

HOUSE BILL NO. 518

INTRODUCED BY MESSMORE, GILBERT, STEPPLER, LEE, THAYER,
GAGE, PAVLOVICH, QUILICI

IN THE HOUSE

FEBRUARY 1, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON TAXATION.

 FIRST READING.

MARCH 22, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 23, 1991 PRINTING REPORT.

APRIL 2, 1991 SECOND READING, DO PASS.

APRIL 3, 1991 ENGROSSING REPORT.

APRIL 4, 1991 THIRD READING, PASSED.
 AYES, 91; NOES, 8.

 TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON TAXATION.

 FIRST READING.

APRIL 5, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN AS AMENDED. REPORT
 ADOPTED.

APRIL 8, 1991 SECOND READING, CONCURRED IN.

APRIL 9, 1991 THIRD READING, CONCURRED IN.
 AYES, 44; NOES, 1.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 9, 1991 RECEIVED FROM SENATE.

APRIL 11, 1991 SECOND READING, AMENDMENTS NOT
 CONCURRED IN.

APRIL 15, 1991

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 16, 1991

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 19, 1991

CONFERENCE COMMITTEE REPORTED.

APRIL 20, 1991

SECOND READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

APRIL 22, 1991

THIRD READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE SENATE

APRIL 23, 1991

CONFERENCE COMMITTEE REPORT
ADOPTED.

IN THE HOUSE

APRIL 24, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 518
 2 INTRODUCED BY Messrs. Hill, + Stepien
 3 Palmer

4 A BILL FOR AN ACT ENTITLED: "AN ACT GOVERNING THE BUDGET OF
 5 PROPERTY TAX REVENUES THAT EXCEED A TAXING AUTHORITY'S
 6 PROPERTY TAX REVENUES OF THE PREVIOUS FISCAL YEAR; REQUIRING
 7 THE ADOPTION OF A RESOLUTION TO BUDGET THE ADDITIONAL
 8 REVENUE FOLLOWING AN ADVERTISED PUBLIC HEARING; AMENDING
 9 SECTION 15-10-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
 10 DATE."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **Section 1.** Section 15-10-203, MCA, is amended to read:

14 "15-10-203. Increase of tax revenue -- notice
 15 advertisement of intention and public hearing required. (1)
 16 No taxing authority may budget an increased amount of ad
 17 valorem tax revenue ~~exclusive--of-revenue-from-ad-valorem~~
 18 ~~taxation-on-properties-appearing-for-the-first-time--on--the~~
 19 ~~assessment--roll--unless-it-gives-notice-of-its-intention-to~~
 20 ~~do-so-at-the-same-time-and-in-the-same-manner-that-it--gives~~
 21 ~~notice--of-its-hearing-on-its-preliminary-or-proposed-budget~~
 22 for-the-forthcoming-fiscal-year: in excess of the property
 23 tax revenue it received the previous fiscal year unless it
 24 adopts a resolution to budget additional property tax
 25 revenues. Prior to adoption of the resolution, the taxing

1 authority shall hold a public hearing for the purpose of
 2 receiving comments on its intention to budget increased
 3 property tax revenues. The taxing authority shall advertise
 4 notice of the public hearing as specified in subsection (2).
 5 The public hearing may be held in conjunction with the
 6 tentative budget hearing or any other budget hearing that
 7 may be required by law.

8 (2) The taxing authority shall advertise its intent to
 9 budget an increase in property tax revenues in a newspaper
 10 meeting the requirements of 7-1-4127, except the newspaper
 11 may not be primarily in the business of publishing legal
 12 advertisements. If there is no newspaper in the county, in
 13 addition to being posted as required in 7-1-4127, the
 14 advertisement must be published in one or more newspapers of
 15 general circulation widely subscribed to by the residents of
 16 the county. The advertisement may not be placed in that
 17 portion of the newspaper where legal notices and classified
 18 advertisements appear. The advertisement must meet the
 19 notice requirements of 7-1-4128. The advertisement must be
 20 published substantially as follows:

21 NOTICE OF TAX INCREASE

22 The (name of the taxing authority) intends to budget an
 23 increase in revenue from property taxation by (percentage of
 24 increase in property tax revenues from previous fiscal year)
 25 percent.



