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 2 INTRODUCTION BY *HOUSE* BILL NO. *400*  
 3 *W. Raith* *Flaming* *VINCENT Suebeck*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5 82-1202.1, R.C.M. 1947, PROVIDING FOR LICENSING OF  
 6 BUSINESSES WHICH MANUFACTURE, SELL, SERVICE AND INSTALL FIRE  
 7 EXTINGUISHERS, FIRE ALARMS, AND FIRE EXTINGUISHING SYSTEMS."  
 8

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

10 Section 1. Section 82-1202.1, R.C.M. 1947, is amended  
 11 to read as follows:

12 "82-1202.1. Rules promulgated by state fire marshal --  
 13 adoption of other standards -- providing for licensing --  
 14 providing for a penalty for violation. (1) Rules promulgated  
 15 by the state fire marshal by authority of section 82-1202,  
 16 R. C. M. 1947, shall be reasonable and calculated to effect  
 17 the purposes of this act. They shall include but not be  
 18 limited to requirements for design, construction,  
 19 installation, operation, storage, handling, maintenance or  
 20 use of the following: structural requirements for various  
 21 types of construction; building restrictions within  
 22 congested districts; exit facilities from structures; fire  
 23 alarm systems and fire extinguishing systems; fire emergency  
 24 drills; flue and chimney construction; heating devices;  
 25 electrical wiring and equipment; air conditioning,

1 ventilating and other duct systems; refrigeration systems;  
 2 flammable liquids; oil and gas wells; application of  
 3 flammable finishes; explosives, acetylene, liquefied  
 4 petroleum gas and similar products; calcium carbide and  
 5 acetylene generators; flammable motion picture film,  
 6 combustibile fibres; hazardous chemicals; rubbish, open flame  
 7 devices; parking of vehicles; dust explosions; lightning  
 8 protection; and other special fire hazards.

9 (2) If rules relate to building and equipment standards  
 10 covered by the state or a municipal building code, the rules  
 11 are effective upon approval of the department of  
 12 administration and filing with the secretary of state.

13 (3) Standards of the National Fire Protection  
 14 Association, United States Bureau of Standards, American  
 15 Insurance Association Standards may be adopted in whole or  
 16 in part by reference.

17 (4) A license permit or certificate, issued by the  
 18 state fire marshal, is required for the servicing,  
 19 installation, lease or sale of fire extinguishers, fire  
 20 alarm systems or fire extinguishing systems.

21 (a) Applications for licenses, permits or  
 22 certificates, shall be made on a form prescribed by the  
 23 state fire marshal.

24 (b) The state fire marshal may conduct inspections,  
 25 examinations or hearings prior to the issuance of licenses,

1 permits or certificates. The state fire marshal may revoke,  
2 suspend or refuse to issue a license, permit or certificate  
3 for violation of the provisions of this chapter or any rules  
4 and regulations promulgated by the fire marshal under  
5 applicable law.

6 (c) The state fire marshal may charge a reasonable  
7 fee, not to exceed thirty-five dollars (\$35) for the  
8 inspection and issuance of licenses, permits and  
9 certificates.

10 ~~(4)~~ (5) Any person violating any rule made under the  
11 provisions of this section shall be guilty of a  
12 misdemeanor."

Approved by Committee  
on Business and Industry

1 HOUSE BILL NO. 400  
2 INTRODUCED BY HARPER, VINCENT, LUBBECK,  
3 W. BAETH, FLEMING  
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6 petroleum gas and similar products; calcium carbide and  
7 acetylene generators; flammable motion picture film,  
8 combustible fibres; hazardous chemicals; rubbish, open flame  
9 devices; parking of vehicles; dust explosions; lightning  
10 protection; and other special fire hazards.

11 (2) If rules relate to building and equipment  
12 standards covered by the state or a municipal building code,  
13 the rules are effective upon approval of the department of  
14 administration and filing with the secretary of state.

15 (3) Standards of the National Fire Protection  
16 Association, United States Bureau of Standards, American  
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13 provisions of this section shall be guilty of a  
14 misdemeanor."

