients of Supplemental Security Income, p. 1693, 2014
- 46.8.701 and other rules - Certification of Developmental Disabilities Professional Persons - Service Program Funding, p. 752, 1083
- 46.10.303 and other rule - AFDC Deprivation Requirements and Continuation of Assistance, p. 1690, 2015
- 46.10.304A Unemployed Parents in the AFDC Program, p. 1577, 1910
- 46.10.324 and other rule - AFDC Eligibility of Minor Custodial Parents and AFDC-related Medicaid Eligibility, p. 1379, 1604
- 46.12.102 and other rules - Medical Assistance Reimbursement for Outpatient Drugs, p. 1684, 1967
- 46.12.401 and other rules - Provider Sanctions in the General Relief Medical Assistance Program, p. 1005, 1321
- 46.12.550 and other rules - Home Health Services, p. 1687, 2017
- 46.12.575 Family Planning Services, p. 449, 970
- 46.12.801 Prosthetic Devices, Durable Medical Equipment and Medical Supplies, p. 755, 1911
- 46.12.1005 Transportation and Per Diem, Reimbursement, p. 2057
- 46.12.1434 and other rules - Home and Community Services Program, p. 1870, 2094

1-1/15/87

Montana Administrative Register

- 46.12.3803 Medically Needy Income Standards, p. 2004
- 46.13.302 and other rules - Low Income Energy Assistance, p. 1365, 1606
- 46.13.403 Low Income Energy Assistance Program Method of Payment, p. 1812, 2021
- 46.25.101 and other rules - Structured Job Search and Training Program - Workfare, p. 746, 1084
- 46.25.711 and other rules - General Relief Assistance and General Relief Medical Programs, p. 1292, 1615

CROSS REFERENCE TABLE

Montana Code Annotated
to
Administrative Rules of Montana
July - December, 1986, Registers

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
2-2-101	Opinion No. 81	1616
2-2-103 - 105	Opinion No. 81	1616
2-2-125 - 131	Opinion No. 81	1616
2-2-201	Opinion No. 81	1616
2-4-101 - 711	Opinion No. 74	1325
2-4-201	23.14.417, 418	1434
2-4-312	1.2.419	1682
2-7-506	Rules I - III (Commerce-Local Gov't. Assistance Division)	1745
2-15-112	2.4.101, 105, 111, 112, 114 - 116, 136, 141, 146, 147, 149, 150, 152	1124
2-16-213	Opinion No. 70	1190
2-16-601 - 635	Opinion No. 94	2099
2-16-617	Opinion No. 94	2099
2-16-619 - 622	Opinion No. 94	2099
2-18-102	Rules I - X (Administration)	1423
2-18-501	2.4.101, 105, 136, 141, 146, 147, 149, 150, 152	1127
2-18-502	2.4.101, 105, 146, 147, 149, 150, 152	1124
2-18-503	2.4.101, 105, 111, 112, 114 - 116, 146, 149, 150, 152	1125
2-89-101	Rules I - VI, VIII, IX (Lieutenant Governor)	1437
2-89-101	30.3.104, 105	2062
2-89-102	Rule V (Lieutenant Governor)	1441
2-89-105	Rules I - IX (Lieutenant Governor)	1437
2-89-105	30.3.104	2062
2-89-106	Rules I - IV, IX (Lieutenant Governor)	1437
2-89-106	30.3.104, 105	2062
2-89-107	Rules I, III - V, VIII, IX (Lieutenant Governor)	1437
2-89-107	30.3.104, 105	2062
3-10-303	Opinion No. 95	2104
3-11-102, 103	Opinion No. 95	2104
3-11-205	Opinion No. 82	1622
5-2-104	Opinion No. 79	1472
7-1-4123	Opinion No. 75	1330
7-1-4123	Opinion No. 84	1625
7-3-113, 150	Opinion No. 88	1839
7-3-156, 158	Opinion No. 70	1190
Montana Administrative Register		1-1/15/87

