

1 H BILL NO. 491  
 2 INTRODUCED BY [Signature]  
 3 BY REQUEST OF THE DEPARTMENT OF PROFESSIONAL AND  
 4 OCCUPATIONAL LICENSING

5  
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
 7 COMPENSATION, INCREASED COMPENSATION, OR WHEN COMPENSATION  
 8 IS PAID TO MEMBERS OF THE BOARDS OF COSMETOLOGISTS,  
 9 DENTISTS, VETERINARIANS, MORTICIANS, AND SPEECH PATHOLOGISTS  
 10 AND AUDIOLOGISTS OF THE DEPARTMENT OF PROFESSIONAL AND  
 11 OCCUPATIONAL LICENSING; AMENDING SECTIONS 66-809, 66-909,  
 12 66-2203, 66-2703, and 66-3905, R.C.M. 1947."

13  
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 15 Section 1. Section 66-809, R.C.M. 1947, is amended to  
 16 read as follows:  
 17 "66-809. Compensation of members of board -- deposit  
 18 of receipts in state treasury. Each member of the board  
 19 shall receive, as compensation for his services, the sum of  
 20 ~~twenty-five dollars--(\$25)~~ per day for each day in actual  
 21 attendance at any meeting at of the board, while traveling  
 22 to or from a board meeting, or while engaged in board  
 23 business. In addition, each member shall be reimbursed  
 24 for travel expenses, as provided for in sections 59-538,  
 25 59-539, and 59-801, necessarily incurred in the performance

1 of official duties. All fees collected by the department  
 2 under this act, shall be deposited in the earmarked revenue  
 3 fund for the use of the board, subject to section 82A-1603  
 4 (6)."

5 Section 2. Section 66-909, R.C.M. 1947, is amended to  
 6 read as follows:

7 "66-909. Compensation and expenses allowed board  
 8 members -- limitation on duration of examination meetings --  
 9 disbursement of funds. (1) Out of the funds derived from  
 10 fees ~~and--dues~~ collected under this act each member of the  
 11 board shall be reimbursed as follows:

12 (a) ~~Fifteen dollars--(\$15)~~ \$25 per day for each day  
 13 traveling to and from a meeting and while in actual  
 14 attendance at a meeting of the board and for each day  
 15 actually engaged in the duties of his office.

16 (b) Expenses and travel authorized under sections  
 17 59-538, 59-539, and 59-801.

18 (2) Meetings held for the purpose of examining  
 19 candidates for a license to practice dentistry in this state  
 20 may not exceed ~~six--(6)~~ days.

21 (3) Money collected in excess of expenses and salaries  
 22 provided for shall be held by the department as a special  
 23 fund for meeting the expenses of the board, the proper  
 24 administration of this act and for educational purposes  
 25 considered wise by the board. The department, on the written

1 request of the board, shall set aside in a separate account  
 2 in the earmarked revenue fund, the emergency moneys provided  
 3 under section 66-906. This account may be expended only when  
 4 the board determines that an emergency exists requiring an  
 5 expenditure therefrom."

6 Section 3. Section 66-2203, R.C.M. 1947, is amended to  
 7 read as follows:

8 "66-2203. Expenses and funds -- records and reports.  
 9 (1) Each member of the board is entitled to receive travel  
 10 expenses, as provided for in sections 59-538, 59-539, and  
 11 59-801. In addition, each member of the board shall receive  
 12 compensation of \$25 per day for attending board meetings and  
 13 while engaged in other business of the board.

14 (2) The department shall keep complete records of the  
 15 board's proceedings and of its receipts and disbursements  
 16 and a full and accurate list of persons licensed and  
 17 registered by the board. These records are public records,  
 18 and are at all times open to public inspection.

19 (3) Money received under this act shall be deposited  
 20 in the earmarked revenue fund for the use of the board,  
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22 Section 4. Section 66-2703, R.C.M. 1947, is amended to  
 23 read as follows:

24 "66-2703. Officers of board -- compensation of  
 25 members. The board shall elect a chairman,

1 secretary-treasurer, and other necessary officers. Board  
 2 members shall serve ~~without for a~~ compensation of \$25 per  
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 6 59-801, connected with attending meetings or in the  
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8 Section 5. Section 66-3905, R.C.M. 1947, is amended to  
 9 read as follows:

10 "66-3905. Function of the board and department. (1)  
 11 The board shall meet at least once every year at a place,  
 12 day and hour determined by the board. The board shall also  
 13 meet at other times and places as the bylaws of the board  
 14 may provide or by call of the chairman or a majority of the  
 15 members of the board. A quorum of the board shall consist of  
 16 the majority of its members, but in no instance shall a  
 17 meeting of three (3) board members who are exclusively  
 18 speech pathologists or exclusively audiologists be  
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11 (b) sessions to prepare, approve, grade or administer  
12 examinations;

13 (c) upon request of a person who has failed the  
14 licensing examinations and who is appearing to appeal the  
15 failure.

