SENATE BILL NO. 389

INTRODUCED BY HIMSL, S. BROWN

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE SENATE

February	7, 1981	Introduced and referred to Committee on Public Health, Welfare, and Safety.
February	13, 1981	Committee recommend bill do pass. Report adopted.
Pebruary	14, 1981	Bill printed and placed on members' desks.
February	16, 1981	Second reading, do pass.
February	17, 1981	Correctly engrossed.
Pebruary	18, 1981	Third reading, passed. Ayes, 49; Noss, 0. Transmitted to House.

IN THE HOUSE

February 19, 1981	Introduced and referred to Committee on State Administration.		
March 13, 1991	Committee recommend bill be concurred in and placed on consent calendar. Report adopted.		
March 17, 1981	Discussion.		
March 18, 1981	Consent calendar, concurred in. Ayes, 92; Noes, 0.		

IN THE SENATE

March 19, 1981 Returned from House. Concurred in. Sent to enrolling.

Reported correctly enrolled.

1	Sente BILL NO. 389
2	INTRODUCED BY
3	BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE
6	BOARD OF NURSING HOME ADMINISTRATORS UNDER EXISTING
7	STATUTORY AUTHORITY AND RULES; AMENDING SECTION 2-8-103.
8	MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
9	
10	WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,
11	MCA, terminates the Board of Nursing Home Administrators and
12	requires a performance evaluation of the Board by the
13	Legislative Audit Committee; and
14	WHEREAS, as a result of the performance evaluation, the
15	Legislative Audit Committee recommends that the Board of
16	Nursing Home Administrators be reestablished under existing
17	statutory authority.
18	
19	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
20	Section 1. Reestablishment. The board of nursing home
21	administrators is reestablished for 6 years pursuant to
22	2-8-122 with its existing statutory authority and rules.
23	Section 2. Section 2-8-103, MCA, is amended to read:
24	"2-8-103. Agencies to terminate. (1) The following
25	agencies shall terminate on July 1, 1979:

3	(b) board of real estate, department of professional
4	and occupational licensing, created by 2-15-1642;
5	(c) state board of warm air heating, ventilation, and
6	air conditioning, department of professional 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,
11	1981:
12	(a) commission for human rights, department of labor
13	and industry, created by 2-15-1706;
14	(b) board of athletics, department of professional and
15	occupational licensing, created by 2-15-1661;
16	(c) board of barbers, department of professional and
17	occupational licensing, created by 2-15-1625;
18	(d) board of chiropractors, department of professional
19	and occupational licensing, created by 2-15-1613;
20	(e) board of cosmetologists, department of
21	professional and occupational licensing, created by
22	2-15-1626;
23	(f) board of dentists, department of professional and
24	occupational licensing, created by 2-15-1606;
25	(g) board of hearing aid dispensers, department of
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(a) board of abstracters, department of professional

and occupational licensing, created by 2-15-1643;

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	,
2	2-15-1616;
3	(h) board of massage therapists, department of
4	professional and occupational licensing, created by
5	2-15-1627;
6	(i) Montana state board of medical examiners,
7	department of professional and occupational licensing,
8	created by 2-15-1605;
9	(j) board of morticians, department of professional
10	and occupational licensing, created by 2-15-1619;
11	(k) board of nursing, department of professional and
12	occupational licensing, created by 2-15-1610;
13	(1)boardofnursing-home-administratorsy-department
14	ofprofessionalandaccupationallicensingcreatedby
15	2-15-1611;
16	<pre>{m+(1) board of optometrists, department of</pre>
17	professional and occupational licensing, created by
18	2-15-1612;
19	<pre>fn)(m) board of osteopathic physicians, department of</pre>
20	professional and occupational licensing, created by
21	2-15-1607;
22	<pre>{of(n) board of pharmacists, department of</pre>
23	professional and occupational licensing, created by
24	2-15-1609;

