## SENATE BILL NO. 311

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## INTRODUCED BY S. BROWN, HIMSL

# BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE SENATE

January 28, 1981	Introduced and referred to Committee on Judiciary.
February 11, 1981	Committee recommend bill do pass. Report adopted.
February 12, 1981	Bill printed and placed on members' desks.
February 13, 1981	Second reading, do pass.
February 14, 1981	Correctly engrossed.
February 16, 1981	Third reading, passed. Ayes, 38; Noes, 11. Transmitted to House.
IN THE H	OUSE
February 17, 1981	Introduced and referred to Committee on State Administration
March 19, 1981	Committee recommend bill be concurred in. Report adopted.
March 27, 1981	Second reading, pass consideration.
March 28, 1981	Second reading, concurred in.
March 30, 1981	On motion rules suspended and bill allowed to be transmitted on 71st day. Motion adopted.
March 31, 1981	Third reading, concurred in. Ayes, 74; Noes, 25.

## IN THE SENATE

April 1, 1981

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Returned from House. Concurred in. Sent to enrolling.

Reported correctly enrolled.

LC 1312/01

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the BILLING. 311 1 INTRODUCED BY 2 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE COMMISSION FOR HUMAN RIGHTS UNDER EXISTING STATUTORY 6 7 AUTHORITY AND RULES; AMENDING SECTION 2-8-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." B 9 10 WHEREAS. the sunset law, sections 2-8-103 and 2-8-112. 11 MCA, terminates the Commission for Human Rights and requires 12 a performance evaluation by the Legislative Audit Committee; 13 and WHEREAS, as a result of the performance evaluation the 14 15 Legislative Audit Committee recommends that the Commission for Human Rights be reestablished under existing statutory 16 17 authority. 18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 19 20 Section 1. Reestablishment. The commission for human 21 rights is reestablished for 6 years pursuant to 2-8-122 with 22 the existing statutory authority and rules. Section 2. Section 2-8-103, MCA, is amended to read: 23 \*2-8-103. Agencies to terminate. (1) The following 24 25 agencies shall terminate on July 1, 1979:

1 (a) board of abstracters, department of professional 2 and occupational licensing, created by 2-15-1643; 3 (b) board of real estate, department of professional and occupational licensing, created by 2-15-1642; 4 5 (c) state board of warm air heating, ventilation, and department of professional 6 air conditioning. and 7 occupational licensing, created by 2-15-1656; 8 (d) board of institutions, department of institutions, 9 created by 2-15-2303. 10 (2) The following agencies shall terminate on July 1, 1981: 11 taj--commission--for--human-rightsy-department-of-labor 12 13 and-industryy-created-by-2-15-1706t (b)(a) board of athletics, department of professional 14 and occupational licensing, created by 2-15-1661; 15 16 tet(b) board of barbers, department of professional 17 and occupational licensing, created by 2-15-1625; 18 td) board of chiropractors, department of 19 professional occupational licensing, created by and 20 2-15-1613: 21 tet(d) board of cosmetologists, department of 22 professional occupational licensing, created by and 23 2-15-1626; 24 tf)[e] board of dentists, department of professional and occupational licensing, created by 2-15-1606; 25 INTRODUCED BILL

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1 tatif1 board of hearing aid dispensers, department of 2 professional and occupational licensing, created by 2-15-1616; 3 4 (ht)(a) board of massage therapists, department of professional and occupational licensing, created by 5 2-15-1627; 6 tit(h) Montana state board of medical examiners, 7 department of professional and occupational licensings 8 9 created by 2-15-1605; 10 tit(1) board of morticians, department of professional 11 and occupational licensing, created by 2-15-1619; 12 tktil board of nursing, department of professional 13 and occupational licensing, created by 2-15-1610; (1)(k) board of nursing home administrators, 14 department of professional and occupational licensing. 15 created by 2-15-1611; 16 17 tm;[1] board optometrists. department of of 18 professional and occupational licensing, created by 19 2-15-1612; (intim) board of osteopathic physicians, department of 20 professional occupational licensing, created by 21 and 2-15-1607; 22 23 tojini board pharmacists, department of of occupational licensing, created by 24 professional and

