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*Senate* BILL NO. *221*

2

INTRODUCED BY

*Edward M. Ballou, Arvidson Olson*

3

*E. Smith, Matthew Murphy Manly*

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL SECTIONS

5

66-3701 THROUGH 66-3712, R.C.M. 1947, WHICH PROVIDE FOR

6

LICENSURE OF RADIOLOGIC TECHNICIANS, AND TO REPEAL SECTION

7

82A-1602.28, R.C.M. 1947, WHICH PROVIDES FOR THE BOARD OF

8

RADIOLOGIC TECHNOLOGISTS."

9

10

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

11

Section 1. Repealer. Sections 66-3701 through 66-3712

12

and 82A-1602.28, R.C.M. 1947, are repealed.

-End-

*SB221*

INTRODUCED BILL

## STATE OF MONTANA

REQUEST NO. 548-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 221 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 repeal the licensure of radiologic technicians and the Board of Radiologic Technologists.

## ASSUMPTIONS:

1. The Board of Radiologic Technologists license every two years.
2. The prorated costs charged the Board for department costs would be picked up by other boards -- \$862 for the biennium.

## FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Estimated revenue under current law	\$3,000	\$8,000
Revenue under proposed law	<u>0</u>	<u>0</u>
Decrease in revenue under proposed law	<u>\$3,000</u>	<u>\$8,000</u>
Estimated expenditures under current law	\$6,712	\$6,764
Expenditures under proposed law	<u>0</u>	<u>0</u>
Decrease in expenditures under proposed law	<u>\$6,712</u>	<u>\$6,764</u>

NOTE: Revenues remaining at June 30, 1977 (and each fiscal year) will carry forward.

## LONG-RANGE IMPACT:

By 1980 federal laws will require qualified persons to perform X-rays in hospitals and nursing homes to qualify for funding under some Medicare and Medicaid programs.

## TECHNICAL NOTES:

1. Senate Bill 221 may be in conflict with House Bill 300 which is a proposal for the revision of laws relating to the licensure of radiologic technologists.
2. No provision is made for funds remaining in the Radiologic Technologists Earmarked Account.

*Richard D. Drayton*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-22-77

Public Health, Welfare  
& Safety

Without recommendation

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*Senate* BILL NO. *221*  
INTRODUCED BY *Edward Makallam, Thomas Olson*

*E. Smith, Matthew Murphy Manly*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL SECTIONS  
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-End-

SB 221

SECOND READING

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*Senate* BILL NO. *221*

INTRODUCED BY *Stephen MacBallum, Revision Olson*

*E. Smith, Maxine Murphy, Manly*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL SECTIONS  
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
Section 1. Repealer. Sections 66-3701 through 66-3712  
and 82A-1602.28, R.C.M. 1947, are repealed.

-End-

*SB 221*

## 1 HOUSE BILL NO. 221

2 INTRODUCED BY MENAHAN, LYNCH

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAINTAIN SNOWMOBILE  
5 NOISE STANDARDS AT THE LEVELS PRESCRIBED TO TAKE EFFECT JUNE  
6 30, 1975; AMENDING SECTION 53-1020, R.C.M. 1947."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9 Section 1. Section 53-1020, R.C.M. 1947, is amended to  
10 read as follows:11 \*53-1020. Other unlawful operation. No person while  
12 operating a snowmobile, shall use the same:

13 (1) For the purpose of driving, rallying or harassing  
14 any of the game animals, game birds, or fur-bearing animals  
15 of the state, or any livestock, provided, however, that an  
16 owner of livestock is not prohibited from managing or  
17 driving his own livestock by the use of snowmobiles and may  
18 direct other persons to so manage or drive his livestock;  
19 provided further that the department of fish and game,  
20 including its duly authorized employees, is not prohibited  
21 from managing or driving game animals, game birds or  
22 fur-bearing animals by the use of snowmobiles.

23 (2) To discharge a firearm from or upon a snowmobile.

24 (3) Regulation of snowmobile noise. (a) Except as  
25 provided in this section, every snowmobile shall be equipped

1 at all times with noise-suppression devices, including an  
2 exhaust muffler, in good working order and in constant  
3 operation. No snowmobile shall be modified by any person in  
4 any manner that shall amplify or otherwise increase total  
5 noise emissions to a level greater than that emitted by the  
6 snowmobile as originally constructed, regardless of date of  
7 manufacture.