tot(0) board of podiatry examiners, department of

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1 professional and occupational licensing, created by 2-15-1608; 3 tetin) board of psychologists. department professional and occupational licensing, created by 5 2-15-1617; 6 frial board of radiologic technologists, department of professional and occupational licensing, created by 7 2-15-1614; 9 taticl board of speech pathologists and audiologists, 10 department of professional and occupational licensing, 11 created by 2-15-1615: 12 tttisl board of veterinarians, department of 13 professional and occupational licensing, created by 2-15-1618; 14 (w)(t) board of veterans affairs, department of 15 16 social and rehabilitation services, created by 2-15-2202; 17 fvfful board sanitarians, of department ٥f professional and occupational licensing, created by 18 19 2-15-1631. 20 (3) The following units of state government shall 21 terminate on July 1, 1983: 22 (a) board of aeronautics, department of community 23 affairs, created by 2-15-1103; 24 (b) state board of hail insurance, department of

agriculture, created by 2-15-3003;

- 1 (c) board of horse racing, department of professional
 2 and occupational licensing, created by 2-15-1662;
- 3 (d) board of livestock, department of livestock, 4 created by 2-15-3102;
- 5 (e) board of milk control, department of business 6 regulation, created by 2-15-1802;
- 7 (f) board of oil and gas conservation, department of 8 natural resources and conservation, created by 2-15-3303;
- (g) Montana outfitters council: department of fish,
 wildlife: and parks, created by 2-15-3403;
- 11 (h) public service commission, department of public 12 service regulation, created by 59-1-102;
- 13 (i) board of water and wastewater operators,
 14 dapartment of health and environmental sciences, created by
 15 2-15-2105;
- 16 (j) board of water well contractors, department of
 17 professional and occupational licensing, created by
 18 2-15-1632.
- 19 (4) The following agencies terminate on July 1, 1985:
- 20 (a) the board of public accountants, created by 21 2-15-1641:
- 22 (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 (d) the state electrical board, created by 2-15-1654;

- 1 (e) the board of professional engineers and land 2 surveyors, created by 2-15-1653;
- 3 (f) office of commissioner of insurance and the 4 insurance department, state auditor's office, created by 5 2-15-1902 and 2-15-1903;
- 6 (g) office of the securities commissioner, state 7 auditor's office, created by 2-15-1901;
- 8 (h) the board of landscape architects, created by 2-15-1652;
- 10 (i) the board of county printing, created by
 11 2-15-1102:
- 12 (j) the board of plumbers, created by 2-15-1655;
- 13 (k) board of physical therapy examiners, created by 2-15-1628.
- 15 (5) The following agency terminates on July 1. 1987:
 16 board of nursing home administrators, department of
- 17 professional and occupational licensing created by
- 16 2-15-1611."
- 19 Section 3. Effective date. This act is effective on
- 20 passage and approval.

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Approved by Comm. on Public Health, Safety and Welfare

1 THTRODUCED BY 2 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE 3 4 5 A RILL FOR AN ACT ENTITLED: PAN ACT TO REESTABLISH THE 6 NURSING HOME ADMINISTRATORS UNDER EXISTING 7 STATUTORY AUTHORITY AND RULES: AMENDING SECTION 2-8-103. MCA: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE. 8 9 10 WHEREAS: the sunset law: sections 2-8-103 and 2-8-112: MCA, terminates the Board of Nursing Home Administrators and 11 12 requires a performance evaluation of the Soard by the Legislative Audit Committee; and 13 14 WHEREAS, as a result of the performance evaluation, the Legislative Audit Committee recommends that the Board of 15 16 Nursing Home Administrators be reestablished under existing 17 statutory authority. 18 19

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

Section 1. Reestablishment. The board of nursing home administrators is reestablished for 6 years pursuant to 2-8-122 with its 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 25 agencies shall terminate on July 1, 1979:

1	(a) bo	ard of	abstracters,	department	of professional
2	and occupati	onal lic	ensing, create	ed by 2-15-1	643;