2 professional and occupational licensing, created by 3 2-15-1608; psychologists. of 4 tatin1 board of department 5 professional occupational licensing, created by and 2-15-1617; 6 7 +r+in) board of radiologic technologists, department 8 of professional and occupational licensing, created by 9 2-15-16141 tet(r) board of speech pathologists and audiologists. 10 department of professional and occupational licensing, 11 created by 2-15-1615; 12 of veterinarians, of 13 department tt)(s) board professional and occupational licensing, created by 14 15 2-15-1618; tutil board of veterans' affairs, department 16 of 17 social and rehabilitation services, created by 2-15-2202; of 18 tv)[u] board of sanitarians, department professional and occupational licensing, created 19 bγ 2-15-1631. 20 21 (3) The following units of state government shall 22 terminate on July 1. 1983: 23 (a) board of seronautics, department of communityaffairs, created by 2-15-1103; 24

tetion board of podiatry examiners, department of

25 (b) state board of hail Insurance, department of

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2-15-1609;

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1	agriculture, created by 2-15-3003;	1 (d) the state electrical board, created by 2-15-1654;
z	(c) board of horse racing, department of professional	2 (e) the board of professional engineers and land
3	and occupational licensing, created by 2-15-1662;	3 surveyors, created by 2-15-1653;
4	(d) board of livestock, department of livestock,	4 (f) office of commissioner of insurance and the
5	created by 2-15-3102;	5 insurance department, state auditor's office, created by
6	(e) board of milk control, department of business	6 2-15-1902 and 2-15-1903;
7	regulation, created by 2-15-1802;	7 (g) office of the securities commissioner, state
8	(f) board of oil and gas conservation, department of	<pre>8 auditor's office, created by 2-15-1901;</pre>
9	natural resources and conservation, created by 2-15-3303;	9 (h) the board of landscape architects, created by
10	(g) Montana outfitters council, department of fish,	10 2-15-1652;
11	wildlife, and parks, created by 2-15-3403;	11 (i) the board of county printing, created by
12	(h) public service commission, department of public	12 2-15-1102;
13	service regulation, created by 69-1-102;	13 (j) the board of plumbers, created by 2-15-1655;
14	(i) board of water and wastewater operators,	14 (k) board of physical therapy examiners, created by
15	department of health and environmental sciences, created by	15 2-15-1628.
16	2-15-2105;	16 (5) The following agency terminates on July 1. 1987:
17	(j) board of water well contractors, department of	17 <u>commission_for_buman_rightsdepartment_of_laborand</u>
18	professional and occupational licensing, created by	18 industry.created_by_2=15=1706."
19	2-15-1632.	19 Section 3. Effective date. This act is effective on
20	(4) The following agencies terminate on July 1, 1985:	20 passage and approval.
21	(a) the board of public accountants, created by	-End-
22	2-15-1641;	
23	(b) the board of architects, created by 2-15-1651;	·
24	(c) state banking board, department of business	
25	regulation, created by 2-15-1803;	
	-5-	SB 3/1

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### 47th Legislature

INTRODUCED BY

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Approved by Committee on Judiciary este BILLIND. 311 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE

COMMISSION FOR HUMAN RIGHTS UNDER EXISTING STATUTORY 6 AUTHORITY AND RULES; AMENDING SECTION 2-8-103, NCA; AND 7 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 8

wHEREAS. the sunset law, sections 2-8-103 and 2-8-112, 10 11 MCA. terminates the Commission for Human Rights and requires 12 a performance evaluation by the Legislative Audit Committee; 13 and

WHEREAS, as a result of the performance evaluation the 14 Legislative Audit Committee recommends that the Commission 15 for Human Richts be reestablished under existing statutory 16 17 authority.

