



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Economic Affairs Interim Committee

69th Montana Legislature

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MADDELYN BLACK, Secretary

November 10, 2025

TO: Economic Affairs Interim Committee  
FROM: Jameson Walker, Staff Attorney  
RE: Administrative Rulemaking and Rule Review, November 2025

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

### PROPOSAL NOTICES

#### Department of Agriculture and administratively attached entities

There are no new rules.

#### Department of Commerce and administratively attached entities

**MAR Notice Number:** 2025-477.1

**Subject:** Amendment of rules pertaining to the Montana Coal Endowment Program.

**Summary:** The department proposes to amend 8.94.3814, 8.94.3815, and 8.94.3816, to adopt by reference the following Montana Coal Endowment Program manuals: the Project Administration Manual, the 2026 Construction Application Guidelines for the 2029 Biennium, and the 2029 Biennia Emergency Grant Application Guidelines. The MCEP program is a state-funded grant program that provides funding to communities for planning, emergencies, and infrastructure.

**Notes:** The department will hold a public hearing on December 2, 2025, to consider the notice.

#### Department of Labor and Industry and administratively attached entities

**MAR Notice Number:** 2025-126.1

**Subject:** Amendment of rules pertaining to the Board of Plumbers.

**Summary:** The board proposes to amend 24.180.407, 24.180.2404, relating to separate written and hands-on practical examinations and screening panels that review nonroutine applications.

The board proposes to repeal 24.180.410, 24.180.501, 24.180.502, and 24.180.603. The board states that these administrative rules are duplicative of existing statutes.

Notes: The department will hold a public hearing on December 2, 2025, to consider the notice.

**MAR Notice Number:** 2025-149.1

Subject: Implementation of Senate Bill 518 and House Bills 246 and 336, relating to transition of emergency care providers from a board to a program.

Summary: The department proposes to amend 24.156.2701, 24.156.2711, 24.156.2718, 24.156.2719, 24.156.2720, 24.156.2751, 24.156.2752, 24.156.2753, 24.156.2761, and 24.156.2771. The department proposes to adopt New Rule I (Applicants with Criminal Convictions), New Rule II (Fee Schedule), New Rule III (Licensure by Apprenticeship), New Rule IV (Management of Infectious Wastes), New Rule V (Medical Director), New Rule VI (Substantial Equivalency), New Rule VII (Unprofessional Conduct). The department provided the following general statement of reasonable necessity for the rule notice:

The 2025 Montana Legislature passed Senate Bill (SB) 518 which was signed by the Governor May 5, 2025, and will become effective January 1, 2026. The bill transferred oversight of the emergency care provider license from the board to the department. The proposed rules will become effective on January 1, 2026.

The proposed rule amendments updates references from board to the department references to the emergency care provider license, which the board no longer regulates. Amending these rules to remove references to the emergency care provider license is necessary to ensure regulatory clarity, eliminate confusion for licensees, and align the board's administrative rules with current statutory authority. Emergency care provider licensing types include emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics.

Notes: The department will hold a public hearing on December 1, 2025, to consider the notice.

**MAR Notice Number:** 2025-209.1

Subject: Amendment of rules pertaining to construction contractor licensing.

Summary: The board proposes to adopt New Rule I (Fees), New Rule II (Applications), and New Rule III (Unprofessional Conduct). The department proposes to repeal 24.33.121, 24.33.135, 24.33.142, and 24.33.151. The department provided the following general statement of reasonable necessity:

For many years, construction contractor registration has required those engaged in construction to register with the Department of Labor and Industry (department). In 2025, House Bill (HB) 239 established licensure of construction contractors and placed the license within Title 37, MCA. Licensing, and the establishment of unprofessional conduct standards and enforcement, provides for public safety by limiting the ability of bad actors to continue to engage in the profession. This rulemaking is reasonably necessary to repeal the current rules for construction contractor registration in favor of new rules for the license.

Notes: The department will hold a public hearing on December 2, 2025, to consider the notice.

**MAR Notice Number:** 2025-239.1

Subject: Amendment and adoption of rules pertaining to professional employer organization rules.

Summary: The department proposes to amend 24.38.101, 24.98.105, 24.38.111, 24.38.125. The Department proposes to adopt New Rule I (Quarterly Filings). Generally, the rule notice seeks to

simplify application processes, remove rule language that is duplicative of statute, correct references, fix cross references in a rule, and eliminate burdensome paperwork.

Notes: The department will hold a public hearing on November 28, 2025, to consider the notice.

**MAR Notice Number:** 2025-417.1

Subject: Adoption of rules pertaining to the Board of Speech-Language Pathologists and Audiologists relating to substantial equivalency.

Summary: The board proposes to adopt New Rule I (Substantial Equivalency). The board provided the following general statement of reasonable necessity:

The 2025 Montana Legislature passed House Bill 246 which was signed by the Governor April 3, 2025, and will become effective October 1, 2025. The bill standardizes substantial equivalency determinations in professional licensing and eliminates duplicative statutory sections regarding equivalency and reciprocity.

While historically available to applicants licensed in other states or jurisdictions, licensure by substantial equivalency has never been consistent among the professional licensing boards and programs. House Bill 246 creates a standard definition for determining substantial equivalency to be uniformly utilized by all the boards and programs when processing endorsement applications. This will create overall efficiencies in processing endorsement applications and reduce licensing wait times for applicants and employers.

To implement the legislation and further the endorsement licensing process, the Board of Speech-Language Pathologists and Audiologists is proposing to adopt NEW RULE 1. The board has compared current licensure standards of the fifty United States for board licensees and determined those that are substantially equivalent per the definition in 37-1-302, MCA. This new rule will adopt and incorporate by reference the board's initial approved list of states having substantially equivalent licensing standards. The list will be published on the board's website. The board will analyze other states' licensing standards annually, and update the published list as needed.

Notes: The department will hold a public hearing on November 28, 2025, to consider the notice.

#### Department of Livestock and administratively attached entities

There are no new rules.

#### State Auditor's Office

**MAR Notice Number:** 2025-192.1

Subject: Amendment of a rule pertaining to establishment, deletion, or revision of classifications for various industries for supplementing the NCCI Basic Manual for Workers Compensation and Employers Liability Insurance.

Summary: The department proposes to amend 6.6.8301 to effectuate amendments to the National Council on Compensation Insurance Basic Manual for Workers Compensation and Employers Liability Insurance.

Notes: The department does not anticipate the need to hold a public hearing.

#### Division of Banking and Financial Institutions

There are no new rules.

#### Department of Revenue, Alcoholic Beverage Control Division and Cannabis Control Division

There are no new rules.

Governor's Office of Economic Development

There are no new rules.