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
7-3-158, 160	Opinion No. 88	1839
7-3-171 - 193	Opinion No. 80	1475
7-3-185	Opinion No. 80	1475
7-3-187	Opinion No. 80	1475
7-3-190	Opinion No. 80	1475
7-3-193	Opinion No. 70	1190
7-3-201 - 224	Opinion No. 88	1839
7-4-4103	Opinion No. 82	1622
7-4-4104	Opinion No. 81	1616
7-5-4109	Opinion No. 81	1616
7-5-4302	Opinion No. 78	1468
7-7-4221	Opinion No. 73	1322
7-12-4183	Opinion No. 77	1402
7-12-4191	Opinion No. 77	1402
7-16-4101	Opinion No. 73	1322
7-16-4103 - 4105	Opinion No. 73	1322
7-16-4107	Opinion No. 73	1322
7-32-303	23.14.416	1434
7-32-4301	Opinion No. 95	2104
7-32-4302	Opinion No. 84	1632
7-32-4302	Opinion No. 95	2104
10-2-602	Rules I - XXII (Military Affairs)	2053
10-4-101	Rule II (Administration)	1523
10-4-101	2.13.202	1890
10-4-101 - 303	Rule I (Administration)	1523
10-4-101 - 303	2.13.201	1889
10-4-102	Rules II - IX (Administration)	1523
10-4-102	2.13.202 - 205	1890
10-4-103	Rules III, IV (Administration)	1525
10-4-103	2.13.203	1891
10-4-104	Rules III, IV, V (Administration)	1525
10-4-104	2.13.203, 204	1891
10-4-111	Rule VI (Administration)	1526
10-4-112	Rule VII (Administration)	1527
10-4-113	Rule VI (Administration)	1526
10-4-113	2.13.204	1892
10-4-121	Rule VIII (Administration)	1528
10-4-121	2.13.205	1893
10-4-201 - 211	42.31.401	1963
10-4-202	Rules I, V (Revenue)	1575
10-4-202	42.31.405	1964
10-4-203	Rules I - V (Revenue)	1574
10-4-203	42.31.401 - 405	1963
10-4-204	Rule I (Revenue)	1574
10-4-205	Rules I, II (Revenue)	1574
10-4-205	42.31.402	1964
10-4-206 - 211	Rule I (Revenue)	1574
10-4-212	Rules I - V (Revenue)	1574
10-4-212	42.31.403, 404	1964
10-4-301	Rule VIII (Administration)	1528
10-4-301	2.13.205	1893
1-1/15/87	Montana Administrative Register	

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
10-4-302	Rule VIII (Administration)	1528
10-4-302	2.13.205	1893
10-4-303	Rule IX (Administration)	1530
13-1-111	Opinion No. 81	1616
13-1-303	44.3.1750	1453, 1703
13-3-101	Opinion No. 88	1839
13-12-201 - 208	44.3.1738	1446, 1703
13-12-209	44.3.1739	1446, 1703
13-13-114	44.3.1739	1446, 1703
13-13-115	44.3.1738 - 1740	1446, 1703
13-13-117	44.3.1744, 1746	1451, 1703
13-15-101	44.3.1740, 1749	1449, 1703
13-15-103	44.3.1739	1446, 1703
13-15-201	44.3.1740	1449, 1703
13-15-202	44.3.1740, 1746	1449, 1703
13-15-203	44.3.1744	1451, 1703
13-15-204, 205	44.3.1740	1449, 1703
13-17-101	44.3.1750	1453, 1703
13-17-107	44.3.1737 - 1741, 1743 - 1746, 1749, 1750	1445, 1703
13-17-117	44.3.1740	1449, 1703
13-17-206	Rule I (Secretary of State)	1446
13-17-206	44.3.1738	1446, 1703
13-17-305	44.3.1739	1446, 1703
Title 15, Ch. 23, Pt. 6	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
Title 15, Ch. 23, Pt. 6	42.22.1211 - 1217 (42.25.1011 - 1017)	
Title 15, Ch. 23, Pt. 6	42.25.1001	1770
Title 15, Ch. 23, Pt. 7	42.22.2101 - 2103 (42.25.501 - 503)	2079
Title 15, Ch. 23, Pt. 7	42.22.2111 - 2115 (42.25.511 - 515)	
Title 15, Ch. 23, Pt. 7	42.25.501, 514	1757
15-1-201	Rule I (Revenue)	1784
15-1-201	Rules I, II (Revenue)	1779
15-1-201	Rules I - III (Revenue)	1786
15-1-201	Rules I - IV (Revenue)	1677
15-1-201	Rules I - V (Revenue)	1574
15-1-201	Rules I - XI (Revenue)	1806
15-1-201	42.4.101, 104 - 106	2011
15-1-201	42.4.103	1676
15-1-201	42.15.511 (42.4.102)	2011
15-1-201	42.15.512	2011
15-1-201	42.19.1101 (42.4.103)	2011
15-1-201	42.19.1101 (42.4.103)	2011
15-1-201	42.21.101, 102, 106, 107, 113, 114, 123, 131, 137 - 140, 151, 155	1787
15-1-201	42.21.101, 131, 140	2068
15-1-201	42.21.159	2067
15-1-201	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
15-1-201	42.22.1211 - 1217 (42.25.1011 - 1017)	2073

