

SENATE BILL NO. 217

INTRODUCED BY S. BROWN

BY THE REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE SENATE

January 20, 1981	Introduced and referred to Committee on State Administration.
February 18, 1981	Committee recommend bill do pass as amended. Report adopted.
February 19, 1981	Bill printed and placed on members' desks.
February 20, 1981	Second reading, do pass.
February 23, 1981	Correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 45; Noes, 3. Transmitted to House.

IN THE HOUSE

March 2, 1981	Introduced and referred to Committee on State Administration.
March 19, 1981	Committee recommend bill be concurred in. Report adopted.
March 26, 1981	Second reading, concurred in.
March 28, 1981	Third reading, concurred in. Ayes, 93; Noes, 0.

IN THE SENATE

March 30, 1981	Returned from House. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 Senate BILL NO. 217
 2 INTRODUCED BY STEVE BROWN
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 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO THE
 6 ADMINISTRATION OF THE DEPARTMENT OF PROFESSIONAL AND
 7 OCCUPATIONAL LICENSING; PROVIDING THAT THE DEPARTMENT
 8 ALLOCATE CENTRAL SERVICES COSTS BASED ON NUMBER OF
 9 LICENSEES, PRESCRIBE FORMAT OF FORMS USED BY LICENSING
 10 BOARDS; REQUIRE APPLICANTS FOR LICENSURE OR RENEWAL TO
 11 REPORT ANY LEGAL OR DISCIPLINARY ACTIONS AGAINST THEM
 12 RELATING TO THEIR AREA OF LICENSURE; AND REQUIRING THE
 13 DEPARTMENT TO SUBMIT A BIENNIAL REPORT TO THE GOVERNOR AND
 14 THE LEGISLATURE DESCRIBING EACH LICENSING BOARD'S ACTIVITIES
 15 DURING THE BIENNIUM; AND AMENDING SECTION 37-1-101, MCA."
 16
 17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 18 Section 1. Section 37-1-101, MCA, is amended to read:
 19 "37-1-101. Duties of department. In addition to the
 20 provisions of 2-15-121, the department of professional and
 21 occupational licensing shall:
 22 (1) provide all the administrative and clerical
 23 services needed by the boards within the department,
 24 including corresponding, taking applications for licenses,
 25 issuing licenses granted by the boards, renewing licenses,

1 registering, taking minutes of board meetings and hearings,
 2 and filing;
 3 (2) standardize and keep in Helena all official
 4 records of the boards;
 5 (3) make arrangements and provide facilities in Helena
 6 for the meetings, hearings, and examinations of each board
 7 or elsewhere in the state if requested by the board;
 8 (4) administer and grade examinations required by each
 9 board or by law for licensing, unless the board determines
 10 that experts or professionals are necessary to administer or
 11 grade a particular examination;
 12 (5) at the request of a board, investigate complaints
 13 received by the department of illegal or unethical conduct
 14 of a member of the profession or occupation under the
 15 jurisdiction of a board within the department;
 16 (6) assess the costs of the department to the boards
 17 on a pro rata basis according to the number of man-days--and
 18 ~~the--actual--operating--costs--of--the--department--for--each--board~~
 19 licensees under each board.
 20 NEW SECTION. Section 2. Standardized forms. It is the
 21 responsibility of the department whenever possible to adopt
 22 standardized application, license, and other forms used by
 23 the boards within the department. The standardization is to
 24 reduce costs, waste, and the use of out-of-date forms, and
 25 facilitate automated printing and computerization.

1 NEW SECTION. Section 3. Reporting disciplinary
 2 actions against licensees. The department has the authority
 3 and shall require that all licensing boards within the
 4 department require all applicants for licensure or renewal
 5 to report any legal or disciplinary actions against them
 6 which relate to the practice of the profession or occupation
 7 for which they seek licensure. Failure to furnish the
 8 required information or the filing of false information is
 9 grounds for denial or revocation of a license.

10 NEW SECTION. Section 4. Biennial report to governor
 11 and legislature. The department, in cooperation with each
 12 licensing board, shall prepare a biennial report to the
 13 governor as required by 2-7-102. Copies shall be furnished
 14 to each member of the legislature. The report shall contain
 15 for each board a summary of the board's activities, the
 16 board's goals and objectives, a detailed breakdown of board
 17 revenues and expenditures, statistics illustrating board
 18 activities concerning licensing, summary of complaints
 19 received and their disposition, number of licenses revoked
 20 or suspended, legislative or court action affecting the
 21 board, and any other information the department or board
 22 considers relevant.

23 Section 5. Codification instruction. Sections 2, 3,
 24 and 4 are intended to be codified as an integral part of
 25 Title 37, chapter 1, and the provisions of Title 37, chapter

1 1 apply to sections 2, 3, and 4.

-End-

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19 licensees--under-each-board AN EQUITABLE BASIS AS DETERMINED
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8 OR THEIR FITNESS TO PRACTICE the profession or occupation
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10 required information or the filing of false information is
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12 NEW SECTION. Section 4. Biennial report to governor
13 and legislature. The department, in cooperation with each
14 licensing board, shall prepare a biennial report ~~to the~~
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16 ~~to each member of the legislature. The report~~ IN ADDITION TO
17 THE INFORMATION PRESCRIBED BY THE GOVERNOR UNDER 2-7-102,
18 THE BIENNIAL REPORT OF THE DEPARTMENT shall contain for each
19 board a summary of the board's activities, the board's goals
20 and objectives, a detailed breakdown of board revenues and
21 expenditures, statistics illustrating board activities
22 concerning licensing, summary of complaints received and
23 their disposition, number of licenses revoked or suspended,
24 legislative or court action affecting the board, and any
25 other information the department or board considers

1 relevant.

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(2) standardize and keep in Helena all official records of the boards;

(3) make arrangements and provide facilities in Helena for the meetings, hearings, and examinations of each board or elsewhere in the state if requested by the board;

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(5) at the request of a board, investigate complaints received by the department of illegal or unethical conduct of a member of the profession or occupation under the jurisdiction of a board within the department;

(6) assess the costs of the department to the boards ~~on a pro-rata basis according to the number of man-days and the actual operating costs of the department for each board licensees under each board~~ AN EQUITABLE BASIS AS DETERMINED BY THE DEPARTMENT."

NEW SECTION. Section 2. Standardized forms. It is the responsibility of the department whenever possible to adopt standardized application, license, and other forms used by the boards within the department. The standardization is to reduce costs, waste, and the use of out-of-date forms, and

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