

MINUTES OF THE MEETING
BUSINESS AND LABOR COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

February 23, 1985

The meeting of the Business and Labor Committee was called to order by Chairman Bob Pavlovich, on February 23, 1985 at 7:00 a.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present.

ACTION ON HOUSE BILL 649: Representative Kitselman made a motion that House Bill 649 DO PASS. Representative Pavlovich asked if the plates could be marked with either DDS or DEN. Representative Kitselman then moved the amendments which are attached hereto as Exhibit 1. The amendments DO PASS by unanimous vote. Representative Kitselman moved the statement of intent, which passed unanimously. HB649 DO PASS AS AMENDED WITH STATEMENT OF INTENT with all but Representative McCormick voting yes.

ACTION ON HOUSE BILL 479: Representative Kitselman made a motion that House Bill 479 be TABLED. Second was received and House Bill 479 is TABLED by a unanimous vote.

ACTION ON HOUSE BILL 896: Representative Jones moved DO PASS on House Bill 896. Representative Jones then moved the amendments which are attached hereto as Exhibit 2 and the statement of intent. The amendments and statement of intent DO PASS unanimously. House Bill 896 DO PASS AS AMENDED unanimously.

ACTION ON HOUSE BILL 387: Representative Driscoll made a motion that House Bill 387 DO PASS. Representative Driscoll then moved the statement of intent which passed unanimously. House Bill 387 DO PASS WITH STATEMENT OF INTENT by a unanimous vote.

ACTION ON HOUSE BILL 895: Representative Glaser moved DO PASS on House Bill 895. He then moved the amendments attached hereto as Exhibit 3 and explained that electrician is added, residential installation is deleted and a license may be taken away if the privilege is abused. The amendments DO PASS unanimously. Representative Glaser then moved the statement of intent which passed by a unanimous vote. House Bill 895 DO PASS AS AMENDED WITH STATEMENT OF INTENT with all but Representative Hansen voting yes. Representative Hansen added that this satisfies the fire department and not the retailer.

HOUSE JOINT RESOLUTION 13: Hearing commenced on House Joint

Resolution 13. Representative Cal Winslow, District #89, sponsor of the bill, explained this resolution requests Burlington Northern Railroad to reduce its freight rates on Montana coal to correspond to any reduction adopted by the legislature in the Coal Severance Tax rate. Representative Winslow distributed to committee members Exhibit 4 which is attached hereto.

Proponent John Delano, representing the Montana Railroad Association offered his support of the bill including the amendments offered by Representative Winslow.

There being no further discussion by proponents and no opponents, all were excused by the chairman and the hearing on House Joint Resolution 13 was closed.

ACTION ON HOUSE JOINT RESOLUTION 13: Representative Driscoll moved DO PASS on House Joint Resolution 13 and moved the amendments which passed by unanimous vote. House Joint Resolution 13 DO PASS AS AMENDED with Representative Hansen voting no.

HOUSE JOINT RESOLUTION 38: Hearing commenced on House Joint Resolution 13. Representative Bob Bachini, District # 14, sponsor of the bill, stated this resolution requests Congress to appropriate money to fund continued operations of Amtrak. Those on the northern route depend on the service Amtrak provides, added Representative Bachini.

Proponent Joe Brand, State Director, United Transportation Union, explained that all transportation systems are subsidized by the federal government. This resolution is asking Congress to reinstate funding for Amtrak.

There being no further discussion by proponents and no opponents, all were excused by the chairman and the hearing on House Joint Resolution 38 was closed.

ACTION ON HOUSE JOINT RESOLUTION 38: Representative Bachini made a motion that House Joint Resolution 38 DO PASS. Second was received, House Joint Resolution 38 DO PASS unanimously.

HOUSE BILL 901: Hearing commenced on House Bill 901. Representative Dave Brown, District #72, sponsor of the bill, explained this exempts from the additional tax on public contractors a contractor on a federal research facility and is effective on passage and approval. This bill relates to the MHD development in Butte, added Representative Brown.

Proponent Jack Sherick, representing MHD, explained that the money coming into the state to enhance science and technology creates jobs. The development is an excellent opportunity to get federal dollars into the state.

Representative Bob Pavlovich stated that he wished to be put on record as a proponent to this bill.