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 INTRODUCED BILL
 HB 518

LC 0709/01

1 All concerned persons are invited to attend a public
2 hearing on budgeting the increased property tax revenue to
3 be held on (date and time) at (meeting place).

4 A decision on budgeting the increased property tax
5 revenue will be made based upon comments made at this
6 hearing.

7 For further information please contact: (name, address,
8 and phone number of person who can be contacted for further
9 information)."

10 NEW SECTION. Section 2. Effective date. [This act] is
11 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON TAXATION

HOUSE BILL NO. 518

INTRODUCED BY MESSMORE, GILBERT, STEPPLER, LEE, THAYER,
GAGE, PAVLOVICH, QUILICI

A BILL FOR AN ACT ENTITLED: "AN ACT GOVERNING THE BUDGET OF
PROPERTY TAX REVENUES THAT EXCEED A TAXING AUTHORITY'S
PROPERTY TAX REVENUES OF THE PREVIOUS FISCAL YEAR; REQUIRING
THE ADOPTION OF A RESOLUTION TO BUDGET THE ADDITIONAL
REVENUE FOLLOWING AN ADVERTISED PUBLIC HEARING; AMENDING
SECTION 15-10-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-10-203, MCA, is amended to read:

"15-10-203. Increase of tax revenue -- notice
advertisement of intention and public hearing required. (1)
No taxing authority may budget an increased amount of ad
valorem tax revenue ~~exclusive--of-revenue-from-ad-valorem~~
~~taxation-on-properties-appearing-for-the-first-time--on--the~~
~~assessment--roll--unless-it-gives-notice-of-its-intention-to~~
~~do-so-at-the-same-time-and-in-the-same-manner-that-it-gives~~
~~notice--of-its-hearing-on-its-preliminary-or-proposed-budget~~
~~for-the-forthcoming-fiscal-year;~~ in excess of the property
tax revenue it received the previous fiscal year unless it
adopts a resolution to budget additional property tax

revenues. Prior to adoption of the resolution, the taxing
authority shall hold a public hearing for the purpose of
receiving comments on its intention to budget increased
property tax revenues. The taxing authority shall advertise
notice of the public hearing as specified in subsection (2).
The public hearing may be held in conjunction with the
tentative budget hearing or any other budget hearing that
may be required by law.

(2) The taxing authority shall advertise its intent to
budget an increase in property tax revenues in a newspaper
meeting the requirements of 7-1-4127, except the newspaper
may not be primarily in the business of publishing legal
advertisements. If there is no newspaper in the county, in
addition to being posted as required in 7-1-4127, the
advertisement must be published in one or more newspapers of
general circulation widely subscribed to by the residents of
the county. The advertisement may not be placed in that
portion of the newspaper where legal notices and classified
advertisements appear. The advertisement must meet the
notice requirements of 7-1-4128. The advertisement must be
published ~~substantially--as--follows~~ WITH AT LEAST THE
FOLLOWING INFORMATION:

NOTICE OF TAX INCREASE

The (name of the taxing authority) intends to budget an
increase in revenue from property taxation by (percentage of



HB 0518/02

1 increase in property tax revenues from previous fiscal year)
2 percent.

3 All concerned persons are invited to attend a public
4 hearing on budgeting the increased property tax revenue to
5 be held on (date and time) at (meeting place).

6 A decision on budgeting the increased property tax
7 revenue will be made based-upon AFTER CONSIDERING comments
8 made at this hearing.

9 For further information please contact: (name, address,
10 and phone number of person who can be contacted for further
11 information)."