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19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Reestablishment. The commission for human 20 rights is reestablished for 6 years pursuant to 2-8-122 with 21 the existing statutory authority and rules. 22

23 Section 2. Section 2-8-103. MCA. is amended to read: 24 \*2-8-103. Agencies to terminate. (1) The following agencies shall terminate on July 1, 1979: 25

1 (a) board of abstracters, department of professional 2 and occupational licensing, created by 2-15-1643; 3 (b) board of real estate, department of professional and occupational licensing, created by 2-15-1642; 4 5 (c) state board of warm air heating, ventilation, and department of professional 6 air conditioning. and 7 occupational licensing, created by 2-15-1656; 8 (d) board of institutions, department of institutions, 9 created by 2-15-2303. 10 (2) The following agencies shall terminate on July 1. 1981: 11 top--commission--for--human-rightsy-deportment-of-labor 12 13 and-industryy-created-by-2-15-1706t tbt(a) board of athletics, department of professional 14 15 and occupational licensing, created by 2-15-1661; 16 tet(b) board of barbers, department of professional 17 and occupational licensing, created by 2-15-1625; 18 td)(c) board of chiropractors, department of professional occupational licensing, created by 19 and 20 2-15-1613; 21 of cosmetologists, department of tetidi board 22 occupational licensing, created by professional and 23 2-15-1626; 24 +f+(e) board of dentists, department of professional 25 and occupational licensing, created by 2-15-1606;

-2- SECOND READING 58 3//

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1. tghifi board of hearing aid dispensers, department of 2 professional and occupational licensing, created by 3 2-15-16161 4 thtigi board of massage therapists, department of professional and occupational licensing, created by -5 2-15-1627; 6 7 fi)(h) Montana state board of medical examiners, 8 department of professional and occupational licensing, 9 created by 2-15-1605; 10 tit(i) board of morticians, department of professional 11 and occupational licensing, created by 2-15-1619; 12 tk)(i) board of nursing, department of professional and occupational licensing, created by 2-15-1610; 13 14 (+)(k) board of nursing home administrators. 15 department of professional and occupational licensing, created by 2-15-1611; 16 17 (m)(1) board of optometrists, department of occupational licensing, created by 18 professional and 2-15-1612: 19 totim) board of osteopathic physicians, department of 20 21 professional and occupational licensing, created by 22 2-15-16071 department 23 of pharmacists, of totin) board professional occupational licensing, created by 24 and 25 2-15-1609:

tp:/oi board of podiatry examiners+ department of
 professional and occupational licensing; created by
 2-15-1608;

4 (9)(0) board of psychologists, department of
5 professional and occupational licensing, created by
6 2-15-1617;

7 <u>tr}(a)</u> board of radiologic technologists, department
8 of professional and occupational licensing, created by
9 2-15-1614;

10 (stfr) board of speech pathologists and audiologists.
11 department of professional and occupational licensing.
12 created by 2-15-1615;

13 (t?(s) board of veterinarians, department of
 14 professional and occupational licensing, created by
 15 2-15-1618;

16 (w)(1) board of veterans affairs, department of 17 social and rehabilitation services, created by 2-15-2202;

18 twich board of sanitarians, department of 19 professional and occupational licensing, created by 20 2-15-1631.

(3) The following units of state government shall
 terminate on July 1, 1983:

23 (a) board of aeronautics, department of community
 24 affairs, created by 2-15-1303;

