

CHAPTER NO. 32

HOUSE BILL NO. 22

INTRODUCED BY FEDA

BY REQUEST OF THE DEPARTMENT OF

PROFESSIONAL AND OCCUPATIONAL LICENSING

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on State Administration.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 13, 1979	Committee recommend bill do pass as amended. Report adopted.
	Printed and placed on members' desks.
January 15, 1979	Second reading, do pass.
January 16, 1979	Considered correctly engrossed.
January 17, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

January 18, 1979	Introduced and referred to Committee on Public Health, Welfare, and Safety.
February 3, 1979	Committee recommend bill be concurred in. Report adopted.
February 6, 1979	Motion pass consideration.

February 7, 1979

Second reading, concurred in.

February 9, 1979

Third reading, concurred in.

IN THE HOUSE

February 10, 1979

Returned from second house.
Concurred in. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 22

2 INTRODUCED BY _____
 3 BY REQUEST OF THE DEPARTMENT OF
 4 PROFESSIONAL AND OCCUPATIONAL LICENSING

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
 7 PERMISSIBLE LICENSE RENEWAL FEE FOR MASSAGE THERAPISTS FROM
 8 \$25 TO \$50; TO PROVIDE THAT NO POLITICAL SUBDIVISION OF THE
 9 STATE MAY IMPOSE A LICENSE FEE OR TAX ON LICENSED MASSAGE
 10 THERAPISTS; AND TO REVISE THE EXEMPTIONS FROM THE MASSAGE
 11 THERAPY LAWS, ELIMINATING THE EXEMPTION FOR ATHLETIC CLUBS
 12 AND CERTAIN OTHERS; AMENDING SECTIONS 37-33-103 AND
 13 37-33-306, MCA."

14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Section 37-33-103, MCA, is amended to
 17 read:

18 "37-33-103. Exemptions. (1) The following classes of
 19 persons are exempt from this chapter:

20 (a) persons authorized by the laws of this state to
 21 practice medicine, surgery, osteopathy, chiropractic, or
 22 chiropody podiatry;

23 (b) persons who are registered or licensed under
 24 the laws of this state as nurses, practical nurses, physical
 25 therapists, barbers, or cosmetologists;

1 (c) educational institutions maintaining a
 2 full-time faculty with a varied curriculum;
 3 (d) athletic clubs and others who apply for and
 4 acquire from the board an exemption. Such an exemption may
 5 be granted or denied at the discretion of the board in
 6 carrying out the purposes of this chapter;
 7 (e) those persons who may have qualified for exemption
 8 under prior law shall be required by this chapter to qualify
 9 for exemption in the manner stated in this section before
 10 their exemption may be continued;"
 11 Section 2. Section 37-33-306, MCA, is amended to read:
 12 "37-33-306. Renewal. (1) A license expires on December
 13 31 of each year and shall be renewed then or thereafter by
 14 the department, on payment of a renewal fee of not less than
 15 \$10 or more than \$25 \$50, as set by the board.
 16 (2) Any licensee who fails to renew on or before
 17 December 31 of each year shall be required to pay, in
 18 addition to the renewal fee, a late renewal fee in an amount
 19 not to exceed \$10. Failure to renew within 30 days following
 20 December 31 shall be cause for suspension or revocation of
 21 the license.
 22 (3) No license fee or tax may be imposed on a
 23 currently licensed massage therapist by a municipality or
 24 other political subdivision of the state."

-End-

Approved by Committee
on State Administration

HOUSE BILL NO. 22
INTRODUCED BY FEDA
BY REQUEST OF THE DEPARTMENT OF
PROFESSIONAL AND OCCUPATIONAL LICENSING

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
7 PERMISSIBLE LICENSE RENEWAL FEE FOR MASSAGE THERAPISTS FROM
8 \$25 TO \$50--TO-PROVIDE-THAT-NO-POLITICAL-SUBDIVISION-OF-THE
9 STATE-MAY-IMPOSE-A-LICENSE-FEE-OR-TAX-ON-LICENSED-MASSAGE
10 THERAPISTS AND TO REVISE THE EXEMPTIONS FROM THE MASSAGE
11 THERAPY LAWS, ELIMINATING THE EXEMPTION FOR ATHLETIC CLUBS
12 AND CERTAIN OTHERS; AMENDING SECTIONS 37-33-103 AND
13 37-33-306, MCA."

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

16 Section 1. Section 37-33-103, MCA, is amended to
17 read:

18 #37-33-103. Exemptions. ¶¶ The following classes of
19 persons are exempt from this chapter:

20 to fill persons authorized by the laws of this state to
21 practice medicine, surgery, osteopathy, chiropractic, or
22 chiropractic podiatry;

23 fbf121 persons who are registered or licensed under
24 the laws of this state as nurses, practical nurses, physical
25 therapists, barbers, or cosmetologists;

1 fet131 educational institutions maintaining a
2 full-time faculty with a varied curriculum.
3 --athletic--clubs--and--others--who--apply--for--and 4 acquire--from--the--board--an--exemptions--Such--an--exemption--may 5 be--granted--or--denied--at--the--discretion--of--the--board--in 6 carrying--out--the--purposes--of--this--chapter. 7 --Those--persons--who--may--have--qualified--for--exemption 8 under--prior--law--shall--be--required--by--this--chapter--to--qualify 9 for--exemption--in--the--manner--stated--in--this--section--before 10 their--exemption--may--be--continued." | |

11 Section 2. Section 37-33-306, MCA, is amended to read:
12 "37-33-306. Renewal. (1) A license expires on December
13 31 of each year and shall be renewed then or thereafter, by
14 the department, on payment of a renewal fee of not less than
15 \$10 or more than \$25 \$50, as set by the board.