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
15-1-201	42.22.1311, 1312	2074
15-1-201	42.31.401 - 405	1963
15-1-203	42.4.101, 104 - 106	2011
15-1-203	42.15.511 (42.4.102)	2011
15-1-203	42.15.512	2011
15-1-203	42.19.1101 (42.4.103)	2011
15-1-208	42.25.1005	1771
15-6-101	Rules I - XI (Revenue)	1806
15-6-135	42.21.131	1796
15-6-135	42.21.131	2069
15-6-136	42.21.113	1794
15-6-138	Rule I (Revenue)	1786
15-6-138	42.21.101, 107, 131, 137 - 140	1787
15-6-138	42.21.101, 131, 140	2068
15-6-138	42.22.1311, 1312	2074
15-6-139	42.21.106, 107, 155	1791
15-6-140	42.21.106, 114, 131, 151	1791
15-6-140	42.21.131	2069
15-6-146	42.21.102	1787
15-6-148	Rules I - VII (Revenue)	1806
15-6-149	Rules VIII - XI (Revenue)	1809
15-6-153	Rules I - VII (Revenue)	1806
15-6-201	Rules II - IV (Revenue)	1677
15-6-201	42.4.101, 104 - 106	2011
15-6-201	42.15.511 (42.4.201)	2011
15-6-201	42.15.512	2011
15-6-201	42.19.1101 (42.4.103)	2011
15-6-211	Opinion No. 93	2022
15-8-104	Rule I (Revenue)	1784
15-8-104	42.21.159	2067
15-8-111	Rules I, II (Revenue)	1779
15-8-111	Rules I - VII (Revenue)	1806
15-8-111	42.22.1311, 1312	2074
15-8-201	Rule III (Revenue)	1787
15-8-402	Rule II (Revenue)	1786
15-8-404	Rule II (Revenue)	1786
15-8-408, 409	Rule II (Revenue)	1786
15-8-601	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
15-8-601	42.22.1211 - 1217 (42.25.1011 - 1017)	2073
15-8-601	42.25.1007	1772
15-16-113	Opinion No. 90	1970
15-16-404	Opinion No. 90	1970
15-16-401, 402	Opinion No. 83	1625
15-16-402	Opinion No. 90	1970
15-17-101	Opinion No. 77	1402
15-17-201	Opinion No. 77	1402
15-17-207	Opinion No. 77	1402
15-17-303	Opinion No. 77	1402
15-18-101	Opinion No. 77	1402
15-18-203	Opinion No. 77	1402
15-18-309	Opinion No. 77	1402
15-23-102	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-102	42.22.1111 - 1119 (42.25.1111 - 1119)	2072

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
15-23-102	42.25.1103	1763
15-23-108	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-108	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-108	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
15-23-108	42.22.1211 - 1217 (42.25.1011 - 1017)	2073
15-23-108	42.22.2101 - 2103 (42.25.501 - 503)	2079
15-23-108	42.22.2111 - 2115 (42.25.511 - 515)	2079
15-23-108	42.25.501 - 503, 511 - 514	1757
15-23-108	42.25.1001 - 1004, 1006 - 1008, 1011 - 1017	1770
15-23-108	42.25.1101 - 1103, 1111 - 1119	1762
15-23-116	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
15-23-116	42.22.1211 - 1217 (42.25.1011 - 1017)	2073
15-23-116	42.25.1007, 1008	1772
15-23-501	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-501	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-501	42.25.1101 - 1103	1762
15-23-502	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-502	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-502	42.25.1118	1767
15-23-503	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-503	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-503	42.25.1103, 1112 - 1119	1763
15-23-505	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-505	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-505	42.25.1111	1764
15-23-507	42.22.1101 - 1103 (42.25.1101 - 1103)	2072
15-23-507	42.22.1111 - 1119 (42.25.1111 - 1119)	2072
15-23-507	42.25.1111	1764
15-23-602	42.25.1002	1770
15-23-603	42.25.1004, 1008, 1011 - 1014, 1016, 1017	1771
15-23-604	42.25.1015	1773
15-23-605	42.25.1008, 1011	1773
15-23-609	42.25.1003	1771
15-23-612	42.25.1006	1771
15-23-615	42.25.1008	1773
15-23-701	42.25.502, 503, 511, 512	1757
15-23-702	42.25.511 - 513	1758
15-24-301	Rule III (Revenue)	1787
15-30-202	42.17.105	1867
15-30-202	42.17.105	2066
15-30-203	Rule I (Revenue)	1443
15-30-203	42.17.120	1443
15-30-203	42.17.120, 121	1835
15-30-305	Rule I (Revenue)	1443
15-30-305	42.17.105	1867, 2066
15-30-305	42.17.120	1443
15-30-305	42.17.120, 121	1835
15-32-201, 202	Rule I (Revenue)	1677
15-32-201, 202	42.4.101, 104 - 106	2011
15-32-201, 202	42.4.102	1675