25 (b) state board of hail insurance, department of

agriculture, created by 2-15-3003; (d) the state electrical board, created by 2-15-1654; 1 (c) board of horse racing, department of professional 2 (e) the board of professional engineers and land and occupational licensing, created by 2-15-1662; з surveyors, created by 2-15-1653; (d) board of livestock, department of livestock, (f) office of commissioner of insurance and the 4 created by 2-15-3102; 5 insurance department, state auditor's office, created by (e) board of milk control, department of business 6 2-15-1902 and 2-15-1903; regulation, created by 2-15-1802; 7 (g) office of the securities commissioner, state (f) board of oil and gas conservation; department of auditor's office, created by 2-15-1901; 8 natural resources and conservation, created by 2-15-3303; (h) the board of landscape architects, created by 9 (g) Montana outfitters council, department of fish, 10 2-15-1652; wildlife, and parks, created by 2-15-3403; board of county printing, created by 11 (i) the (h) public service commission, department of public 2-15-1102; 12 service regulation. created by 69-1-102: 13 (j) the board of plumbers, created by 2-15-1655; (i) board of water and wastewater operators, (k) board of physical therapy examiners, created by 14 department of health and environmental sciences, created by 2-15-1628. 15 2-15-2105; (5) The following agency terminates on July 1, 1987: 16 (j) board of water well contractors, department of 17 commission for human rights, department of labor and professional and occupational licensing, created by 18 industry, created by 2-15-1706." 2-15-1632. 19 Section 3. Effective date. This act is effective on (4) The following agencies terminate on July 1, 1985: 20 passage and approval. (a) the board of public accountants, created by -End-2-15-1641: (b) the board of architects, created by 2-15-1651; (c) state banking board, department of business

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regulation, created by 2-15-1803;

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Senster BILLIND. 311	• 1	
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INTRODUCED BY THERE BROWN DE	2	an
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE	3	
	4	an
A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE	5	
COMMISSION FOR HUMAN RIGHTS UNDER EXISTING STATUTORY	6	ai
AUTHORITY AND RULES; AMENDING SECTION 2-8-103, MCA; AND	7	oc
PRBVIDING AN IMMEDIATE EFFECTIVE DATE.	8	
	9	cr
WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,	10	
NCA, terminates the Commission for Human Rights and requires	11	19
a performance evaluation by the Legislative Audit Committee;	12	
and	13	80
WHEREAS, as a result of the performance evaluation the	14	
Legislative Audit Committee recommends that the Commission	15	an
for Human Rights be reestablished under existing statutory	16	
authority.	17	an
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Section 1. Reestablishment. The commission for human	20	2-
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-2- THIRD READING SB 3//

totifi board of hearing aid dispensers, department of 1 occupational licensing, created bγ 2 professional and з 2-15-1616; thild) board of massage therapists, department of 4 occupational licensing, created by professional and 5 2-15-1627; 6 state board of medical examiners, 7 <del>(i)in Montana</del> department of professional and occupational licensing, 8 9 created by 2-15-1605; fif(i) board of morticians, department of professional 10 and occupational licensing, created by 2-15-1619; 11 that board of nursing, department of professional 12 and occupational licensing, created by 2-15-1610; 13 (+)(k) board of nursing hoste administrators, 14 department of professional and occupational licensing, 15 16 created by 2-15-1611; department tm)[]] board of optometrists. of 17 occupational licensing, created by professional and 18 19 2-15-1612; tatim) board of osteopathic physicians, department of 20 occupational licensing, created by 21 professional and 22 2-15-1607: department of of pharmacists, totini board 23 occupational licensing, created by professional and 24 25 2-15-1609;

tp?(g) board of podiatry examiners, department of
 professional and occupational licensing, created by
 2-15-1608;

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tqtfpl board of psychologists, department of
professional and occupational licensing, created by
2-15-1617;

7 (+)(a) board of radiologic technologists, department
 8 of professional and occupational licensing, created by
 9 2-15-1614;

10 (s)[r] board of speech pathologists and audiologists,
 11 department of professional and occupational licensing,
 12 created by 2-15-1615;

13 (t)(s) board of veterinarians, department of
 14 professional and occupational licensing, created by
 15 2-15-1618;

16 (u)(1) board of veterans' affairs, department of 17 social and rehabilitation services, created by 2-15-2202;

18 (v)(u) board of sanitarians, department of 19 professional and occupational licensing, created by 20 2-15-1631.