15       SECTION 2. THIS ACT IS EFFECTIVE ON ITS PASSAGE AND  
16 APPROVAL.

-End-

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3 W. BAETH, FLEMING

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1       (b) The state fire marshal may conduct inspections,  
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4 suspend or refuse to issue a license, permit or certificate  
5 for violation of the provisions of this chapter or any rules  
6 and regulations promulgated by the fire marshal under  
7 applicable law.

8       (c) The state fire marshal may OR HIS REPRESENTATIVE  
9 SHALL charge a reasonable fee, . not--to--exceed--thirty-five  
10 dollars---(35) OF TWENTY-FIVE DOLLARS (\$25) for the  
11 inspection and issuance of licenses, permits and  
12 certificates.

13       (D) ALL FEES COLLECTED UNDER THIS ACT GO TO THE  
14 MONTANA FIRE SERVICE ACADEMY LOCATED AT THE GREAT FALLS  
15 VOCATIONAL TECHNICAL CENTER AND THE MONEY SHALL BE USED FOR  
16 THE PURCHASE OF TRAINING AIDS.

17       ~~(4)~~--(5) Any person violating any rule made under the  
18 provisions of this section shall be guilty of a  
19 misdemeanor."

20       SECTION 2. THIS ACT IS EFFECTIVE ON ITS PASSAGE AND  
21 APPROVAL.

-End-

March 17, 1975

SENATE COMMITTEE ON BUSINESS AND INDUSTRY

AMENDMENTS TO HOUSE BILL NO. 400

That House Bill NO. 400, third reading, be amended as follows:

1. Amend page 2, section 1, line 19.  
Following "(4)"  
Strike: "A license, permit or certificate, issued by the state fire marshal is required for the"  
Insert: "A natural person must obtain a certificate of registration from the state fire marshal prior to"
2. Amend page 2, section 1, lines 20 and 21.  
Following: "servicing"  
Strike: ", installation, lease or sale"  
Insert: "or installing"
3. Amend page 2, section 1, line 22.  
Following: "systems."  
Insert: "A person or firm must obtain from the fire marshal a permit to sell or a license to install fire extinguishers, fire alarm systems, or fire extinguishing systems, prior to engaging in such business."
4. Amend page 2, section 1, line 25.  
Following: "marshal"  
Insert: "The fire marshal shall issue a license to an applicant who submits satisfactory proof that he is properly equipped and staffed to provide the services to be licensed, and who pays the required fee. The fire marshal shall issue a certificate of registration to an applicant who scores a passing grade on an examination devised by the fire marshal, and who pays the required fee. The fire marshal shall issue a sales permit to an applicant who submits the information required by the fire marshal on the application form, who submits satisfactory proof that he deals only in equipment that meets the standards and regulations of the state fire marshal, and who pays the required fee."
5. Amend page 3, section 1, line 9.  
Following: "fee,"  
Insert: "not to exceed a total"
6. Amend page 3, section 1, line 13.  
Following: "THIS"  
Strike "ACT GO TO THE"
7. Amend page 3, section 1, lines 14 through 16.  
Following: "line 13"  
Strike: lines 14, 15 and 16 in their entirety.  
Insert: "section shall be paid into the general fund."

Corrected  
3/18/75

March 17, 1975

SENATE COMMITTEE ON BUSINESS AND INDUSTRY  
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Following "(4)"  
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Insert: "The fire marshal shall issue a license to an applicant who submits satisfactory proof that he is properly equipped and staffed to provide the services to be licensed, and who pays the required fee. The fire marshal shall issue a certificate of registration to an applicant who scores a passing grade on an examination devised by the fire marshal, and who pays the required fee. The fire marshal shall issue a sales permit to an applicant who submits the information required by the fire marshal on the application form, who submits satisfactory proof that he deals only in equipment that meets the standards and regulations of the state fire marshal, and who pays the required fee."
5. Amend page 3, section 1, line 9.  
Following: "fee,"  
Insert: "not to exceed a total"
6. Amend page 3, section 1, line 13.  
Following: "THIS"  
Strike "ACT GO TO THE"
7. Amend page 3, section 1, lines 14 through 16.  
Following: "line 13"  
Strike: lines 14, 15 and 16 in their entirety  
Insert: "section shall be paid into the general fund."