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
15-32-201, 202	42.15.511 (42.4.102)	2011
15-32-201, 202	42.15.512	2011
15-32-201, 202	42.19.1101 (42.4.103)	2011
15-32-203	Rule I (Revenue)	1677
15-32-203	42.4.101, 104 - 106	2011
15-32-203	42.4.102	1675
15-32-203	42.15.511 (42.4.102)	2011
15-32-203	42.15.512	2011
15-32-203	42.19.1101 (42.4.103)	2011
15-35-107	42.25.515	1759
15-35-111	42.22.2101 - 2103 (42.25.501 - 503)	2079
15-35-111	42.22.2111 - 2115 (42.25.511 - 515)	2079
15-35-111	42.25.515	1759
15-36-121	42.22.1201 - 1208 (42.25.1001 - 1008)	2073
15-36-121	42.22.1211 - 1217 (42.25.1011 - 1017)	2073
15-36-121	42.25.1005, 1006	1771
15-70-104	Rule I (Revenue)	1673
15-70-104	42.27.116	2012
15-70-202	Rule I (Revenue)	1673
15-70-202	42.27.116	2012
16-1-101 - 103	Opinion No. 84	1632
16-1-103	Opinion No. 75	1330
16-1-103	42.11.104	1952
16-1-104	Opinion No. 84	1632
16-1-301	42.11.104	1952
16-1-302	42.11.104	1952
16-1-303	Opinion No. 75	1330
16-1-303	Opinion No. 84	1632
16-1-303	42.11.104	1952
16-1-401	42.11.104	1952
16-1-404	42.11.104	1952
16-1-411	42.11.104	1952
16-2-101	42.11.104	1952
16-3-304	Opinion No. 75	1330
16-3-304	Opinion No. 84	1632
16-3-309	Opinion No. 75	1330
16-3-309	Opinion No. 84	1632
16-4-406	Opinion No. 75	1330
16-4-408	Opinion No. 75	1330
16-4-503	Opinion No. 75	1330
16-4-503	Opinion No. 84	1632
16-10-104	42.31.301 - 304	1320
16-10-305	42.31.301 - 304	1320
17-4-105	Rules I - IV (Revenue)	1864
17-4-105	42.6.201 - 204	2065
17-4-110	Rules I - IV (Revenue)	1864
17-4-110	42.6.201 - 204	2065
17-6-315	8.97.308	1430, 1998
17-6-324	8.97.308	1430, 1998

1-1/15/87

Montana Administrative Register

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
18-2-409	24.16.9007	1141
18-2-431	24.16.9007	1141, 1669
18-11-101 - 111	Opinion No. 76	1386
20-1-121	10.58.511	1364
20-1-304	10.55.205	1859
20-1-304	10.65.101	1863
20-2-114	10.58.511	1364
20-2-121	Rules I - IV (Public Education)	1752
20-2-121	10.55.205	1859
20-2-121	10.55.402	1750
20-2-121	10.64.601	1756
20-2-121	10.65.101	1863
20-3-201	Opinion No. 71	1194
20-3-210	Opinion No. 71	1194
20-3-324	Opinion No. 69	1184
20-4-101	Opinion No. 69	1184
20-4-101	10.55.303	1362
20-4-102	10.57.102	1861
20-4-102, 103	10.57.301	1363
20-4-104	Opinion No. 69	1184
20-4-106	10.57.102	1861
20-4-106	10.57.301	1363
20-4-201	Opinion No. 69	1184
20-4-202	10.55.303	1362
20-4-401, 402	10.55.203	1859
20-4-403	10.55.204	1360
20-6-603, 604	Opinion No. 72	1197
20-6-609	Opinion No. 72	1197
20-6-621	Opinion No. 72	1197
20-6-625	Opinion No. 72	1197
20-7-101	10.55.203, 205	1859
20-7-101	10.55.204	1360
20-7-101	10.55.303	1362
20-7-101	10.55.402	1750
20-7-111	10.55.402	1750
20-10-101 - 103	Opinion No. 69	1184
20-10-111	Rules I - IV (Public Education)	1752
20-10-111	10.64.601	1756
20-15-102	Opinion No. 72	1197
20-15-107	Opinion No. 72	1197
20-15-301	Opinion No. 72	1197
20-15-404	Opinion No. 72	1197
22-1-103	10.102.5101	1506
22-1-304	Opinion No. 91	1974
22-1-309	Opinion No. 91	1974
22-1-310	Opinion No. 91	1974
22-3-424	Rule XXXVI (State Lands)	1572
23-4-104	Rules I - III (Commerce-Horse Racing)	1735
23-4-104	8.22.610, 710, 711, 801, 1606	1732

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
23-4-202	Rules I - III (Commerce-Horse Racing)	1735
23-4-202	8.22.610, 710, 711, 801, 1606	1732
23-4-301	Rules I - III (Commerce-Horse Racing)	1735
23-4-301	8.22.610, 710, 711, 801, 1606	1732
25-13-601 - 617	Opinion No. 90	1970
31-3-127	42.6.142 - 144, 146 - 148	1832
33-8-201 - 231	6.6.2301 - 2309	1460
33-8-205	6.6.2301 - 2309	1460
33-8-212	6.6.2301 - 2309	1460
37-1-101	8.48.901	1540
37-1-101	8.56.409	1490
37-1-103	8.58.414	1858
37-1-131	8.16.602, 901 - 903, 905	1654
37-1-131	8.36.406, 407, 411, 601	1269
37-1-131	8.50.423	1428
37-1-131	8.62.702 - 704	1996
37-1-134	8.17.501	1532
37-1-134	8.24.405, 409	1856
37-1-134	8.48.1105	1541
37-1-134	8.50.437	1428, 1488
37-1-134	8.56.409, 607	1490
37-1-136	Rule III (Commerce- Professional Engineers & Land Surveyors)	1543
37-1-136	8.30.707	1994
37-1-136	8.36.411	1271
37-1-310	8.56.409, 607	1490
37-4-205	8.16.602, 901 - 903, 905	1654
37-4-401	8.16.902, 903	1655
37-4-408	8.16.602	1654
37-4-511	8.16.901 - 903, 905	1654
37-10-202	8.36.403, 406, 407, 411, 601	1269
37-10-301	8.36.406	1269
37-10-302	8.36.403	1269
37-10-308	8.36.601	1271
37-10-311	8.36.406, 407	1269
37-14-202	8.56.409, 607	1490
37-14-310	8.56.409	1490
37-15-202	8.62.702 - 704	1996
37-15-308	8.62.703	1996
37-15-309	8.62.702, 704	1996
37-19-202	8.30.606	1358
37-19-202	8.30.707	1994
37-19-311, 312	8.30.707	1994
37-19-403	8.30.606	1358
37-29-201	8.17.404, 501, 702	1532
37-29-304	8.17.501	1532
37-29-305	8.17.404	1532
37-29-306	8.17.702	1532