- 3 (b) board of real estate, department of professional and occupational licensing, created by 2-15-1642;
- 5 (c) state board of warm air heating, ventilation, and 6 air conditioning, department of professional and 7 occupational licensing, created by 2-15-1656:
- R (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
- 12 (a) commission for human rights, department of labor 13 and industry, created by 2-15-1706;
- 14 (b) board of athletics, department of professional and 15 occupational licensing, created by 2-15-1661:
- 16 (c) board of barbers, department of professional and 17 occupational licensing, created by 2-15-1625;
- 18 (d) board of chiropractors, department of professional 19 and occupational licensing, created by 2-15-1613;
- 20 (e) board cosmetologists. department αf and occupational licensing, created by 21 professional 22 2-15-1626:
- 23 (f) board of dentists, department of professional and 24 occupational licensing, created by 2-15-1606;
- 25 (g) board of hearing aid dispensers, department of

created

2 2-15-1616: therapists, department of 3 (h) board of massage professional and occupational licensing, created by 2-15-1627; 5 (i) Montana state board of medical examiners, 6 department of professional and occupational licensing, 7 8 created by 2-15-1605; 9 (i) board of morticians, department of professional 10 and occupational licensing, created by 2-15-1619; (k) board of nursing, department of professional and 11 12 occupational licensing, created by 2-15-1610; +1}--board--of--nursing-home-administrators:-department 13 of--professional--and--accepational--licensing--created--by 14 2-15-16111 15 16 tmt[]1 board optometrists, department professional and occupational licensing, created 17 2-15-1612; 18 thinh board of osteopathic physicians, department of 19 professional and occupational licensing, created 20 ~ ... **Z1** 2-15-1607; 22 totini board pharmacists, department 23 professional and occupational licensing, created by 24 2-15-16091

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tp)(o) board of podiatry examiners, department of

	(c)	board	af	horse r	acing,	depar	tment	of	professional
•									
and	occup	ational	lie	ensing.	create	ed by	2-15-	1664	2;

- (d) board of livestock, department of livestock, created by 2-15-3102;
- 5 (e) board of milk control, department of business 6 regulation, created by 2-15-1802;
- 7 (f) board of oil and gas conservation, department of 8 natural resources and conservation, created by 2-15-3303;
 - (g) Montana outfitters council, department of fish, 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 (i) board of water and wastewater operators,

 14 department of health and environmental sciences, created by

 15 2-15-2105:
- 16 (j) board of water well contractors, department of
 17 professional and occupational licensing, created by
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- 15 (5) The following agency terminates on July 1. 1987:
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- 18 2-15-1611-"
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3	BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE
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7	STATUTORY AUTHORITY AND RULES; AMENDING SECTION 2-8-103,
8	MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.
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13	Legislative Audit Committee; and
14	WHEREAS, as a result of the performance evaluation, the
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-2- SECOND READING SB 389

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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO REESTABLISH THE
6	BOARD OF NURSING HOME ADMINISTRATORS UNDER EXISTING
7	STATUTORY AUTHORITY AND RULES: AMENDING SECTION 2-8-103+
8	MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**
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10	WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,
11	MCA, terminates the Board of Nursing Home Administrators and
12	requires a performance evaluation of the Board by the
13	Legislative Audit Committee; and
14	WHEREAS, as a result of the performance evaluation, the
15	Legislative Audit Committee recommends that the Board of
16	Nursing Home Administrators be reestablished under existing
17	statutory authority.
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19	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
20	Section 1. Reestablishment. The board of nursing home
21	administrators is reestablished for 6 years pursuant to
22	2-8-122 with its existing statutory authority and rules.
23	Section 2. Section 2-8-103, MCA, is amended to read:
24	"Z-8-103. Agencies to terminate. (1) The following
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
4	and occupational licensing, created by 2-15-1642;
5	(C) state board of warm air heating, ventilation, and
6	air conditioning, department of professional 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 $1_{ extstyle 2}$
11	1981:
12	(a) commission for human rights, department of labor
13	and industry, created by 2-15-1706;
14	(b) board of athletics, department of professional and
15	occupational licensing, created by 2-15-1661;
16	(c) board of barbers, department of professional and
17	occupational licensing, created by 2-15-1625;
18	(d) board of chiropractors, department of professional
19	and occupational licensing, created by 2-15-1613;
20	(e) board of cosmetologists, department of
21	professional and occupational licensing, created by
2.5	2-15-1626;
23	(f) board of dentists, department of professional and
24	occupational licensing, created by 2-15-1606;
25	(g) board of hearing aid dispensers, department of

