

BEFORE THE DEPARTMENT OF COMMERCE  
OF THE STATE OF MONTANA

In the matter of the adoption of NEW ) NOTICE OF PUBLIC HEARING ON  
RULE I pertaining to the ) PROPOSED ADOPTION  
administration of the Agritourism )  
Grants Program )

TO: All Concerned Persons

1. On August 29, 2024, at 10:00 a.m., the Department of Commerce (department) will hold a public hearing via zoom to consider the proposed adoption of the above-stated rule.

Video:

[https://mt-gov.zoom.us/webinar/register/WN\\_OFRGPLheRLaFglQKm7qmtQ](https://mt-gov.zoom.us/webinar/register/WN_OFRGPLheRLaFglQKm7qmtQ)

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in this process or need an alternative accessible format of this notice. If you require accommodation, please contact the department by 5:00 p.m. on August 27, 2024, to advise us of the nature of the accommodation you are requesting. Please contact the Department of Commerce, 301 South Park Avenue, P.O. Box 200501, Helena, Montana, 59620-0501; telephone (406) 841-2596; fax (406) 841-2771; TDD (406) 841-2702; or e-mail [docadministrativerules@mt.gov](mailto:docadministrativerules@mt.gov).

3. The proposed new rule is as follows:

NEW RULE I INCORPORATION BY REFERENCE OF RULES GOVERNING THE GUIDELINES FOR THE AGRITOURISM GRANTS PROGRAM (1) The department adopts and incorporates by reference Program Guidelines, Application and Grant Administration for the Agritourism Grants Program with the most current version being posted on the Tourism Grant Program website (guidelines), as rules governing how the department will administer the program.

(2) The guidelines address the following:

- (a) Introduction;
- (b) Definitions;
- (c) Eligible Applicants;
- (d) Eligible Uses of Funds;
- (e) Ineligible Uses of Funds;
- (f) Application Process;
- (g) Application Review Process and Ranking Criteria; and
- (h) Award Process and Grant Administration.

(3) Copies of the guidelines may be obtained from the department's Destination MT, 301 South Park Avenue, PO Box 200501, Helena, Montana, 59620-

0501, or on its web site at <https://commerce.mt.gov/Business/Programs-and-Services/Tourism-Marketing/Tourism-Grant-Program/Agritourism-Grant-Program>

AUTH: 90-1-122, MCA

IMP: 90-1-122, MCA

REASON: The proposed new rule is necessary to implement and administer the Agritourism Grants Program in accordance with SB 540, which was enacted by the 2023 Montana Legislature.

Section 1 of SB 540 authorizes the department to provide funding to eligible applicants to support agritourism tourism.

The department proposes adopting NEW RULE I, which incorporates by reference the guidelines. The proposed guidelines can be reviewed on the department's web site at <https://commerce.mt.gov/Infrastructure-Planning/Programs-and-Services/>. Interested persons may comment on the guidelines in accordance with this notice.

Adopting the guidelines is necessary to provide public notice on how the department plans to administer the Agritourism Program in compliance with SB 540.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Department of Commerce, Legal Department, 301 South Park Avenue, P.O. Box 200501, Helena, Montana 59620-0533; telephone (406) 841-2596; fax (406) 841-2871; TDD (406) 841-2702; or e-mail [DOCAdministrativerules@mt.gov](mailto:DOCAdministrativerules@mt.gov), and must be received no later than 5:00 p.m., September 6, 2024.

5. The department's Office of Legal Affairs will preside over and conduct this hearing.

6. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person in paragraph 4 or may be made by completing a request form at any rules hearing held by the department.

7. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor of SB 540, Representative Daniel Zolnikov, was contacted on July 30, 2024, by e-mail at [Daniel.Zolnikov@legmt.gov](mailto:Daniel.Zolnikov@legmt.gov).

8. With regard to the requirements of 2-4-111, MCA, the department has determined that adopting the above-referenced rule will not significantly and directly impact small businesses.

/s/ John Semmens  
JOHN SEMMENS  
Rule Reviewer

/s/ Mandy Rambo  
MANDY RAMBO  
Deputy Director  
Department of Commerce

Certified to the Secretary of State July 29, 2024.