Opponent John LaFaver, representing the Department of Revenue, explained that research should not be tax exempt and that the impact would be \$350,000 to the general fund. We should not single out one California firm who owes tax, has owed tax and refuses to pay. This will create a poor tax precedent for the state, added Mr. LaFaver.

In closing, Representative Brown explained that this would apply to one facility only that was constructed in 1976. At that time, the 1% tax was not withheld by the state and the federal government is backing up the claim that the tax is not owed. The competition is tough and Montana needs every edge they can get, stated Representative Brown.

Representative Schultz asked Mr. LaFaver what notification process is used and if this situation happens in other industries. Mr. LaFaver stated that in November, 1984, a tax notice was sent for the years 1978, 1979, 1980 and 1981 plus penalty and interest. The experience with other industries is rare, but is seen occasionally.

Representative Kadas asked Mr. Sherick to explain the situation. Mr. Sherick stated that under direction Keyser cannot pay the taxes due and that they are no longer the contractor. Twenty seven other states currently have this law, added Mr. Sherick.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on House Bill 901 was closed.

ACTION ON HOUSE BILL 901: Representative Schultz moved DO PASS on House Bill 901 and then moved an amendment on page 2, line 3, following into, strike the remainder of line 3. Representative Wallin seconded the motion which passed unanimously. House Bill 901 DO PASS AS AMENDED by unanimous vote.

ACTION ON HOUSE BILL 567: Representative Schultz made a motion that the committee reconsider their action on House Bill 567 and explained that there were clerical problems with the amendments that were adopted previously. Representative

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Schultz's motion did pass unanimously. He then moved the amendments which are attached hereto as Exhibit 5, which passed by a unanimous vote. House Bill 567 DO PASS AS AMENDED unanimously.

ACTION ON HOUSE BILL 880: Representative Glaser moved DO PASS on House Bill 880 and then moved the amendments that are attached hereto as Exhibit 6. Representative Driscoll asked if the concern with numbering the invoices is included, which was correct. House Bill 880 DO PASS AS AMENDED unanimously.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 7:55 a.m.



Rep. Bob Pavlovich
Chairman

DAILY ROLL CALL
BUSINESS AND LABOR COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date February 23, 1985

NAME	PRESENT	ABSENT	EXCUSED
Bob Pavlovich	✓		
Les Kitselman	✓		
Bob Bachini	✓		
Ray Brandewie	✓		
Jan Brown	✓		
Jerry Driscoll	✓		
Robert Ellerd	✓		
William Glaser	✓		
Stella Jean Hansen	✓		
Marjorie Hart	✓		
Ramona Howe	✓		
Tom Jones	✓		
Mike Kadas	✓		
Vernon Keller	✓		
Lloyd McCormich	✓		
Jerry Nisbet	✓		
James Schultz	✓		
Bruce Simon	✓		
Fred Thomas	✓		
Norm Wallin	✓		

STANDING COMMITTEE REPORT

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 649

FIRST reading copy (WHITE)
color

GENERALLY REVISE THE LAWS GOVERNING THE PRACTICE OF DENTURITRY

Respectfully report as follows: That HOUSE Bill No. 649

BE AMENDED AS FOLLOWS:

1. Title, line 8
Following: "YEAR"
Insert: "AND ADD // A DENTIST TO THE BOARD"
2. Title, line 24
Following: "DENTURITRY;"
Insert: "PROVIDING FOR SUNSET REVIEW; PROVIDING PROCEDURES FOR
MAKING AND FITTING PARTIAL DENTURES AND FOR MAKING X-RAYS;
3. Title, Page 2, line 4
Following: "22,"
Insert: "26,"

DO PASS:

B

4. Page 2, line 15
Following: "attorney."
Strike: "three"
Insert: "two"
5. Page 2, line 18
Following: "denturistry"
Insert: "and who are not dentists. One member of the board must be a dentist licensed under 37-4-301"
6. Page 12, line 8
Following: line 7
Strike: line 8 through "respectively,"
Insert: "staggered terms"
7. Page 15, line 11
Following: line 10
Strike: lines 11 through 21 in their entirety
Insert: "No person may represent or hold himself out to the public as a denturist or as practicing denturistry"
8. Page 15, line 23
Following: line 22
Insert: "NEW SECTION. Section 15. Procedure for making and fitting partial denture. (1) Prior to making and fitting a partial denture, a denturist shall:
(a) formulate a study model of the intended denture;
(b) refer the patient to a dentist together with the model for tooth cleaning, mouth preparation, and x-rays, as needed; and
(c) make the partial denture and fit it to the existing teeth after the dentist has completed the procedures listed in subsection (1)(b) and in accordance with the dentist's recommendations.
(2) A denturist may not cut, surgically remove, or surgically reduce any tissue or teeth in the process of fitting a partial denture.
(3) A denturist who makes or fits a partial denture in a manner not consistent with this section is subject to the sanctions provided in section 15 of Initiative 27."

October **NEW SECTION. Section 16. Sunset review by audit committee --** provisions for possible merger. (1) The legislative audit committee shall review the operations of the board of denturistry under the criteria of 2-8-112 and 2-8-113 and the additional criterion of whether the board has licensed a sufficient number of denturists to be a viable agency. The legislative audit committee shall, if the board has not licensed 30 denturists who are practicing in Montana by Oct 1, 1986, or if the board has otherwise failed to demonstrate its fiscal viability, and may in any event, prepare a bill for the 50th legislature to merge the board of denturistry with the board of dentistry. (2) If the legislative audit committee proposes a merger under subsection (1), it shall provide that the board of dentistry consist of four dentists, one dental hygienist, one denturist, and two lay persons, one of whom must be a senior citizen representative.

Section 17. Section 26 of Montana Initiative No. 97 is amended to read: "Section 26. Section 37-14-301, MCA is amended to read: "37-14-301. Limitation of license authority-exemptions. (1) No person may apply x-ray radiation to a person unless licensed under this chapter, with the following provisos: (a) Licensure is not required for: (i) a student enrolled in and attending a school or college of medicine, osteopathy, chiropody, podiatry, dentist, dental hygiene, chiropractic, or radiologic technology who applies x-ray radiation to persons under the specific direction of a person licensed to prescribe such examinations or treatment; (ii) a person administering x-ray examinations related to the practice of dentistry or denturistry, provided such person is certified by the board of dentistry as having passed an examination testing his proficiency to administer x-ray examinations. (b) Nothing in this chapter shall be construed to limit or affect in any respect the practice of their respective professions by duly licensed practitioners. (2) A person licensed as a radiologic technologist may apply x-ray radiation to persons for medical, diagnostic, or therapeutic purposes under the specific direction of a person licensed to prescribe such examinations or treatments. (3) A radiologic technologist licensed under this chapter may inject contrast media and radioactive isotopes (radio-nuclide material) intravenously upon request of a duly licensed practitioner. In the case of contrast media, the licensed practitioner requesting the procedure or the radiologist must be immediately available within the x-ray department. Such injections must be for diagnostic studies only and not for therapeutic purposes. The permitted injections include peripheral intravenous injections but specifically exclude intra-arterial or intracatheter injections. An uncertified radiologic technologist or a permit holder under 37-14-306 may not perform any of the activities listed in this subsection."

Renumber: subsequent sections

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9. Page 16, line 3
Following: "12,"
Strike: "and"
Following: "14"
Insert: ", and 15"
10. Page 16, line 3
Following: "12,"
Strike: "and"
Following: "14"
Insert: ", and 15"

DO PASS AS AMENDED
STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT

This bill is for a major revision of Initiative 97, the Dentistry Practice Act. The bill delegates new authority to the new board of dentistry and clarifies some delegations of authority contained in the initiative. A statement of intent is therefore required for this bill.

It is the intent of section 1 of the bill that the governor have authority to implement staggered terms of board members during the appointing process.

It is the intent of section 4 of the bill that the board of dentistry have general authority to adopt rules for the implementation and enforcement of the act, including specific authority to adopt rules regarding license applications, license examinations, criteria for grading examinations, disciplinary standards for licensees, inspection of premises and facilities used in the practice of the profession, and investigation of complaints.

It is the intent of section 6 of the bill that the board have authority to modify fees set by the initiative and to set and modify additional fees.

It is the intent of section 7 of the bill that the board have authority to alter license renewal dates by rule.