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created by 2-15-1615;

- 1 professional and occupational licensing, created 2-15-1616: 2
- 3 (h) board massage therapists, department of professional and occupational licensing, created 2-15-1627: 5
- (i) Montana state board 6 medical examiners. 7 department of professional and occupational licensing. created by 2-15-1605: 8
- 9 (i) board of morticians, department of professional 10 and occupational licensing, created by 2-15-1619;
- 11 (k) board of nursing, department of professional and 12 occupational licensing, created by 2-15-1610;
- 13 111--board--of--nursing-home-administratorsy-department 14 of--professional--and--occupational--licensingy--created--by
- 15 2-15-1611+

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- 16 tmt[]] board of optometrists. department 17 professional and occupational licensing, created 18 2-15-1612;
- 19 tn+(m) board of osteopathic physicians, department of 20 professional and occupational licensing, created 2-15-1607:
- 22 to)(n) board pharmacists. department of 23 professional and occupational licensing, created 24 2-15-1609;
- 25 to) board of podiatry examiners, department of

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- occupational licensing, created 1 professional and by
- 2 2-15-1608:
- 3 ta)(p) board psychologists. department occupational licensing, created 4 professional and bу
- 5 2-15-1617:

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- 6 fri(q) board of radiologic technologists, department of professional and occupational licensing, created by 7 2-15-1614:
- (s) (r) board of speech pathologists and audiologists. 9 department of professional and occupational licensing. 10
- 12 of veterinarians, department of fe)(s) board 13 professional and occupational licensing, created 14 2-15-1618:
- 15 (w)(t) board of veterans' affairs, department of social and rehabilitation services, created by 2-15-2202; 16
- 17 (v)(u) board of sanitarians. department of 18 professional occupational licensing, created by and 19 2-15-1631.
- 20 (3) The following units of state government shall 21 terminate on July 1, 1983:
- (a) board of aeronautics, department of community 22 23 affairs, created by 2-15-1103;
- 24 (b) state board of hail insurance, department of 25 agriculture, created by 2-15-3003;

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- 1 (c) board of horse racing, department of professional 2 and occupational licensing, created by 2-15-1662;
- 3 (d) board of livestock, department of livestock,
 4 created by 2-15-3102;
- (e) board of milk control, department of business
 regulation, created by 2-15-1802;

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- (f) board of oil and gas conservation, department of natural resources and conservation, created by 2-15-3303;
- (g) Montana outfitters council, department of fish, wildlife, and parks, created by 2+15-3403;
- (h) public service commission, department of public service regulation, created by 69-1-102;
- 13 (i) board of water and wastewater operators:
 14 department of health and environmental sciences: created by
 15 2-15-2105:
- 16 (j) board of water well contractors, department of
 17 professional and occupational licensing, created by
 18 2-15-1632.
- 19 (4) The following agencies terminate on July 1+ 1985:
- 20 (a) the board of public accountants, created by 21 2-15-1641:
- 22 (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;
 - (d) the state electrical board, created by 2-15-1654;

- 1 (e) the board of professional engineers and land 2 surveyors, created by 2-15-1653;
- 3 (f) office of commissioner of insurance and the 4 insurance department, state auditor's office, created by 5 2-15-1902 and 2-15-1903;
- 6 (g) office of the securities commissioner, state
 7 auditor's office, created by 2-15-1901;
- 8 (h) the board of landscape architects, created by 2-15-1652:
- 10 (i) the board of county printing, created by
 11 2-15-1102:
- 12 (1) the board of plumbers, created by 2-15-1655;
- 13 (k) board of physical therapy examiners, created by 2-15-1628.
- 15 (5) The following agency terminates on July 1, 1987:
- 16 board of nursing home administrators, department of
- 17 professional and occupational licensing, created by
- 18 2-15-1611.
- 19 Section 3. Effective date. This act is effective on
- 20 passage and approval.