8 (b) No new snowmobile manufactured prior to June 30,  
9 1975, except snowmobiles designated for competition purposes  
10 only, may be sold or offered for sale unless that machine  
11 has been certified by the manufacturer as being able to  
12 conform to a sound level limitation of not more than  
13 eighty-two (82) dbA measured at fifty (50) feet. Every  
14 person who owns or operates a snowmobile manufactured after  
15 June 30, 1972, but prior to June 30, 1975, shall maintain  
16 his machine in such a manner that it will not exceed a sound  
17 level limitation of eighty-two (82) dbA measured at fifty  
18 (50) feet.

19 (c) No new snowmobile manufactured after June 30,  
20 1975, ~~but prior to June 30, 1976,~~ except snowmobiles  
21 designated for competition purposes only, may be sold or  
22 offered for sale unless that machine has been certified by  
23 the manufacturer as being able to conform to a sound level  
24 limitation of not more than seventy-eight (78) dbA measured  
25 at fifty (50) feet. Every person who owns or operates a

1 snowmobile manufactured after June 30, 1975, but prior to  
 2 June 30, 1978, shall maintain his machine in such a manner  
 3 that it will not exceed a sound level limitation of  
 4 seventy-eight (78) dbA measured at fifty (50) feet.

5 ~~(d) No new snowmobile manufactured after June 30,~~  
 6 ~~1978, except snowmobiles designated for competition purposes~~  
 7 ~~only, may be sold or offered for sale unless that machine~~  
 8 ~~has been certified by the manufacturer as being able to~~  
 9 ~~conform to a sound level limitation of not more than~~  
 10 ~~seventy-three (73) dbA measured at fifty (50) feet. Every~~  
 11 ~~person who owns or operates a snowmobile manufactured after~~  
 12 ~~June 30, 1978, shall maintain his machine in such a manner~~  
 13 ~~that it will not exceed a sound level limitation of~~  
 14 ~~seventy-three (73) dbA measured at fifty (50) feet.~~

15 ~~(e)(d)~~ The fish and game commission shall have the  
 16 authority to adopt and revise sound level limitations for  
 17 all snowmobiles manufactured after June 30, 1978 1975.  
 18 However, a sound level limitation adopted or revised by the  
 19 commission shall not be higher than a decibel standard of  
 20 ~~seventy-three (73)~~ 78 dbA measured at ~~fifty (50)~~ feet. The  
 21 adoption or revision of sound level limitation by the  
 22 commission shall be effective beginning June 30 of the  
 23 succeeding calendar year and any sound level limitation  
 24 formally adopted or revised shall remain in effect for a  
 25 minimum period of two (2) years. Every person who owns or

1 operates a snowmobile manufactured after June 30, ~~1978~~ 1975,  
 2 shall maintain his machine in compliance with the sound  
 3 level limitation which is applicable to new snowmobiles  
 4 manufactured during the period that a sound level limitation  
 5 adopted by the commission is in effect.

6 ~~(g)(e)~~ A manufacturer who certifies that a new  
 7 snowmobile can comply with the noise limitation requirements  
 8 of this act shall affix a permanent notice of that  
 9 certification to every snowmobile offered for sale in the  
 10 state of Montana.

11 ~~(h)(f)~~ In certifying that a new snowmobile can comply  
 12 with the noise limitation requirements of this act, a  
 13 manufacturer shall make such a certification based upon  
 14 measurements made in accordance with SAE recommended  
 15 practice J192, as amended. The fish and game commission, in  
 16 enforcing the provisions of this act, shall make  
 17 measurements of snowmobile noise in accordance with  
 18 applicable practices outlined in the "procedure for sound  
 19 level measurements of snowmobiles" used by the international  
 20 snowmobile industry association (January, 1969), as amended,  
 21 or with such other standards for measurement of sound level  
 22 as the commission may adopt.

23 ~~(h)(g)~~ This section does not apply to organized races  
 24 or similar competitive events held on

25 (i) private lands, with the permission of the owner,

1 lessee, or custodian of the land, or  
2 (ii) public lands, with the consent of the public  
3 agency having the authority to grant such consent, provided  
4 that total sound produced by such an event shall not exceed  
5 ~~fifty-(50)~~ dbA at any point ~~fifty-(50)~~ feet or more outside  
6 the area under the control of the sponsoring entity.  
7 (4) Upon a railroad right of way or railroad track,  
8 provided, however, it shall not be unlawful for officers or  
9 employees of any railroad operating over said tracks to  
10 operate snowmobiles thereon."

-End-