It is the intent of section 8 of the bill that the board have authority to define "unprofessional conduct" of licensees by rule, for the purpose of establishing license discipline conduct standards.

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 896

first reading copy (white)
color

DEFINING PERMISSIBLE FIREWORKS & FURTHER REGULATING THEIR SALE AND USE

Respectfully report as follows: That HOUSE Bill No. 896

BE AMENDED AS FOLLOWS:

1. Title, line 8
Following: "PROVIDING"
Strike: "A DELAYED"
Insert: "AN IMMEDIATE"
2. Page 3, line 21
Following: "department"
Insert: "of commerce"
ALSO Page 3, lines 13 and 14
Following: "department"
Insert: "of commerce"
3. Page 4, line 1
Following: "rockets,"
Insert: ", including sky rockers, roman candles, daygo bombs,
firecrackers, and bottle rockets,"
4. Page 5, line 7
Following: "effective"
Strike: "January 1, 1906"
Insert: "on passage and approval"

DO PASS
AS AMENDED

STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT

It is the intent of the legislature that the department of commerce adopt rules that include the setting of a permit fee to cover the costs of administering the fireworks wholesaler permit program and to establish rules that provide a monitoring and information function. The rules should elicit pertinent information from the applicant, such as business name and location, mailing address, suppliers, products to be sold under the permit, etc. The rules should provide for conveying of information to the applicant at the time of application, such as responsibilities under Montana law, federal law, and both state and federal administrative rules.

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 387

first reading copy (white)
color

ADMINISTRATIVE RULES RELATING TO PUBLIC WORKS CONTRACTS

Respectfully report as follows: That HOUSE Bill No. 387

DO PASS
STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT

This bill requires a statement of intent because it expressly delegates rulemaking authority to the commissioner of labor and industry.

Title 18, chapter 2, part 4, MCA, the "Little Davis-Bacon Act", requires that a standard prevailing wage be paid for labor on all public works contracts and that Montana labor receive a preference for employment on all public contracts. The commissioner is given the duty to determine the prevailing wage by locality and to otherwise administer part 4. In early 1983 Judge Bennett found in Townsend Electric, Inc. v. Hunger, et al., First Judicial District of Montana (No. 47160), that the commissioner's determinations as to prevailing wage did not have the force of law because the legislature had never granted the commissioner express rulemaking authority to implement part 4. This bill is introduced to clarify that the legislature intends, and has so intended since the adoption of the Little Davis-Bacon Act in 1931, that the commissioner of labor and industry set and enforce prevailing wage rates under that act.

The rulemaking authority expressly delegated to the department of labor and industry by this bill authorizes the department to promulgate the prevailing wage rates as "rules" under the Montana Administrative Procedure Act.

The department is authorized to adopt rules each year establishing the various prevailing wage rates and to adopt rules spelling out the procedures and methods used to arrive at those rates. It is the intent of the legislature that in adopting the rules, the commissioner shall consider the following:

- (1) collective bargaining agreements;
- (2) federal Davis-Bacon Act rates;
- (3) federal Service Contract Act rates;
- (4) wage information compiled by the department of labor and industry;
- (5) wage surveys, as appropriate and as resources permit; and
- (6) other pertinent information.

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 895

first reading copy (white)
color

BOARD OF FIRE ALARM, SECURITY ALARM, FIRE SUPPRESSION INSTALLERS EXAMINERS

Respectfully report as follows: That HOUSE Bill No. 895

BE AMENDED AS FOLLOWS:

1. Title, line 9
Following: "MAINTENANCE"
Strike: "EXAMINERS"
Insert: "PERSONS"
2. Page 2, line 1
Following: "maintenance"
Strike: "examiners"
Insert: "persons"
3. Page 2, line 9
Following: "station"
Insert: "but does not include a single-device system as used in
a residence"

~~DO PASS~~

4. Page 2, line 18
Strike: "examiners"
Insert: "persons"
5. Page 2, line 20
Strike: "examiners"
Insert: "persons"
6. Page ⁵~~20~~
Following: ~~insert~~ line 25
Insert: "(3) An electrician who has received a license from the department pursuant to 37-68-301 may install new fire alarm and security alarm systems under the direction of a journeyman fire alarm and security alarm installer, but such work performed by an electrician is subject to inspection and approval by a licensed fire alarm and security alarm installer"
7. Page 7, line 13
Following: "committed"
Insert: "wanton"
Following: "exhibited"
Insert: "wanton"

DO PASS AS AMENDED
STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT

A statement of intent is required with this bill because it authorizes the board of fire alarm, security alarm, and fire suppression equipment installers and maintenance persons, which is established under this bill, to make rules to implement the bill and to license persons who install or maintain fire alarm, security alarm, and fire suppression equipment.