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
37-31-203	8.14.603, 805	1132
37-31-304	8.14.805	1132
37-31-311	8.14.603	1132
37-43-202	Rules I - XLVII (DNRC)	1148
37-43-202	36.21.410	1146
37-43-305	36.21.410	1146
37-51-202 - 204	Rule I (Commerce-Realty Regulation)	1545
37-51-203	8.58.414	1492, 1858
37-60-101	8.50.431	1488
37-60-202	8.50.423, 437	1428
37-60-202	8.50.431, 437	1488
37-60-301	8.50.423	1428
37-60-304	8.50.437	1488
37-60-304 - 306	8.50.437	1428
37-60-308 - 310	8.50.437	1488
37-60-312	8.50.437	1428
37-60-409	8.50.423	1428
37-65-204	8.6.405, 409, 412	1648
37-65-305	8.6.405	1648
37-65-308	8.6.409	1648
37-65-321	8.6.412	1649
37-66-202	8.24.405, 409	1856
37-66-305	8.24.405	1856
37-66-307	8.24.409	1856
37-67-202	Rules I - III (Commerce- Professional Engineers & Land Surveyors)	1542
37-67-202	8.48.501, 504, 507, 508, 601 - 604 801, 802, 901, 902, 1105, 1106	1536
37-67-262	8.48.502	1536
37-67-303	8.48.502, 504, 1105	1536
37-67-306	8.48.501, 507, 801	1536
37-67-309	8.48.507, 801	1537
37-67-311	8.48.508	1537
37-67-312	8.48.601 - 603	1539
37-67-313	8.48.502, 604	1536
37-67-314	8.48.802	1540
37-67-315	8.48.901, 902, 1105	1540
37-67-320	Rule II (Commerce- Professional Engineers & Land Surveyors)	1542
37-67-320	8.48.1105	1541
37-67-321	Rule I (Commerce- Professional Engineers & Land Surveyors)	1542
37-67-321	8.48.1105	1541
37-67-331	Rule III (Commerce- Professional Engineers & Land Surveyors)	1543
37-67-331	8.48.1106	1541
37-67-331	Opinion No. 89	1928
39-2-301	Opinion No. 69	1184
39-31-103	Opinion No. 91	1974
39-31-208	Opinion No. 91	1974

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
39-71-203	24.29.702	1273
39-71-203	24.29.803	1671
39-71-221	Opinion No. 92	1979
39-71-224	Opinion No. 92	1979
39-71-403	24.29.702	1273
39-71-613	24.29.3801	2050
39-71-740	24.29.803	1671
39-71-2101-2109	24.29.702	1273
40-5-202	42.6.142 - 144, 146 - 148	1832
40-5-226	42.6.201 - 204	2065
41-3-102	Opinion No. 85	1924
41-3-301	Opinion No. 76	1386
41-3-401 - 406	Opinion No. 76	1386
41-3-401 - 404	Opinion No. 85	1924
41-3-406	Opinion No. 85	1924
41-3-1102	46.5.601, 602, 610	2080
41-3-1103	46.5.601, 602, 610 - 612, 614, 620, 623, 627, 628, 640, 647, 648	2080
41-3-1141	46.5.647, 648	2090
41-3-1142	46.5.601, 602, 610 - 612, 614, 616, 620, 623, 628, 640 - 642, 647, 648	2080
41-4-101	Rule I (SRS)	1290
41-4-101	46.5.1301	1602
44-4-301	23.14.416 - 418	1434
44-5-102, 103	Opinion No. 92	1979
44-5-303	Opinion No. 92	1979
45-5-504, 505	Opinion No. 75	1330
45-5-624	Opinion No. 84	1632
45-7-401	Opinion No. 81	1616
45-8-201	Opinion No. 75	1330
46-1-201	Opinion No. 95	2104
46-6-201, 202	Opinion No. 95	2104
46-6-301 - 303	Opinion No. 95	2104
46-11-401	Opinion No. 87	1836
46-18-212	Opinion No. 95	2104
49-2-204	Rules I - XI (Labor & Industry-Human Rights Com.)	1663
49-2-307	Rules I - XI (Labor & Industry-Human Rights Com.)	1663
49-3-103	Declaratory Ruling (Institutions)	2107
49-3-105	Declaratory Ruling (Institutions)	2107
49-3-106	Rules I - XI (Labor & Industry-Human Rights Com.)	1663
49-3-201	Declaratory Ruling (Institutions)	2107
49-3-203	Rules I - XI (Labor & Industry-Human Rights Com.)	1663
49-3-205	Petition for Declaratory Ruling (SRS)	2048
1-1/15/87	Montana Administrative Register	