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HOUSE BILL NO. 400

INTRODUCED BY HARPER, VINCENT, LUEBECK,

W. BAETH, FLEMING

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(2) If rules relate to building and equipment  
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the rules are effective upon approval of the department of  
administration and filing with the secretary of state.

(3) Standards of the National Fire Protection  
Association, United States Bureau of Standards, American  
Insurance Association Standards may be adopted in whole or  
in part by reference.

(4) A--license--permit--or--certificate, issued by the  
state fire marshal, is required for--the A NATURAL PERSON  
MUST OBTAIN A CERTIFICATE OF REGISTRATION FROM THE STATE  
FIRE MARSHAL PRIOR TO ~~servicing, installation, lease or sale~~  
OR INSTALLING of fire extinguishers, fire alarm systems or  
fire extinguishing systems. A PERSON OR FIRM MUST OBTAIN  
FROM THE FIRE MARSHAL A PERMIT TO SELL OR A LICENSE TO

1 INSTALL FIRE EXTINGUISHERS, FIRE ALARM SYSTEMS, OR FIRE  
 2 EXTINGUISHING SYSTEMS, PRIOR TO ENGAGING IN SUCH BUSINESS.

3 (a) Applications for licenses, permits or  
 4 certificates, shall be made on a form prescribed by the  
 5 state fire marshal. THE FIRE MARSHAL SHALL ISSUE A LICENSE  
 6 TO AN APPLICANT WHO SUBMITS SATISFACTORY PROOF THAT HE IS  
 7 PROPERLY EQUIPPED AND STAFFED TO PROVIDE THE SERVICES TO BE  
 8 LICENSED, AND WHO PAYS THE REQUIRED FEE. THE FIRE MARSHAL  
 9 SHALL ISSUE A CERTIFICATE OF REGISTRATION TO AN APPLICANT  
 10 WHO SCORES A PASSING GRADE ON AN EXAMINATION DEvised BY THE  
 11 FIRE MARSHAL, AND WHO PAYS THE REQUIRED FEE. THE FIRE  
 12 MARSHAL SHALL ISSUE A SALES PERMIT TO AN APPLICANT WHO  
 13 SUBMITS THE INFORMATION REQUIRED BY THE FIRE MARSHAL ON THE  
 14 APPLICATION FORM, WHO SUBMITS SATISFACTORY PROOF THAT HE  
 15 DEALS ONLY IN EQUIPMENT THAT MEETS THE STANDARDS AND  
 16 REGULATIONS OF THE STATE FIRE MARSHAL, AND WHO PAYS THE  
 17 REQUIRED FEE.

18 (b) The state fire marshal may conduct inspections,  
 19 examinations or hearings prior to the issuance of licenses,  
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 21 suspend or refuse to issue a license, permit or certificate  
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25 (c) The state fire marshal may OR HIS REPRESENTATIVE

1 SHALL charge a reasonable fee, NOT TO EXCEED A TOTAL net--to  
 2 exceed--thirty-five--dollars--(\$35) OF TWENTY-FIVE DOLLARS  
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5 (D) ALL FEES COLLECTED UNDER THIS ACT--60--TO THE  
 6 MONTANA-FIRE-SERVICE-ACADEMY--LOCATED--AT--THE--GREAT--FALLS  
 7 VOCATIONAL--TECHNICAL-CENTER-AND-THE-MONEY-SHALL-BE-USED-FOR  
 8 THE-PURCHASE-OF-TRAINING-AIDS; SECTION SHALL BE PAID INTO  
 9 THE GENERAL FUND.

10 (5) Any person violating any rule made under the  
 11 provisions of this section shall be guilty of a  
 12 misdemeanor."

13 SECTION 2. THIS ACT IS EFFECTIVE ON ITS PASSAGE AND  
 14 APPROVAL.

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