16 (5) The board may make all rules which are reasonable  
17 or necessary for the proper performance of its duties and  
18 for the regulation of proceedings before it.

19 (6) The department shall prepare a report to the  
20 governor as required by law.

21 (7) The board shall:

22 (a) administer, coordinate and enforce the provisions  
23 of this act;

24 (b) evaluate the qualifications of each applicant for  
25 a license as issued under this act and supervise the

1 examination of such applicants;

2 (c) investigate persons engaging in practices which  
3 allegedly violate the provisions of this act;

4 (d) conduct hearings and keep records and minutes as  
5 the board considers necessary to an orderly dispatch of  
6 business;

7 (e) adopt rules including but not limited to those  
8 governing ethical standards of practice under this act;

9 (f) make recommendations to the governor and other  
10 state officials regarding new and revised programs and  
11 legislation related to speech pathology or audiology which  
12 could be beneficial to the citizens of the state of Montana;

13 (g) cause the prosecution and enjoinder of all persons  
14 violating this act, by the complaints of its secretary filed  
15 with the county attorney, in the county where the violation  
16 took place, and incur necessary expenses therefor;

17 (h) adopt a seal by which the board shall authenticate  
18 its proceedings. Copies of the proceedings, records, and  
19 acts of the board, signed by the chairman or secretary of  
20 the board and stamped with the seal shall be prima facie  
21 evidence of the validity of such documents."

-End-

## STATE OF MONTANA

REQUEST NO. 234-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, 1977, there is hereby submitted a Fiscal Note for House Bill 491 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide compensation to members of the Boards of Cosmetologists, Dentists, Veterinarians, Morticians and Speech Pathologists and Audiologists.

## ASSUMPTIONS:

1. Compensation will be \$25 per day while on board business and while traveling to and from board meetings.
2. Compensation requests for all except Board of Dentists have been included in the Board's Budget Modification Request.
3. This proposal will compensate board members in accordance with other Boards within the Department.
4. Board of Morticians will meet for 2 days and use an additional 5 days for inspections.
5. Board of Speech Pathologists will meet for 4 days.
6. Board of Veterinarians will meet for 5 days.
7. Board of Cosmetologists and Board of Dentists are already receiving some compensation.

## FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Additional cost of proposed legislation		
Board of Cosmetologists	\$ 500	\$ 500
Board of Dentists	400	400
Board of Morticians	875	875
Board of Speech Pathologists	500	500
Board of Veterinarians	<u>450</u>	<u>450</u>
Total additional cost	<u>\$2,725</u>	<u>\$2,725</u>

*Richard L. Tracy for*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-1-77



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8 Section 5. Section 66-3905, R.C.M. 1947, is amended to  
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7 (e) adopt rules including but not limited to those  
8 governing ethical standards of practice under this act;

9 (f) make recommendations to the governor and other  
10 state officials regarding new and revised programs and  
11 legislation related to speech pathology or audiology which  
12 could be beneficial to the citizens of the state of Montana;

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14 violating this act, by the complaints of its secretary filed  
15 with the county attorney, in the county where the violation  
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-End-



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-End-

April 4, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Finance and Claims

That House Bill No. 491 be amended as follows:

1. Amend page 1, section 1, line 19.  
Following: line 18  
Strike: "shall"  
Insert: "may"
2. Amend page 1, section 1, lines 21 through 23.  
Following: "boards,"  
Strike: "while traveling to or from a board meeting, or while engaged in board business"
3. Amend page 2, section 2, line 13.  
Following: line 12  
Strike: "traveling to and from a meeting and while"
4. Amend page 2, section 2, lines 14 and 15.  
Following: "board"  
Strike: "and for each day actually engaged in the duties of his office"
5. Amend page 3, section 3, line 11.  
Following: "board"  
Strike: "shall"  
Insert: "may"
6. Amend page 3, section 3, lines 12 and 13.  
Following: "meetings"  
Strike: "and while engaged in other business of the board"
7. Amend page 4, section 4, line 2.  
Following: "members"  
Strike: "shall"  
Insert: "may"
8. Amend page 4, section 4, lines 3 and 4.  
Following: "meetings"  
Strike: "and while engaged in other board business"
9. Amend page 4, section 5, line 24.  
Following: "Compensation"  
Strike: "shall"  
Insert: "may"
10. Amend page 5, section 5, line 1.  
Following: "meetings"  
Strike: "or carrying out board business"

HOUSE BILL NO. 491

INTRODUCED BY HANSEN

BY REQUEST OF THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR COMPENSATION, INCREASED COMPENSATION, OR WHEN COMPENSATION IS PAID TO MEMBERS OF THE BOARDS OF COSMETOLOGISTS, DENTISTS, VETERINARIANS, MORTICIANS, AND SPEECH PATHOLOGISTS AND AUDIOLOGISTS OF THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING; AMENDING SECTIONS 66-809, 66-909, 66-2203, 66-2703, AND 66-3905, R.C.M. 1947."

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