

HOUSE BUSINESS & INDUSTRY COMMITTEE

Chairman, Rep. Jerry Metcalf, called the Business & Industry Committee to order on January 5, 1983, at 9:00 a.m. in Room 420 of the Capitol Building, Helena, Montana. All members were present with the exception of Rep. Bob Ellerd who was absent and Hal Harper, Les Kitselman and Jim Schultz who were excused.

HOUSE BILL 14

REP. JOHN VINCENT, House District #78, Gallatin County, sponsor, said HB 14 would basically clear up the language that appears in other statutes. See Exhibit 1 for a summary of HB 14.

OPPONENTS - none

QUESTIONS -

Rep. Fagg asked Greg Petesch of Legislative Council who drafted HB 14 if we would ever become recodified. He said it seemed as though we are always recodifying. Mr. Petesch said this bill would help.

Rep. Wallin asked Mr. Petesch about the term "securities commissioner" and Mr. Petesch replied that the term "investment commissioner" was antiquated and would be replaced with the term "securities commissioner"

EXECUTIVE SESSION


Rep. Ellison moved that HOUSE BILL 14 DO PASS. Chairman Metcalf called for a vote. The motion that HOUSE BILL 14 DO PASS carried unanimously. It was recommended this Bill be placed on the Consent Calendar which was agreed to unanimously.

The Committee will meet Thursday, January 6 at 9:00 a.m. in Room 420 to deliberate on House Bill 20.

Meeting adjourned at 8:10 a.m.



JERRY METCALF, CHAIRMAN



Linda Palmer, Secretary

1983 Legislature
Code Commissioner Bill - Summary

Bill House No. 14

AN ACT TO GENERALLY REVISE AND CLARIFY LAWS RELATING TO BUSINESS AND LABOR; AMENDING SECTIONS 30-14-702, 33-25-103, 37-8-405, 39-51-2501, 39-51-3106, and 70-23-609, MCA; AND REPEALING SECTIONS 37-33-101 THROUGH 37-33-104, 37-33-201 THROUGH 37-33-204, AND 37-33-301 THROUGH 37-33-312, MCA.

Title 30. Trade and Commerce

Section 1. 30-14-702. Substitutes state "securities commissioner" for state "investment department". The securities commissioner was formerly known as the investment commissioner and he headed the investment department. The section deals with securities and is clearly intended to refer to a permit from the securities commissioner.

Title 33. Insurance and Insurance Companies

Section 2. 33-25-103. Section 37-52-304, MCA, referred to in subsection (1), was repealed by sec. 195, Ch. 575, L. 1981. The reference and surrounding obsolete language are deleted. Title abstracters no longer are issued a certificate of authority.

Title 37. Professions and Occupations

Section 3. 37-8-405. Deletes language referring to the professional nursing administration. Chapter 248, L. 1981 deleted the dualistic functions of the board of nursing and the professional nursing administration. This reference was apparently left as an oversight.

Section 7. Title 37, ch. 33. Repeals the chapter relating to the board of massage therapists. The board was sunsetted by the 1981 legislature and therefore terminated on July 1, 1981, as provided for in 2-8-103, MCA. The chapter is therefore obsolete.

Title 39. Labor

Section 4. 39-51-2501. Substitutes "its" for "his" in subsection (2)(a). "His" clearly referred back to department, therefore, "its" is a more proper pronoun.

Section 5. 39-51-3106. Substitutes "benefits" for "compensation" wherever it appears in the section and "department" for "division" wherever it appears in the section. This section enacted during the first special session is inconsistent with the rest of the chapter which refers to "unemployment benefits". The change of "compensation" to "benefits" would remove the inconsistency. Chapter 349, L. 1981, abolished the "employment security division" and changed all references to it to the "department of labor". This was apparently forgotten during the special session.

Title 70. Property

Section 6. 70-23-609. Substitutes "bid on" for "bid in" in subsection (2) which was an apparent typographical error.