

CHAPTER NO. 495.

HOUSE BILL NO. 597

INTRODUCED BY GERKE, ELLERD, ELLIS, TROPILA  
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE HOUSE

|                   |  |
|-------------------|--|
| February 6, 1979  | Introduced and referred to Committee on Business and Industry. |
| February 14, 1979 | Committee recommend bill do pass. Report adopted.              |
| February 15, 1979 | Second reading, do pass.                                       |
| February 16, 1979 | Considered correctly engrossed.                                |
| February 17, 1979 | Third reading, passed.<br>Transmitted to second house.         |

IN THE SENATE

|                   |   |
|-------------------|---|
| February 19, 1979 | Introduced and referred to Committee on State Administration. |
| March 22, 1979    | Committee recommend bill be concurred in. Report adopted.     |
| March 24, 1979    | Second reading, concurred in.                                 |
| March 27, 1979    | Third reading, concurred in.                                  |

IN THE HOUSE

|                |   |
|----------------|---|
| March 28, 1979 | Returned from second house.<br>Concurred in. Sent to enrolling.<br><br>Reported correctly enrolled. |
|----------------|---|

1 *House* BILL NO. *597*  
 2 INTRODUCED BY *Cliff E. Callard, Ellis D. Torgue*  
 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE REFERENCES  
 6 TO THE BOARD OF INSTITUTIONS; AMENDING SECTIONS 53-1-101 AND  
 7 53-1-407, MCA; REPEALING SECTIONS 2-15-2303 AND 53-1-205,  
 8 MCA; AND PROVIDING AN EFFECTIVE DATE."  
 9

10 WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,  
 11 will terminate the board of institutions and require a  
 12 performance evaluation of the board by the legislative audit  
 13 committee; and

14 WHEREAS, as a result of the performance evaluation, the  
 15 legislative audit committee recommends that the board of  
 16 institutions be abolished.  
 17

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

19 Section 1. Section 53-1-101, MCA, is amended to read:

20 "53-1-101. Definitions. Unless the context requires  
 21 otherwise, in this chapter the following definitions apply:

22 (1) "Department" means the department of institutions  
 23 provided for in Title 2, chapter 15, part 23.

24 (2) "Director" means the director of institutions  
 25 provided for in 2-15-2301.

1 ~~(3) "Board" means the board of institutions provided~~  
 2 ~~for in 2-15-2303.~~

3 ~~(4) (1) "Institution" means any of the institutions~~  
 4 ~~listed in 53-1-202."~~

5 Section 2. Section 53-1-407, MCA, is amended to read:

6 "53-1-407. Appeal of determination of ability to pay.

7 If a resident or financially responsible person disagrees  
 8 with the determination of the department as to his ability  
 9 to pay any part of the per diem or ancillary charge, an  
 10 appeal may be filed within 30 days of the date of the  
 11 department's determination ~~with the board of institutions~~  
 12 ~~according to the procedure established by rules of the~~  
 13 ~~department. If the resident or financially responsible~~  
 14 ~~person disagrees with the determination of the appeal by the~~  
 15 ~~board of institutions, an appeal may be filed in any court~~  
 16 ~~of record in Montana having jurisdiction of the resident or~~  
 17 ~~financially responsible person liable for payment."~~

18 Section 3. Repealer. Sections 2-15-2303 and 53-1-205,  
 19 MCA, are repealed.

20 Section 4. Effective date. This act is effective July  
 21 1, 1979, except that for the purpose of winding up the  
 22 affairs of the board the sections repealed have effect in  
 23 accordance with 2-8-121.

-End-

-2- HB 597  
 INTRODUCED BILL

STATE OF MONTANA

REQUEST NO. 271-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, 1979, there is hereby submitted a Fiscal Note  
on House Bill 597 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 eliminate references to the Board of Institutions as a result of  
termination of the Board by the Sunset Law.

Assumptions:

The Director will appoint an advisory board to take the place of the Board  
of Institutions.

Fiscal Impact:

There will be no fiscal impact resulting from the passage of this House Bill.

*Richard L. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 4/13/79

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 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

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