(3) The following units of state government shall
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agriculture, created by 2-15-3003; 1 (d) the state electrical board, created by 2-15-1654: 1 (c) board of horse racing, department of professional (e) the board of professional engineers and land 2 2 and occupational licensing, created by 2-15-1662; 3 surveyors, created by 2-15-1653; 3 (d) board of livestock, department of livestock, 4 (f) office of commissioner of insurance and the 4 insurance department, state auditor's office, created by created by 2-15-3102; 5 5 (e) board of milk control, department of business 2-15-1902 and 2-15-1903; 6 6 (q) office of the securities commissioner, state regulation, created by 2-15-1802; 7 7 (f) board of oil and gas conservation, department of auditor's office, created by 2-15-1901; 8 8 natural resources and conservation, created by 2-15-3303; 9 9 (h) the board of landscape architects, created by (g) Montana outfitters council, department of fish, 10 2-15-1652; 10 wildlife, and parks, created by 2-15-3403; 11 (i) the board of county printing, created by 11 (h) public service commission, department of public 12 2-15-1102; 12 service regulation, created by 69-1-102; 13 (j) the board of plumbers, created by 2-15-1655; 13 (i) board of water and wastewater operators, (k) board of physical therapy examiners, created by 14 14 department of health and environmental sciences, created by 15 15 2-15-1628. (5) The following agency terminates on July 1, 1987: 16 2-15-2105; 16 (j) board of water well contractors, department of compission for buman rights, department of labor and 17 17 professional and occupational licensing, created by 18 industry. created by 2-15-1706." 18 Section 3. Effective date. This act is effective on 19 2-15-1632. 19 (4) The following agencies terminate on July 1, 1985: 20 passage and approval. 20 (a) the board of public accountants, created by -End-21 22 2-15-1641; (b) the board of architects, created by 2-15-1651; 23 (c) state banking board, department of business 24 regulation, created by 2-15-1803; 25

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SB 311

REFERENCE BILL

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1	SENATE BILL NO. 311	L	(a) board of abstracters, department of professional
2	INTRODUCED BY S. BROWN, HIMSL	2	and occupational licensing, created by 2-15-1643;
3	BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE	3	(b) board of real estate, department of professional
4		4	and occupational licensing, created by 2-15-1642;
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE	5	(c) state board of warm air heating, ventilation, and
6	COMMISSION FOR HUMAN RIGHTS UNDER EXISTING STATUTORY	6	air conditioning, department of professional and
7	AUTHORITY AND RULES; AMENDING SECTION 2-8-103+ NCA; AND	7	occupational licensing, created by 2+15-1656;
8	PROVIDING AN IMMEDIATE EFFECTIVE DATE."	8	(d) board of institutions, department of institutions,
9		9	created by 2-15-2303.
10	WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,	10	(2) The following agencies shall terminate on July 1.
11	MCA; terminates the Commission for Human Rights and requires	11	1981:
12	a performance evaluation by the Legislative Audit Committee;	12	<del>ta)commissionforhuman-rightsv-department-of-labor</del>
13	and	13	<del>and industry, created by 2-15-1786;</del>
14	WHEREAS, as a result of the performance evaluation the	14	<pre>tb)(a) board of athletics, department of professional</pre>
15	Legislative Audit Committee recommends that the Commission	15	and occupational licensing, created by 2-15-1661;
16	for Human Rights be reestablished under existing statutory	16	<pre>tet(b) board of barbers+ department of professional</pre>
17	authority.	17	and occupational licensing, created by 2-15-1625;
18		16	<del>td)<u>[c]</u> board of chiropractors, department of</del>
19	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	19	professional and occupational licensing, created by
20	Section 1. Reestablishment. The commission for human	20	2-15-1613;
21	rights is reestablished for 6 years pursuant to 2-8-122 with	21	<del>(e)[<u>d]</u> board of cosmetologists, department of</del>
22	the existing statutory authority and rules.	22	professional and occupational licensing, created by
23	Section 2. Section 2-8-103, MCA, is amended to read:	23	2-15-1626;
24	"2~8+103. Agencies to terminate. (1) The following	24	<del>tf<u>}(e)</u> board of dentists, department of professional</del>
25	agencies shall terminate on July 1, 1979:	25	and occupational licensing, created by 2-15-1606;