It is the intent of the legislature that the board, by rule, establish qualifications for eligibility for each class of license, devise and administer examinations for licenses, grant licenses to persons who satisfy the requirements, revoke, suspend, or refuse licenses for cause, and generally supervise the professional conduct of licensees.

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE JOINT RESOLUTION Bill No. 13

FIRST reading copy (WHITE)
color

RESOLUTION ASKING BY TO PUT COAL FREIGHT RATE TO CONFORM WITH
TAX CUT

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 13

BE AMENDED AS FOLLOWS:

1. Title, line 6
Following: "TO"
Strike: the remainder of line 6 and lines 7 and 8 in their entirety
Insert: "ASSIST IN INCREASING MARKETS FOR MONTANA COAL BY USING
RESTRAINT IN RAISING FREIGHT RATES."
2. Page 2, line 8
Following: "by"
Strike: the remainder of line 8, line 9 in its entirety, and line
10 through "1991"
Insert: "assisting in efforts to increase markets for Montana coal"
3. Page 2, line 11
Following: "Railroad"
Strike: the remainder of line 11 and line 12 through "1991,"

DO PASS
AS AMENDED

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MR. SPEAKER

BUSINESS AND LABOR

We, your committee on

having had under consideration HOUSE JOINT RESOLUTION Bill No. 38

FIRST reading copy (WHITE)
color

RESOLUTION REQUESTING CONTINUED FUNDING OF ANTRAK

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 38

DO PASS

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 880

first reading copy (white)
color

INSURING ALARM AND SUPPRESSION EQUIPMENT DEALERS

Respectfully report as follows: That HOUSE Bill No. 880

BE AMENDED AS FOLLOWS:

1. Page 1, line 17 through 20
Strike: Section 1 in its entirety
Renumber: subsequent sections
2. Page 1, line 21
Strike: "Product liability"
Insert: "Liability" - *suppliers*
3. Page 1, line 24
Following: line 23
Strike: "product"
Following: "insurance"
Strike: "[with the board and]"

DO PASS

4. Page 1, line 25
Following: "of the"
Strike: "product"
Insert: "liability insurance"
4. Page 1, line 25
Strike: "product"
Following: "liability"
Insert: "insurance"
5. Page 2, line 1
Following: "than"
Strike: "those established by the board"
Insert: "\$100,000 combined single limit"
6. Page 2, line 2
Strike: "Contractor's liability"
Insert: "Liability - installers"
7. Page 2, line 5
Following: line 4
Strike: "contractor's blanket"
Following: "liability"
Strike: "[with the board and]"
Insert: "insurance"
8. Page 2, line 6
Following: "contractor's"
Strike: "blanket"
9. Page 2, line 7
Following: "liability"
Insert: "insurance"
Following: "than"
Strike: the remainder of line 7 and line 8 through "board"
Insert: "\$100,000 combined single limit"
10. Page 2, line 9 through 14
Strike: Section 4 in its entirety
Renumber: subsequent sections
11. Page 2, line 17
Following: "authority"
Strike: "(1)"
12. Page 2, line 21, through page 3, line 6
Strike: subsection (2) and Section 7 in their entirety

DO PASS AS AMENDED

STANDING COMMITTEE REPORT

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 567

first reading copy (white)
color

REQUIRE WRITTEN NOTICE OF CANCELLATION OF LIFE & HEALTH INSURANCE POLICIES

Respectfully report as follows: That HOUSE Bill No. 567

BE AMENDED AS FOLLOWS:

1. Page 1, line 10 through Page 2, line 4
Strike: Sections 1 and 2 in their entirety

2. Page 2, line 5
Following: line 4

Insert: "NEW SECTION. Section 1. (1) (a) No insurance company
business in this state may declare any life insurance
policy or any noncancelable or guaranteed renewable disa-
bility insurance policy owned by a resident of this state
forfeited or lapsed within 6 months after default in
payment of any premium, installment, or interest unless,
on or before the day the premium was due and payable and
prior to beginning of the grace period, a written notice
was mailed to the policyowner at his last-known address
(as shown by the records of the insurance company), statin

DO PASS

Rep. Robert Pavlovich,
Chairman.