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
50-15-102, 103	16.6.303	1432
50-15-204	16.6.303	1432
50-32-103	8.40.1215	1534
50-32-222	8.40.1215	1534
50-32-224	8.40.1215	1534
50-32-229	8.40.1215	1534
50-60-203	Opinion No. 74	1325
50-60-206	Opinion No. 74	1325
50-60-301	Opinion No. 74	1325
50-60-303	Opinion No. 74	1325
53-1-201	Declaratory Ruling (Institutions)	2107
53-2-201	Rule I (SRS)	1365
53-2-201	46.5.601, 602, 610 - 612, 614, 616, 627, 628, 640, 641	2080
53-2-201	46.5.1202 - 1204	1693
53-2-201	46.12.1401 - 1405, 1407 - 1413	1870
53-2-201	46.13.302 - 304, 401, 402	1365
53-2-201	46.13.302, 304, 401, 502	1606
53-2-201	46.13.403	1812
53-2-201	46.25.101, 711, 722, 727 - 730, 738, 744	1292
53-2-204	46.5.1202 - 1204	1693
53-2-301	46.25.101	1292
53-2-504	42.6.142 - 144, 146 - 148	1832
53-2-802	46.25.101	1292
53-2-803	46.25.101, 711, 722, 727 - 730, 738, 744	1292
53-3-109	46.25.101	1292
53-3-114	46.25.101, 711, 722, 727 - 730, 738, 744	1292
53-3-205	46.25.711, 722, 727, 728, 738, 744	1292
53-3-206	46.25.711, 730, 738, 744	1292
53-3-207	46.25.729	1294
53-3-208	46.25.738	1292
53-3-209	46.25.711, 728, 730	1292
53-3-304, 305	46.25.101	1292
53-3-311	46.25.728	1294
53-4-111	Rule I (SRS)	1290
53-4-111	46.5.601, 602, 610 - 612, 614, 616, 620, 623, 627, 628, 640 - 642, 647, 648	2080
53-4-111	46.5.1301	1602
53-4-113	46.5.601, 602, 610 - 612, 614, 616, 620, 623, 627, 628, 640 - 642, 647, 648	2080
53-4-114	Rule I (SRS)	1290
53-4-114	46.5.1301	1602
53-4-201	46.10.303	1690, 2015
53-4-201	46.10.304A	1577
53-4-211, 212	46.10.303, 306	1690, 2015

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
53-4-212	46.10.304A	1577
53-4-212	46.10.324	1379
53-4-231	46.10.303	1690, 2015
53-4-231	46.10.304A	1577
53-4-231	46.10.324	1379
53-4-231	46.12.3401	1380, 1604
53-4-241, 242	46.10.324	1379
53-5-205	46.12.1401	1870
53-6-101	Rules I - XII (SRS)	1885
53-6-101	46.12.102, 703	1684
53-6-101	46.12.550 - 552	1687
53-6-101	46.12.552	2017
53-6-101	46.12.802, 805, 806	1911
53-6-101	46.12.1005	2057
53-6-101	46.12.1401 - 1405, 1407 - 1413	1870
53-6-101	46.12.1475, 1480, 1481	2095
53-6-101	46.12.3803	2004
53-6-111	46.12.1401 - 1405, 1407 - 1413	1870
53-6-113	Rules I - XII (SRS)	1885
53-6-113	46.12.102, 703	1684
53-6-113	46.12.550 - 552	1687
53-6-113	46.12.552	2017
53-6-113	46.12.802, 805, 806	1911
53-6-113	46.12.1005	2057
53-6-113	46.12.1401 - 1405, 1407 - 1413	1870
53-6-113	46.12.1475, 1480, 1481	2095
53-6-113	46.12.3401	1380, 1604
53-6-113	46.12.3803	2004
53-6-131	46.12.102	1684
53-6-131	46.12.550, 552	1687
53-6-131	46.12.552	2017
53-6-131	46.12.1401, 1408, 1429 - 1431, 1439, 1451, 1452, 1454	1870
53-6-131	46.12.3401	1380, 1604
53-6-131	46.12.3803	2004
53-6-141	Rules I - XII (SRS)	1885
53-6-141	46.12.102, 703	1684
53-6-141	46.12.550 - 552	1687
53-6-141	46.12.552	2017
53-6-141	46.12.802, 805, 806	1911
53-6-141	46.12.1005	2057
53-6-141	46.12.1401, 1408, 1429 - 1431, 1439, 1451, 1452, 1454	1870
53-6-141	46.12.1475, 1480, 1481	2095
53-6-141	46.12.3803	2004
53-6-402	46.12.1401 - 1405, 1407 - 1413	1870
53-9-104	Opinion No. 92	1979
53-9-107	Opinion No. 92	1979
53-24-106	Opinion No. 84	1632
61-8-401	Opinion No. 87	1836
61-8-401	Opinion No. 95	2104

