

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
OF THE STATE OF MONTANA

In the matter of the commissioner's) NOTICE OF PUBLIC HEARING
active supervision of the Board of)
Professional Engineers and)
Professional Land Surveyors)
regarding a proposed rule adding)
experience with the Public Land)
Survey System)

TO: All Concerned Persons

1. On September 2, 2020, at 10:00 a.m., the Department of Labor and Industry (department) will hold a public hearing via remote conferencing to take public comment regarding whether a proposal for amendment of ARM 24.183.303(11) is reasonable and necessary to protect the public health, safety, and welfare pursuant to 37-1-121(1)(d), MCA.

2. Because there currently exists a state of emergency in Montana due to the public health crisis caused by the novel coronavirus, COVID-19, there will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

(a) Join Zoom Meeting, on Wednesday September 2, 2020, 10:00 a.m. Mountain Time, at <https://mt.gov.zoom.us/j/93217557751?pwd=SEVpUHNueitXS1VkSUhFcG1LNys3UT09>

Meeting ID: 932 1755 7751
Password: 657050

OR

(b) Dial by telephone, +1 406 444 9999 or +1 646 558 8656,

Meeting ID: 93217557751
Password: 657050

The hearing will begin with a brief introduction by department staff to explain the use of the videoconference and telephonic platform. All participants will be muted except when it is their time to speak.

3. The department will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m., on August 19, 2020, to advise us of the nature of the accommodation that you need. Please contact Laura DuColon, P.O. Box 1728,

Helena, Montana 59624-1728; telephone (406) 444-4493; Montana Relay 711; or e-mail laura.ducolon@mt.gov.

4. The only rule section amendment upon which public comment is sought provides as follows, with underlining representing proposed addition, and interlining representing proposed removal:

24.183.303 DEFINITIONS (1) through (10) remain the same.

(11) "Progressive land survey experience" means experience obtained under the supervision of a licensed professional land surveyor, on land surveying projects, which, over time, are of increasing quality and require greater responsibility, and which must include experience with the Public Land Survey System (PLSS) and Bureau of Land Management Manual of Survey Instructions, and may include one or more of the following:

~~(a) experience on land surveying projects which, over time, are of increasing quality and require greater responsibility of the applicant;~~

(b) and (c) remain the same but are renumbered (a) and (b).

(12) through (15) remain the same.

AUTH: 37-67-202, MCA

IMP: 37-67-101, 37-67-103, 37-67-314, 37-67-322, 37-67-323, 37-67-324, 37-67-325, 37-67-326, 37-67-328, MCA

5. After public comment has been received, the commissioner will issue a decision recommending whether the Board of Professional Engineers and Professional Land Surveyors may proceed with a proposal to amend the rule.

6. Concerned persons 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 Laura Ducolon, Department of Labor and Industry, P.O. Box 1728, Helena, MT 59624-1728, or by e-mail to: laura.ducolon@mt.gov, and must be received no later than September 4, 2020, at 5:00 p.m.

/s/ Brenda Nordlund

Brenda Nordlund, Acting Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State on July 28, 2020.