(i) the amount of the premium, installment, or interest due on such policy;

(ii) the place where it must be paid; and

(iii) the name and address of the person or company to which the premium is payable.

(b) The notice must also state that unless the premium or other sums are paid to the company or its agent, the policy will lapse or be forfeited, except as to any nonforfeiture options provided for by a life insurance policy.

(2) "Policyowner", as used in this section, means the owner of the policy, or any other person designated as the person to receive premium notices, as shown by the records of the insurance company.

(3) The affidavit of any responsible officer, clerk, or agent of the insurance company authorized to mail the notice that it is the standard practice of the company to mail to policyowners the notice required by this section is prima facie evidence that the notice has been duly given.

(4) No action may be maintained to recover under a lapsed or forfeited policy on the ground that the insurance company failed to comply with this section unless the action is instituted within 2 years from the due date upon which default was made in paying the premium, installment, or interest for which lapse or forfeiture is claimed.

(5) This section does not apply to:

(a) group or group-type policies;

(b) industrial life or industrial disability policies;

(c) policies upon which premiums are payable monthly or at more frequent intervals; or

(d) policies for which the premiums are billed to and payable through an employer."

Renumber: subsequent sections

3. Page 2, lines 13 through 15

Strike: subsection (2) in its entirety

DO PASS AS AMENDED

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MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 901

FIRST reading copy (WHITE)
color

EXEMPTS CONTRACTORS WHO WORK ON FEDERAL FACILITIES FROM ADD'L
LICENSE TAX

Respectfully report as follows: That HOUSE Bill No. 901

BE AMENDED AS FOLLOWS:

1. Page 2, line 3
Following: "IATO"
Strike: the remainder of line 3

DO PASS
AS AMENDED

Amendments to House Bill 649, Introduced Bill

1. Title, line 8
Following: "YEAR"
Insert: "AND ADDING A DENTIST TO THE BOARD"
2. Title, line 24
Following: "DENTURITRY;"
Insert: "PROVIDING FOR SUNSET REVIEW; PROVIDING PROCEDURES
FOR MAKING AND FITTING PARTIAL DENTURES AND FOR
MAKING X-RAYS;"
3. Title, Page 2, line 4
Following: "22,"
Insert: "26,"
4. Page 2, line 15
Following: "attorney."
Strike: "Three"
Insert: "Two"
5. Page 2, line 18
Following: "denturitry"
Insert: "and who are not dentists. One member of the
board must be a dentist, licensed under
37-4-301"
6. Page 12, line 8
Following: line 7
Strike: line 8 through "respectively"
Insert: "staggered terms"
7. Page 15, line 11
Following: line 10
Strike: lines 11 through 21 in their entirety
Insert: "no person may represent or hold himself out to
the public as a dentist or as practicing
denturitry"
8. Page 15, line 23
Following: line 22
Insert: "NEW SECTION. Section 15. Procedure for making
and fitting partial denture. (1) Prior to making and
fitting a partial denture, a denturist shall:
(a) formulate a study model of the intended denture,
(b) refer the patient to a dentist together with the
model for tooth cleaning, mouth preparation, and
x-rays, as needed, and

- (c) make the partial denture and fit it to the existing teeth after the dentist has completed the procedures listed in subsection (1)(b) and in accordance with the dentist's recommendations.
- (2) A denturist may not cut, surgically remove, or surgically reduce any tissue or teeth in the process of fitting a partial denture.
- (3) A denturist who makes or fits a partial denture in a manner not consistent with this section is subject to the sanctions provided in [section 15 of Initiative 97].