12 NEW SECTION. Section 2. effective date. [This act] is
13 effective on passage and approval.

-End-

HOUSE BILL NO. 518

INTRODUCED BY MESSMORE, GILBERT, STEPLER, LEE, THAYER,
GAGE, PAVLOVICH, QUILICI

A BILL FOR AN ACT ENTITLED: "AN ACT GOVERNING THE BUDGET OF
PROPERTY TAX REVENUES THAT EXCEED A TAXING AUTHORITY'S
PROPERTY TAX REVENUES OF THE PREVIOUS FISCAL YEAR; REQUIRING
THE ADOPTION OF A RESOLUTION TO BUDGET THE ADDITIONAL
REVENUE FOLLOWING AN ADVERTISED PUBLIC HEARING; AMENDING
SECTION 15-10-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-10-203, MCA, is amended to read:

"15-10-203. Increase of tax revenue -- notice
advertisement of intention and public hearing required. (1)
No taxing authority may budget an increased amount of ad
valorem tax revenue exclusive--of-revenue-from-ad-valorem
taxation-on-properties-appearing-for-the-first-time--on--the
assessment--roll--unless-it-gives-notice-of-its-intention-to
do-so-at-the-same-time-and-in-the-same-manner-that-it-gives
notice--of-its-hearing-on-its-preliminary-or-proposed-budget
for-the-forthcoming-fiscal-year: in excess of the property
tax revenue it received the previous fiscal year unless it
adopts a resolution to budget additional property tax

revenues. Prior to adoption of the resolution, the taxing
authority shall hold a public hearing for the purpose of
receiving comments on its intention to budget increased
property tax revenues. The taxing authority shall advertise
notice of the public hearing as specified in subsection (2).
The public hearing may be held in conjunction with the
tentative budget hearing or any other budget hearing that
may be required by law.

(2) The taxing authority shall advertise its intent to
budget an increase in property tax revenues in a newspaper
meeting the requirements of 7-1-4127, except the newspaper
may not be primarily in the business of publishing legal
advertisements. If there is no newspaper in the county, in
addition to being posted as required in 7-1-4127, the
advertisement must be published in one or more newspapers of
general circulation widely subscribed to by the residents of
the county. The advertisement may not be placed in that
portion of the newspaper where legal notices and classified
advertisements appear. The advertisement must meet the
notice requirements of 7-1-4128. The advertisement must be
published substantially--as--follows WITH AT LEAST THE
FOLLOWING INFORMATION:

NOTICE OF TAX INCREASE

The (name of the taxing authority) intends to budget an
increase in revenue from property taxation by (percentage of



1 increase in property tax revenues from previous fiscal year)
2 percent.

3 All concerned persons are invited to attend a public
4 hearing on budgeting the increased property tax revenue to
5 be held on (date and time) at (meeting place).

6 A decision on budgeting the increased property tax
7 revenue will be made based-upon AFTER CONSIDERING comments
8 made at this hearing.

9 For further information please contact: (name, address,
10 and phone number of person who can be contacted for further
11 information)."

12 NEW SECTION. Section 2. Effective date. [This act] is
13 effective on passage and approval.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 5, 1991

MR. PRESIDENT:

We, your committee on Taxation having had under consideration House Bill No. 518 (third reading copy -- blue), respectfully report that House Bill No. 518 be amended and as so amended be concurred in:

1. Title, line 6.

Following: "A"

Insert: "LOCAL"

2. Page 1, line 17.

Following: "No"

Insert: "local"

3. Page 1, line 24.

Following: "year"

Insert: "exclusive of revenue from ad valorem taxation on properties appearing for the first time on the assessment roll"

4. Page 2, line 23.

Strike: "TAX"

Insert: "BUDGET"

Following: "INCREASE"

Insert: "FROM PROPERTY TAXES"

Signed: _____


Mike Halligan, Chairman

MA 4-5-9
Add. Coord.

SB 4-5 4:25
Sec. of Senate

SENATE
HB 518

HOUSE BILL NO. 518

INTRODUCED BY MESSMORE, GILBERT, STEPLER, LEE, THAYER,
GAGE, PAVLOVICH, QUILICI

A BILL FOR AN ACT ENTITLED: "AN ACT GOVERNING THE BUDGET OF
PROPERTY TAX REVENUES THAT EXCEED A LOCAL TAXING AUTHORITY'S
PROPERTY TAX REVENUES OF THE PREVIOUS FISCAL YEAR; REQUIRING
THE ADOPTION OF A RESOLUTION TO BUDGET THE ADDITIONAL
REVENUE FOLLOWING AN ADVERTISED PUBLIC HEARING; AMENDING
SECTION 15-10-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-10-203, MCA, is amended to read:

"15-10-203. Increase of tax revenue -- notice
advertisement of intention and public hearing required. (1)
No LOCAL taxing authority may budget an increased amount of
ad valorem tax revenue ~~exclusive-of-revenue-from-ad-valorem~~
~~taxation--on--properties-appearing-for-the-first-time-on-the~~
~~assessment-roll-unless-it-gives-notice-of-its--intention--to~~
~~do--so-at-the-same-time-and-in-the-same-manner-that-it-gives~~
~~notice-of-its-hearing-on-its-preliminary-or-proposed--budget~~
~~for--the--forthcoming-fiscal-year;~~ in excess of the property
tax revenue it received the previous fiscal year EXCLUSIVE
OF REVENUE FROM AD VALOREM TAXATION ON PROPERTIES APPEARING

FOR THE FIRST TIME ON THE ASSESSMENT ROLL unless it adopts a
resolution to budget additional property tax revenues. Prior
to adoption of the resolution, the taxing authority shall
hold a public hearing for the purpose of receiving comments
on its intention to budget increased property tax revenues.
The taxing authority shall advertise notice of the public
hearing as specified in subsection (2). The public hearing
may be held in conjunction with the tentative budget hearing
or any other budget hearing that may be required by law.

(2) The taxing authority shall advertise its intent to
budget an increase in property tax revenues in a newspaper
meeting the requirements of 7-1-4127, except the newspaper
may not be primarily in the business of publishing legal
advertisements. If there is no newspaper in the county, in
addition to being posted as required in 7-1-4127, the
advertisement must be published in one or more newspapers of
general circulation widely subscribed to by the residents of
the county. The advertisement may not be placed in that
portion of the newspaper where legal notices and classified
advertisements appear. The advertisement must meet the
notice requirements of 7-1-4128. The advertisement must be
published substantially--as--follows WITH AT LEAST THE
FOLLOWING INFORMATION:

NOTICE OF TAX BUDGET INCREASE FROM PROPERTY TAXES

The (name of the taxing authority) intends to budget an

1 increase in revenue from property taxation by (percentage of
2 increase in property tax revenues from previous fiscal year)
3 percent.

4 All concerned persons are invited to attend a public
5 hearing on budgeting the increased property tax revenue to
6 be held on (date and time) at (meeting place).

7 A decision on budgeting the increased property tax
8 revenue will be made based-upon AFTER CONSIDERING comments
9 made at this hearing.

10 For further information please contact: (name, address,
11 and phone number of person who can be contacted for further
12 information)."

13 **NEW SECTION. Section 2. Effective date.** [This act] is
14 effective on passage and approval.

-End-

Conference Committee
on House Bill 518
Report No. 1, April 19, 1991

4-19-91
4:35pm
ADW

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 518 met and considered the Senate committee on Taxation amendments, dated April 5, 1991, and recommend that the Senate amendments be accepted in their entirety.

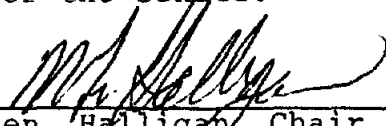
And this Conference Committee report be adopted.

For the House:

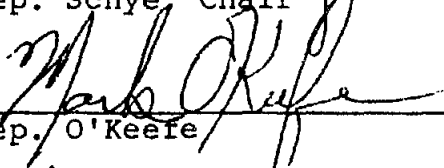
For the Senate:



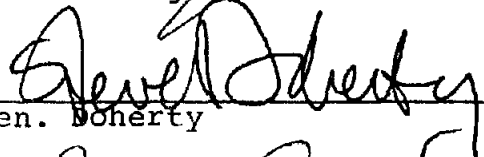
Rep. Schye - Chair



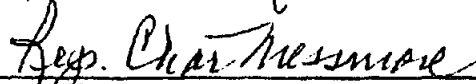
Sen. Halligan - Chair



Rep. O'Keefe



Sen. Doherty



Rep. Messmore



Sen. Thayer

ADOPT

REJECT

CCR.#1
HB 518
841500CC.HSF



AN ACT GOVERNING THE BUDGET OF PROPERTY TAX REVENUES THAT EXCEED A LOCAL TAXING AUTHORITY'S PROPERTY TAX REVENUES OF THE PREVIOUS FISCAL YEAR; REQUIRING THE ADOPTION OF A RESOLUTION TO BUDGET THE ADDITIONAL REVENUE FOLLOWING AN ADVERTISED PUBLIC HEARING; AMENDING SECTION 15-10-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 15-10-203, MCA, is amended to read:

"15-10-203. Increase of tax revenue -- notice advertisement of intention and public hearing required. (1) No local taxing authority may budget an increased amount of ad valorem tax revenue in excess of the property tax revenue it received the previous fiscal year exclusive of revenue from ad valorem taxation on properties appearing for the first time on the assessment roll unless it adopts a resolution to budget additional property tax revenues. Prior to adoption of the resolution, the taxing authority shall hold a public hearing for the purpose of receiving comments on its intention to budget increased property tax revenues. The taxing authority shall advertise notice of the public hearing as specified in subsection (2). The public hearing may be held in conjunction with the tentative budget hearing or any other budget hearing that may be required by law. gives-notice of--its-intention-to-do-so-at-the-same-time-and-in-the-same-manner that-it-gives-notice-of-its-hearing-on-its-preliminary-or-proposed

~~budget-for-the-forthcoming-fiscal-year.~~

(2) The taxing authority shall advertise its intent to budget an increase in property tax revenues in a newspaper meeting the requirements of 7-1-4127, except the newspaper may not be primarily in the business of publishing legal advertisements. If there is no newspaper in the county, in addition to being posted as required in 7-1-4127, the advertisement must be published in one or more newspapers of general circulation widely subscribed to by the residents of the county. The advertisement may not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement must meet the notice requirements of 7-1-4128. The advertisement must be published with at least the following information:

NOTICE OF BUDGET INCREASE FROM PROPERTY TAXES

The (name of the taxing authority) intends to budget an increase in revenue from property taxation by (percentage of increase in property tax revenues from previous fiscal year) percent.

All concerned persons are invited to attend a public hearing on budgeting the increased property tax revenue to be held on (date and time) at (meeting place).

A decision on budgeting the increased property tax revenue will be made after considering comments made at this hearing.

For further information please contact: (name, address, and phone number of person who can be contacted for further

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information)."

Section 2. **Effective date.** [This act] is effective on passage and approval.

1 HOUSE BILL NO. 519
 2 INTRODUCED BY Dobson
 3 BY REQUEST OF THE BOARD OF COSMETOLOGY

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT SEPARATE
 6 TEACHERS SUPERVISE THE WORK OF COSMETOLOGY STUDENTS AND
 7 MANICURING STUDENTS; CLARIFYING THAT VIOLATIONS OF RULES ARE
 8 SUBJECT TO DISCIPLINARY ACTION; PROVIDING A PENALTY FOR
 9 FAILURE TO FILE TIMELY REPORTS WITH THE BOARD OF
 10 COSMETOLOGY; AND AMENDING SECTIONS 37-31-311 AND 37-31-331,
 11 MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 37-31-311, MCA, is amended to read:

15 *37-31-311. Schools -- certificate of registration --
 16 requirements -- bond -- curriculum. (1) No person, firm,
 17 partnership, or corporation may operate a school for the
 18 purpose of teaching cosmetology for compensation or for the
 19 purpose of teaching manicuring for compensation unless a
 20 certificate of registration has been first obtained from the
 21 department. Application for the certificate shall be filed
 22 with the department on a form prescribed by the board.

23 (2) No school for teaching cosmetology may be granted a
 24 certificate of registration unless it complies or can comply
 25 with the following requirements:

1 (a) It shall have in its employ a licensed teacher who
 2 is at all times in the immediate supervision of the work of
 3 the students enrolled in the school of cosmetology, or other
 4 teachers the board determines are necessary for the proper
 5 conduct of the school. There may not be more than 25
 6 students to each teacher.

7 (b) It shall possess apparatus and equipment the board
 8 determines is necessary for the ready and full teaching of
 9 all subjects or practices of cosmetology.

10 (c) It shall maintain a school term of not less than
 11 2,000 hours and shall prescribe a course of practical
 12 training and technical instruction equal to the requirements
 13 for board examinations, which course of training and
 14 technical instruction shall be prescribed by the board.