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
61-8-405	23.4.101 - 103, 105, 107, 110, 115, 116, 118, 119, 121, 132, 133, 135, 136	1945
61-8-714	Opinion No. 95	2104
61-12-601, 602	Opinion No. 87	1836
70-22-102	Opinion No. 89	1928
70-22-104	Opinion No. 89	1928
75-2-111	Rules I, II (Health)	1660
75-2-111	Rules I - VII (Health)	2036
75-2-111	16.8.701, 806, 809	1658
75-2-111	16.8.704, 1101, 1102, 1109, 1113, 1114	2000
75-2-201, 202	Rules I, II (Health)	1660
75-2-201, 202	16.8.701, 806, 809	1658
75-2-203	Rules I - VII (Health)	2036
75-2-203	16.8.704	2000
75-2-204	16.8.1101, 1102, 1109, 1113, 1114	2001
75-2-211	16.8.1101, 1102, 1109, 1113, 1114	2001
75-7-401	Rules I - III (Health)	1137
76-3-609	Opinion No. 86	1712
76-4-104	Rule I (Health)	1139
77-1-202	Rule I (State Lands)	1144
77-1-202	Rules II - III, IX, XIII, XIV, XXIV, XXVI, XXX, XXXI, XXXIII, XXXV (State Lands)	1548
77-1-202	26.3.211A	2010
77-1-203	Rules III, XXXIII (State Lands)	1550
77-1-204	Rule III (State Lands)	1550
77-1-208	Rules X, XI, XXXIV (State Lands)	1553
77-1-209	Rules I - XXXVI (State Lands)	1547
77-1-301	Rules IV, XIII, XIV (State Lands)	1550
77-1-401	Rule VIII (State Lands)	1551
77-1-402	Rule VIII (State Lands)	1551
77-1-601 - 609	Rule XXXVII (State Lands)	1572
77-2-101	Rule XXXII (State Lands)	1570
77-2-326	Rule XXVIII (State Lands)	1563
77-2-328	Rule XXVIII (State Lands)	1568
77-3-402	Rule I (State Lands)	1144
77-3-402	26.3.211A	2010
77-6-103	Rules V, XII (State Lands)	1551
77-6-108	Rule V (State Lands)	1551
77-6-109	Rule VI (State Lands)	1551
77-6-112	Rule XXVII (State Lands)	1568
77-6-114	Rule XXIX (State Lands)	1568
77-6-115	Rule XXXI (State Lands)	1569
77-6-201	Rule X (State Lands)	1553
77-6-202	Rules XI, XV (State Lands)	1554
77-6-205	Rules XVI, XVII (State Lands)	1558
77-6-207	Rule VII (State Lands)	1551

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
77-6-208	Rules XVIII - XX, XXIII (State Lands)	1563
77-6-210	Rule XXI (State Lands)	1564
77-6-210	Rule XXIX (State Lands)	1568
77-6-211	Rule XXI (State Lands)	1564
77-6-301 - 306	Rule XXV (State Lands)	1567
77-6-401, 402	Rules XXII, XXIII (State Lands)	1565
77-6-403, 404	Rule XXII (State Lands)	1565
77-6-501	Rules X, XI (State Lands)	1553
77-6-502	Rule X (State Lands)	1553
77-6-504	Rule X (State Lands)	1553
77-6-506	Rule XII (State Lands)	1555
80-4-403	4.12.1017, 1019, 1022, 1029	1178
80-4-407	4.12.1019	1178
80-4-422	4.12.1029	1180
80-4-425	4.12.1022	1179
80-4-504, 505	4.12.1022	1179
80-4-538	4.12.1022	1179
80-4-601	4.12.1022	1179
80-4-604	4.12.1022	1179
80-4-704	4.12.1017	1180
80-7-502	Rule I (Agriculture)	1175
80-7-503	Rules II - V (Agriculture)	1176
80-7-504	Rules II - VI (Agriculture)	1176
80-7-507	Rules I - VI (Agriculture)	1175
80-10-503	Rules I - XLIII (Agriculture)	1231
80-10-503	4.12.701, 713, 719, 720, 734, 741	1830
80-11-311	4.12.1019	1178
81-1-102	32.2.401	1950
81-2-502	32.2.401	1950
81-3-107	32.2.401	1950
81-3-205	32.2.401	1950
81-3-211	32.2.401	1950
81-3-214	32.2.401	1950
81-5-202	32.2.401	1950
81-7-504	32.2.401	1950
81-8-256	32.2.401	1950
81-8-276	32.2.401	1950
81-8-304	32.2.401	1950
81-9-112	32.2.401	1950
81-9-201	32.2.401	1950
81-9-301	32.2.401	1950
81-9-411	32.2.401	1950
81-20-201	32.2.401	1950
81-21-102	32.2.401	1950
81-22-204, 205	32.2.401	1950
81-22-208	32.2.401	1950
81-23-202	32.2.401	1950
81-23-302	8.86.301	1134, 1504