NEW SECTION. Section 16. Sunset review by audit committee - provisions for possible merger. (1) The legislative audit committee shall review the operations of the board of dentistry under the criteria of 2-8-112 and 2-8-113 and the additional criterion of whether the board has licensed a sufficient number of denturists to be a viable agency. The legislative audit committee shall, if the board has not licensed 30 denturists who are practicing in Montana by Oct 1, 1986, or if the board has otherwise failed to demonstrate its fiscal viability, and may in any event, prepare a bill for the 50th legislature to merge the board of dentistry with the board of dentistry. (2) If the legislative audit committee proposes a merger under subsection (1), it shall provide that the board of dentistry consist of four dentists, one dental hygienist, one denturist, and two lay persons, one of whom must be a senior citizen representative.

~~NEW SECTION.~~ Section 17. Section 26 of Montana Initiative No. 97 is amended to read:

"Section 26. Section 37-14-301, MCA, is amended to read:

"37-14-301. Limitation of license authority-exemptions.

(1) No person may apply x-ray radiation to a person unless licensed under this chapter, with the following provisos:

(a) Licensure is not required for:

(i) a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, chiropractic, or radiologic technology who applies x-ray radiation to persons under the specific direction of a person licensed to prescribe such examinations or treatment;

(ii) a person administering x-ray examinations related to the practice of dentistry or dentistry.

, provided such person is certified by the board of dentistry as having passed an examination testing his proficiency to administer x-ray examinations

(b) Nothing in this chapter shall be construed to limit or affect in any respect the practice of their respective professions by duly licensed practitioners.

(2) A person licensed as a radiologic technologist may apply x-ray radiation to persons for medical, diagnostic, or therapeutic purposes under the specific direction of a person licensed to prescribe such examinations or treatments.

(3) A radiologic technologist licensed under this chapter may inject contrast media and radioactive isotopes (radio-nuclide material) intravenously upon request of a duly licensed practitioner. In the case of contrast media, the licensed practitioner requesting the procedure or the radiologist must be immediately available within the x-ray department. Such injections must be for diagnostic studies only and not for therapeutic purposes. The permitted injections include peripheral intravenous injections but specifically exclude intra-arterial or intracatheter injections. An uncertified

Renumber: subsequent sections

9. Page 16, line 5
Following: "12,"
Strike: "and"
Following: "14"
Insert: ", and 15"
10. Page 16, line 8
Following: "12,"
Strike: "and"
Following: "14"
Insert: ", and 15"

Amendments to House Bill 896, Intorduced Bill

- 1) Title, line 8
Following: "PROVIDING"
Strike: "A DELAYED"
Insert: "AN IMMEDIATE"
- 2) Page 3, line 21
Following: "department"
Insert: "of commerce"
- 3) Page 4, line 1
Following: "~~rockets,~~"
Insert: ", excluding sky rockets, roman candles,
daygo bombs, firecrackers, and bottle rockets,"
- 4) Page 5, line 7
Following: "effective"
Strike: "January 1, 1986"
Insert: "on passage and approval"

Amendments to House Bill 895, Introduced Bill

- 1) Title, line 8
Following: "MAINTENANCE"
Strike: "EXAMINERS"
Insert: "PERSONS"
- 2) Page 2, line 1
Following: "maintenance"
Strike: "examiners"
Insert: "persons"
- 3) Page 2, line 9
Following: "station"
Insert: "but does not include a single-device system as
used in a residence"
- 4) Page 2, line 18
Strike: "examiners"
Insert: "persons"
- 5) Page 2, line 20
Strike: "examiners"
Insert: "persons"
- 6) Page 6, line 1
Following: page 5
Insert: "(3) An electrician who has received a license from
the department pursuant to 37-68-301 may install
new fire alarm and security alarm systems under the
direction of a journeyman fire alarm and security
alarm installer, but such work performed by an
electrician is subject to inspection and approval
by a licensed fire alarm and security alarm installer"
- 7) Page 7, line 13
Following: "committed"
Insert: "wanton"
Following: "exhibited"
Insert: "wanton"

Amendments HJR 13

1. P 2, line 8 following: "by".

Strike:the remainder of line 8, line 9 in its entirety,
and line 10 through "1991"

Insert: "assisting in efforts to increase markets for
Montana coal"

2. P 2, line 11 following: "Railroad"

Strike:the remainder of line 11 and line 12 through "1991,"

