

1 *House* BILL NO. *416*
 2 INTRODUCED BY *Sen. Kummerfeldt Subing*
 3 *By request of Department Professional and Occupational*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS *Licensing*
 5 66-2602.1 AND 66-2609, R.C.M. 1947, TO PROVIDE THAT THE
 6 DEFINITION OF A WATER WELL CONTRACTOR OR CONTRACTOR SHALL
 7 MEAN ONLY A NATURAL PERSON AND SHALL NOT INCLUDE A FIRM,
 8 COPARTNERSHIP, ASSOCIATION OR CORPORATION, TO PROVIDE THAT
 9 OTHER SECURITIES MAY BE ACCEPTED IN LIEU OF SURETY BOND."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 66-2602.1, R.C.M. 1947, is amended
 13 to read as follows:
 14 "66-2602.1. Definitions. Unless the context requires
 15 otherwise, in this act:
 16 (1) "Board" means the board of water well contractors,
 17 provided for in section 82A-1602.26.
 18 (2) "Department" means the department of professional
 19 and occupational licensing, provided for in Title 82A,
 20 chapter 16.
 21 (3) "Water well" means an excavation that is drilled,
 22 cored, bored, washed, driven, dug, jetted, or otherwise
 23 constructed and intended for the location, diversion,
 24 artificial recharge, or acquisition of groundwater. The
 25 term does not include excavations by backhoe, or otherwise,

1 for recovery and use of surface waters or for the purpose of
 2 stock watering or irrigation where the depth is twenty-five
 3 (25) feet or less, or spring development, and the term does
 4 not include an excavation made for the purpose of obtaining
 5 or prospecting for oil, natural gas, minerals, or products
 6 of mining or quarrying or for inserting media to repressure
 7 oil or natural gas-bearing formations or for storing
 8 petroleum, natural gas, or other products.

9 (4) "Water well contractor" or "contractor" means a
 10 natural person, ~~firm, copartnership, association, or~~
 11 corporation who constructs a water well on lands other than
 12 his own, for compensation."

13 Section 2. Section 66-2609, R.C.M. 1947, is amended to
 14 read as follows:

15 "66-2609. Bond to be required. The department, on
 16 issuance of a license under this act shall require, before
 17 the person commences operations in this state require a good
 18 and sufficient surety bond, or in lieu thereof its
 19 equivalent in a certificate of deposit, cashiers check, bank
 20 draft or certified check, to be approved by the board, in
 21 the penal sum of one thousand dollars (\$1,000), conditioned
 22 that the licensee will comply with the rules of the board
 23 and reasonable requirements made by the board in connection
 24 with the drilling of an individual well."

-End-

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HB 416

Approved by Committee
on Business and Industry

1 *House* BILL NO. *416*
2 INTRODUCED BY *Sen. Kummisfeldt* *Liberty*
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4 *Licensing*
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-End-

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HB 416

March 15, 1975

SENATE COMMITTEE ON BUSINESS AND INDUSTRY

AMENDMENTS TO HOUSE BILL NO. 416

That House Bill No. 416, third reading, be amended as follows:

1. Amend page 2, section 1, line 12.

Following: "compensation."

Insert: "Any firm, corporation or partnership may engage in the business of constructing water wells provided a licensed contractor herein is placed in charge of all water well construction."

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