15 (d) It shall keep a daily record of the attendance of
 16 each student, establish grades, and hold examinations before
 17 issuing diplomas.

18 (e) No owner or person in charge of a school of
 19 cosmetology may permit a person to sleep in or use for
 20 residential purposes, or any other purpose which would tend
 21 to make the room unsanitary, a room used wholly or in part
 22 for a school of cosmetology.

23 (3) No school for teaching manicuring may be granted a
 24 certificate of registration unless it complies with
 25 ~~subsections---(2)(a)---and---(2)(d)---and~~ the following

1 requirements:

2 (a) It must possess apparatus and equipment the board
3 determines necessary for the ready and full teaching of all
4 subjects or practices of manicuring.

5 (b) It must maintain a school term and a course of
6 practical training and technical instruction as prescribed
7 by the board.

8 (c) No owner or person in charge of a school of
9 manicuring may permit a person to sleep in or use for
10 residential purposes, or any other purpose that would tend
11 to make the room unsanitary, a room used wholly or in part
12 for a school of manicuring.

13 (d) It shall have in its employ a licensed teacher who
14 is at all times in the immediate supervision of the work of
15 the students enrolled in the school of manicuring, or other
16 teachers the board determines are necessary for the proper
17 conduct of the school. There may not be more than 20
18 students assigned to each teacher.

19 (e) It shall keep a daily record of the attendance of
20 each student, establish grades, and hold examinations before
21 issuing diplomas.

22 (4) Licenses or certificates of registration for
23 schools of cosmetology and schools of manicuring may be
24 refused, revoked, or suspended, as provided in 37-31-331.

25 (5) No teacher or student teacher may be permitted to

1 practice cosmetology or manicuring on the public in a school
2 of cosmetology or a school of manicuring. A school that
3 enrolls student teachers for a course of student teacher
4 training may not have, at any one time, more than one
5 student teacher for each full-time licensed teacher actively
6 engaged at the school. The student teachers may not
7 substitute for full-time teachers.

8 (6) The board may make further rules necessary for the
9 proper conduct of schools of cosmetology and schools of
10 manicuring.

11 (7) The board shall require the person, firm,
12 partnership, or corporation operating a school of
13 cosmetology or a school of manicuring to furnish a good and
14 sufficient bond in the amount of \$5,000 and in a form and
15 manner prescribed by the board.

16 (8) No professional beauty shop or manicuring shop may
17 be operated in connection with a school of cosmetology or
18 school of manicuring.

19 (9) The board may, by rule, establish a suitable
20 curriculum for teachers' training in registered schools of
21 cosmetology."

22 **Section 2.** Section 37-31-331, MCA, is amended to read:

23 "37-31-331. Refusal, revocation, or suspension of
24 licenses -- grounds -- notice and hearing. (1) The board may
25 refuse to issue, refuse to renew, or may revoke or suspend a

1 license in any one of the following cases:

2 (a) failure of a person, firm, partnership, or
3 corporation operating a cosmetological establishment,
4 manicuring shop, school of cosmetology, or school of
5 manicuring to comply with this chapter or rules adopted
6 under this chapter;

7 (b) failure to comply with the sanitary rules adopted
8 by the board and approved by the department of health and
9 environmental sciences for the regulation of cosmetological
10 establishments, manicuring shops, schools of cosmetology, or
11 schools of manicuring;

12 (c) gross malpractice;

13 (d) continued practice by a person knowingly having an
14 infectious or contagious disease;

15 (e) habitual drunkenness or habitual addiction to the
16 use of morphine or any habit-forming drug;

17 (f) permitting a certificate of registration or license
18 to be used where the holder is not personally, actively, and
19 continuously engaged in business; or

20 (g) failure to display the license; or

21 (h) failure of a person, firm, partnership, or
22 corporation operating a school of cosmetology or school of
23 manicuring to submit to the board in a timely manner all
24 reports and correspondence required by this chapter or rules
25 adopted under this chapter.

1 (2) However, the board may not refuse to authorize the
2 department to issue or renew a license or revoke or suspend
3 a license already issued until after notice and opportunity
4 for a hearing."

-End-