House Bill 567

1. Page 1, line 10 through Page 2, line 4
Strike: Sections 1 and 2 in their entirety
2. page 2, line 5
Following: line 4
Insert: "NEW SECTION. Section 1. (1) (a) No insurance company doing business in this state may declare any life insurance policy or any noncancelable or guaranteed renewable disability insurance policy owned by a resident of this state forfeited or lapsed within 6 months after default in payment of any premium, installment, or interest unless, on or before the day the premium was due and payable and prior to beginning of the grace period, a written notice was mailed to the policyowner at his last-known address (as shown by the records of the insurance company), stating:
(i) the amount of the premium, installment, or interest due on such policy;
(ii) the place where it must be paid; and
(iii) the name and address of the person or company to which the premium is payable.
(b) The notice must also state that unless the premium or other sums are paid to the company or its agent, the policy will lapse or be forfeited, except as to any nonforfeiture options provided for by a life insurance policy.
(2) "Policyowner", as used in this section, means the owner of the policy, or any other person designated as the person to receive premium notices, as shown by the records of the insurance company.
(3) The affidavit of any responsible officer, clerk, or agent of the insurance company authorized to mail the notice that it is the standard practice of the company to mail to policyowners the notice required by this section is prima facie evidence that the notice has been duly given.
(4) No action may be maintained to recover under a lapsed or forfeited policy on the ground that the insurance company failed to comply with this section unless the action is instituted within 2 years from the due date upon which default was made in paying the premium, installment or interest for which lapse or forfeiture is claimed.
(5) This section does not apply to:
(a) group or group-type policies;
(b) industrial life or industrial disability policies;
(c) policies upon which premiums are payable monthly or at more frequent intervals; or
(d) policies for which the premiums are billed to and payable through an employer. "

Renumber: subsequent sections

3. Page 2, lines 13 through 15
Strike: subsection (2) in its entirety

Amendments to House Bill 880, Introduced Bill

- 1) Page 1, line 17
Strike: Section 1 in its entirety
ReNUMBER: subsequent sections
- 2) Page 1, line 21
Strike: "Product liability"
Insert: "Liability"
- 3) Page 1, line 24
Following: line 23
Strike: "product"
Following: "insurance"
Strike: "[with the board and]"
- 4) Page 1, line 25
Following: "of the"
Strike: "product"
Insert: "liability insurance"
- 5) Page 2, line 1
Following: "than"
Strike: "those established by the board"
Insert: "\$100,000 combined single limit"
- 6) Page 2, line 2
Strike: "Contractor's liability"
Insert: "Liability"
- 7) Page 2, line 5
Following: line 4
Strike: "contractor's blanket"
Following: "liability"
Strike: "[with the board and]"
Insert: "insurance"
- 8) Page 2, line 6
Following: "contractor's"
Strike: "blanket"
- 9) Page 2, line 7
Following: "liability"
Insert: "insurance"
Following: "than"
Strike: the remainder of line 7 and line 8 through "board"
Insert: "\$100,000 combined single limit"
- 10) Page 2, line 9
Strike: Section 4 in its entirety

- 11) Page 2, line 17
Following: "authority"
Strike: "(1)"
- 12) Page 2, line 21, through page 3, line 6
Strike: subsection (2) and Section 7 in their entirety

Bob
Happ
OK,
this is

STATEMENT OF F.H. BUCK BOLES
PRESIDENT OF THE MONTANA CHAMBER
OF COMMERCE IN SUPPORT OF
HJR 38

The Montana Chamber has a long history of support for improved transportation services for the people of Montana.

The ~~Mont~~ Montana Chamber has supported expansion of Amtrak passenger service both on the Southern and Northern rail routes across our state.

The current rail passenger service provided by Amtrak is vital to our third largest industry, tourism. We can ~~not~~ ill afford a reduction of service that would impact that industry in a negative way.

The Montana Chamber supports ~~the legislation~~
HJR 38 and encourages its adoption.

J. H. Buck Boles

VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR

COMMITTEE

BILL House Joint Resolution 13

DATE 2/23/85

SPONSOR Representative Winslow

[illegible]

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WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR

COMMITTEE

BILL House Joint Resolution 38

DATE 2/23/85

SPONSOR Representative Bachini

[illegible]

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VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR COMMITTEE

BILL House Bill 901

DATE 2/23/85

SPONSOR Representative Dave Brown

[illegible]

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