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
82-11-111	Opinion No. 89	1928
82-11-111	36.22.1242	1384
82-11-122	Opinion No. 89	1928
82-11-131	36.22.1242	1384
85-7-2152	Opinion No. 77	1402
87-1-303	Rule I (Fish, Wildlife & Parks)	1494
90-6-305, 307	Rule I (Commerce-Hard Rock Mining Impact)	1748
Ch. 10, Sec. 3,	46.25.101	1292
Ch. 10, Sec. 6,	46.25.101, 711, 728, 730, 738, 744	1292
Ch. 35, Sec. 5,	Rules I - VII (Revenue)	1806
Ch. 35, Sec. 9,	Rules VIII - XI (Revenue)	1809
Ch. 53, Sec. 3, S.L. 1985	46.10.303	1690
Ch. 53, Sec. 3, S.L. 1985	46.10.303	2015
Ch. 53, Sec. 3, S.L. 1985	46.10.304A	1577
Ch. 53, Sec. 3, S.L. 1985	46.10.324	1379
Ch. 53, Sec. 3, S.L. 1985	46.12.3401	1380, 1604
Ch. 54, Sec. 2, S.L. 1985	Rules X, XI (State Lands)	1552
Ch. 177, Sec. 2, S.L. 1985	46.5.601, 602, 610, 614, 620, 623, 627, 628, 640, 647, 648	2080
Ch. 278, Sec. 11, S.L. 1985	Rules I - XLVII (DNRC)	1148
Ch. 473, Sec. 4, S.L. 1985	Rule XII (State Lands)	1555
Ch. 480 S.L. 1985	24.29.702	1273
Ch. 488, Sec. 3, S.L. 1985	Rule VI (State Lands)	1551
Ch. 510, Sec. 4, S.L. 1985	8.30.707	1304
Ch. 510, Sec. 4, S.L. 1985	8.30.707	1994
Ch. 513, Sec. 4, S.L. 1985	Rules I - IV (Revenue)	1677
Ch. 513, Sec. 4, S.L. 1985	42.4.101, 104 - 106	2011
Ch. 513, Sec. 4, S.L. 1985	42.4.102, 103	1675
Montana Administrative Register		1-1/15/87

<u>MCA</u>	<u>Rule or A.G.'s Opinion</u>	<u>Register Page No.</u>
Ch. 513, Sec. 4, S.L. 1985	42.15.511 (42.4.102) 42.19.1101 (42.4.103)	2011
Ch. 513, Sec. 4, S.L. 1985	42.15.512	2011
Ch. 516, Sec. 49, S.L. 1985	42.21.101	1787
Ch. 516, Sec. 49, S.L. 1985	42.21.101	2068
Ch. 516, Sec. 49, S.L. 1985	42.21.123	1795
Ch. 531, Sec. 7, S.L. 1985	46.5.601, 602, 610, 620, 623, 627, 628, 640, 647, 648	2080
Ch. 543, S.L. 1985	42.6.142 - 144, 146 - 148	1832
Ch. 553, Sec. 20, S.L. 1985	8.48.501, 502, 604, 801, 802	2006
Ch. 583, Sec. 3, S.L. 1985	42.21.138	1798
Ch. 642, Sec. 3, S.L. 1985	42.22.1201 - 1208 (42.25.1001 - 1008) 42.22.1211 - 1217 (42.25.1011 - 1017)	2073
Ch. 642, Sec. 3, S.L. 1985	42.25.1012, 1015, 1017	1775
Ch. 647, Sec. 10, S.L. 1985	8.50.423	1428
Ch. 647, Sec. 10, S.L. 1985	8.50.431, 437	1488
Ch. 670, Sec. 19, S.L. 1985	46.25.101, 711, 722, 727 - 730, 738, 744	1292
Ch. 674, Sec. 10, S.L. 1985	8.50.437	1428
Ch. 679, Sec. 2, S.L. 1985	Rules I - IV (Revenue)	1864
Ch. 679, Sec. 2, S.L. 1985	42.6.201 - 204	2065
Ch. 687, Sec. 2, S.L. 1985	Rule XVII (State Lands)	1561
Ch. 728, Sec. 11, S.L. 1985	36.21.410	1146
Ch. 743, Sec. 10, S.L. 1985	Rule I (Revenue)	1784
Ch. 743, Sec. 10, S.L. 1985	42.21.159	2067
H.B. 48 3rd S.S. 1986	Rule I (Administration)	1730
H.B. 513, S.L. 1985	Rules I - XXII (Military Affairs)	2050