-End-

HB 22

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
7 PERMISSIBLE LICENSE RENEWAL FEE FOR MASSAGE THERAPISTS FROM
8 \$25 TO \$50+--TO-PROVIDE-THAT-NO-PERMITAL-SUBDIVISION-OF-THE
9 STATE-MAY-IMPOSE-A-LICENSE-FEE-OR-TAX-ON--LICENSES--MASSAGE
10 THERAPISTS; AND TO REVISE THE EXEMPTIONS FROM THE MASSAGE
11 THERAPY LAWS; ELIMINATING THE EXEMPTION FOR ATHLETIC CLUBS
12 AND CERTAIN OTHERS; AMENDING SECTIONS 37-33-103 AND
13 37-33-306, MCA."

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

16 Section 1. Section 37-33-103, MCA, is amended to
17 read:

18 "37-35-103. Exemptions. (f) The following classes of
19 persons are exempt from this chapter:

20 to all persons authorized by the laws of this state to
21 practice medicine, surgery, osteopathy, chiropractic, or
22 chiropractic podiatry;

23 **tbt121** persons who are registered or licensed under
24 the laws of this state as nurses, practical nurses, physical
25 therapists, barbers, or cosmetologists;

1 ~~full~~ educational institutions maintaining a
2 full-time faculty with a varied curriculum,
3 ~~full~~--athletic--clubs--and--others--who--apply--for--and
4 acquire--from--the--board--an--exemption--Such--an--exemption--may
5 be--granted--or--denied--at--the--discretion--of--the--board--in
6 carrying--out--the--purposes--of--this--chapter.
7 ~~those~~--persons--who--may--have--qualified--for--exemption
8 under--prior--law--shall--be--required--by--this--chapter--to--qualify
9 for--exemption--in--the--manner--stated--in--this--section--before
10 their--exemption--may--be--continued--"

11 Section 2. Section 37-33-306, MCA, is amended to read:
12 "37-33-306. Renewal. (1) A license expires on December
13 31 of each year and shall be renewed then or thereafter by
14 the department, on payment of a renewal fee of not less than
15 \$10 or more than \$25-\$50, as set by the board.

16 (2) Any licensee who fails to renew on or before
17 December 31 of each year shall be required to pay, in
18 addition to the renewal fee, a late renewal fee in an amount
19 not to exceed \$10. Failure to renew within 30 days following
20 December 31 shall be cause for suspension or revocation of
21 the license.

-End-

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
7 PERMISSIBLE LICENSE RENEWAL FEE FOR MASSAGE THERAPISTS FROM
8 \$25 TO \$50~~-\$18-PRIVILEGE-THAT-NO-PERMIT-OR-SUBDIVISION-OF-THE~~
9 STATE-MAY-IMPOSE-A-LICENSE-FEE-OR-TAX-ON--LICENSES--MASSAGE
10 THERAPISTS; AND TO REVISE THE EXEMPTIONS FROM THE MASSAGE
11 THERAPY LAWS, ELIMINATING THE EXEMPTION FOR ATHLETIC CLUBS
12 AND CERTAIN OTHERS; AMENDING SECTIONS 37-33-103 AND
13 37-33-306, MCA."

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18 #37-33-103. Exemptions. §§ The following classes of
19 persons are exempt from this chapter:

20 ~~and~~ persons authorized by the laws of this state to
21 practice medicine, surgery, osteopathy, chiropractic, or
22 chiropody podiatry;

23 **fb7121** persons who are registered or licensed under
24 the laws of this state as nurses, practical nurses, physical
25 therapists, barbers, or cosmetologists;

1 tet[31] educational institutions maintaining a
2 full-time faculty with a varied curriculum,
3 td>--athletic--clubs--and--others--who--empty--for--and
4 acquire--from--the--board--an--exemption--Such--an--exemption--may
5 be--granted--or--denied--at--the--discretion--of--the--board--in
6 carrying--out--the--purposes--of--this--chapter--
7 td>--Those--persons--who--may--have--qualified--for--exemption
8 under--prior--law--shall--be--required--by--this--chapter--to--qualify
9 for--exemption--in--the--manner--stated--in--this--section--before
10 their--exemption--may--be--continued--"

11 Section 2. Section 37-33-306, MCA, is amended to read:
12 "37-33-306. Renewal. (1) A license expires on December
13 31 of each year and shall be renewed then or thereafter, by
14 the department, on payment of a renewal fee of not less than
15 \$10 or more than \$25 150, as set by the board.

16 (2) Any licensee who fails to renew on or before
17 December 31 of each year shall be required to pay, in
18 addition to the renewal fee, a late renewal fee in an amount
19 not to exceed \$10. Failure to renew within 30 days following
20 December 31 shall be cause for suspension or revocation of
21 the license.

-End-