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tg)(f) board of hearing aid dispensers, department of
 professional and occupational licensing, created by
 2-15-1616;

4 (h)(g) board of massage therapists, department of 5 professional and occupational licensing, created by 6 2-15-1627;

7 (+)(h) Montana state board of medical examiners.
8 department of professional and occupational licensing.
9 created by 2-15-1605;

12 (\*)(j) board of nursing, department of professional 13 and occupational licensing, created by 2-15-1610;

14 <del>{}}(k)</del> board of nursing home administrators, 15 department of professional and occupational licensing, 16 created by 2-15-1611;

17 fmf(1) board of optometrists, department of 18 professional and occupational licensing, created by 19 2-15-1612;

20 (n)(m) board of osteopathic physicians, department of 21 professional and occupational licensing, created by 22 2-15-1607;

23 (++)(n) board of pharmacists, department of 24 professional and occupational licensing, created by 25 2-15-1609;

1 (p) board of podiatry examiners, department of professional 2 and occupational licensing, created by 3 2-15-1608; 4 tel (p) board of psychologists. department of professional 5 and occupational licensing, created by 2-15-1617: ٨ 7 frt(g) board of radiologic technologists, department 8 of professional and occupational licensing, created by 9 2-15-1614; 10 (s)(r) board of speech pathologists and audiologists. department of professional and occupational licensing, 11 12 created by 2-15-1615; 13 ftf(s) board of veterinarians. department of 14 professional and occupational licensing, created by 15 2-15-1618: 16 tw)(t) board of veterans' affairs, department of 17 social and rehabilitation services, created by 2-15-2202; 18 tv) board of sanîtarians. department of professional and occupational licensing, created 19 ĎΥ 20 2-15-1631. 21 (3) The following units of state government shall 22 terminate on July 1, 1983: 23 (a) board of aeronautics, department of community 24 affairs, created by 2-15-1103; 25 (b) state board of hail insurance, department of

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1 agriculture, created by 2-15-3003; Z (c) board of horse racing, department of professional 3 and occupational licensing, created by 2-15-1662; (d) board of livestock, department of livestock, 4 created by 2-15-3102; 5 6 (e) board of milk control, department of business 7 regulation, created by 2-15-1802; 8 (f) board of oil and gas conservation, department of natural resources and conservation, created by 2-15-3303; 9 (g) Montana outfitters council, department of fish. 10 wildlife, and parks, created by 2-15-3403; 11 (h) public service commission, department of public 12 service regulation, created by 69-1-102; 13 14 (i) board of water and wastewater operators, department of health and environmental sciences, created by 15 16 2-15-2105: (i) board of water well contractors, department of 17 professional and occupational licensing, created by 18 19 2-15-1632+ 20 (4) The following agencies terminate on July 1, 1985: 21 {a} the board of public accountants, created by 2-15-1641; 22 23 (b) the board of architects, created by 2-15-1651;

24 (c) state banking board, department of business
25 regulation, created by 2-15-1803;

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L (d) the state electrical board, created by 2-15-1654; 2 (e) the board of professional engineers and land 3 surveyors, created by 2-15-1653; 4 (f) office of commissioner of insurance and the 5 insurance department, state auditor's office, created by 6 2-15-1902 and 2-15-1903; 7 (q) office of the securities commissioner, state 8 auditor's office, created by 2-15-1901; 9 (h) the board of landscape architects, created by 2-15-1652; 10 11 (i) the board of county printing, created by 12 2-15-1102; 13 (j) the board of plumbers, created by 2-15-1655; 14 (k) board of physical therapy examiners, created by 15 2-15-1628. 16 (5) The following agency terminates on July 1, 1987: 17 commission for human rights, department of labor and 18 industry, created by 2-15-1706.\* 19 Section 3. Effective date. This act is effective on 20 passage and approval.

-End-

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