

HOUSE BILL NO. 225

INTRODUCED BY ASAY, NORMAN

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

IN THE HOUSE

January 13, 1983	Introduced and referred to Committee on Labor and Employment Relations.
January 21, 1983	Committee recommend bill do pass as amended. Report adopted.
January 22, 1983	Bill printed and placed on members' desks.
January 25, 1983	Second reading, do pass.
January 26, 1983	Considered correctly engrossed.
January 27, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 28, 1983	Introduced and referred to Committee on Labor and Employment Relations.
March 3, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 5, 1983	Second reading, concurred in.
March 8, 1983	Third reading, concurred in. Ayes, 45; Noes, 3.

# IN THE HOUSE

March 8, 1983	Returned to House with amendments.
March 10, 1983	Second reading, amendments not concurred in.  On motion, Conference Committee requested.
March 11, 1983	Conference Committee appointed.
April 15, 1983	Conference Committee reported.
April 16, 1983	Second reading, pass consideration.
April 18, 1983	Second reading, report adopted.  Third reading, report adopted.
April 19, 1983	Conference Committee report adopted by Senate.
April 20, 1983	Sent to enrolling.  Reported correctly enrolled.

1 House BILL NO. 225  
2 INTRODUCED BY Way Norman  
3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING THE DIVISION  
6 OF WORKERS' COMPENSATION THE AUTHORITY TO EMPLOY AN ADEQUATE  
7 NUMBER OF QUALIFIED COAL MINE INSPECTORS AND TO PRESCRIBE  
8 THEIR POWERS AND DUTIES; AMENDING SECTION 50-73-401, MCA."  
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11 Section 1. Section 50-73-401, MCA, is amended to read:  
12 "50-73-401. Coal mine inspector. ~~(1)~~ The division  
13 shall ~~appoint state~~ employ an adequate number of qualified  
14 coal mine inspectors for the enforcement of this chapter ~~and~~  
15 shall prescribe their powers and duties.

16 ~~(2) A person is not eligible to be a state coal mine~~  
17 ~~inspector unless he is a citizen of the United States, a~~  
18 ~~resident of this state, has been actually employed in coal~~  
19 ~~mining 5 years before his appointment, and holds a mine~~  
20 ~~foreman's certificate and a mine inspector's certificate~~  
21 ~~from this state.~~

22 ~~(3) A state coal mine inspector may not act as agent~~  
23 ~~for a corporation, superintendent, or manager of a mine and~~  
24 ~~shall in no manner be in the employ of mining companies, nor~~  
25 ~~shall he be interested in any way in coal mining operations.~~

1 ~~either as owner, lessee, or otherwise."~~

-End-

INTRODUCED BILL

## STATE OF MONTANA

117-83

REQUEST NO. \_\_\_\_\_

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 13, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 225 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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:

House Bill 225 is an act granting the Division of Worker's Compensation the authority to employ an adequate number of qualified coal mine inspectors and to prescribe their powers and duties.

ASSUMPTIONS:

- 1) It is assumed that the number of coal mine inspectors (1) currently in the operational budget will remain the same and that travel costs associated with this position will remain at the same level as in the current operational budget.

FISCAL IMPACT:

The costs for FY 1984 and 1985 are as follows:

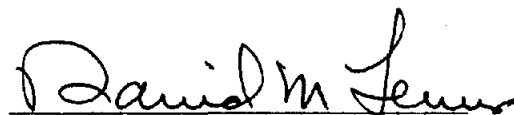
	<u>FY 1984</u>	<u>FY 1985</u>
Personal Services	\$22,346	\$22,260
Travel Costs	<u>8,340</u>	<u>8,493</u>
Expenditures For Earmarked Account	<u>\$30,686</u>	<u>\$30,753</u>

COMMENT:

The costs reflected above will be the same for FY 1984 and 1985, regardless of the outcome of this proposed legislation. House Bill 225 virtually has no fiscal impact. The intent of this bill is to remove statutory job requirements for state coal mine inspectors.

The department has experienced difficulty in recruiting coal mine inspectors. It is felt that removing the existing language will help solve this problem.

FISCAL NOTE 5:C/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-20-83

Approved by Committee  
on Labor & Employment  
Relations

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NUMBER OF QUALIFIED COAL MINE INSPECTORS AND TO PRESCRIBE  
THEIR POWERS AND DUTIES; AMENDING SECTION 50-73-401, MCA."

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

Section 1. Section 50-73-401, MCA, is amended to read:

"50-73-401. Coal mine inspector. ~~(1)~~ The division  
shall appoint ~~state~~ employ an adequate number of qualified  
coal mine inspectors for the enforcement of this chapter and  
shall prescribe their powers and duties.

~~(2) A person is not eligible to be a state coal mine  
inspector unless he is a citizen of the United States, a  
resident of this state, has been actually employed in coal  
mining 5 years before his appointment, and holds a mine  
foreman's certificate and a mine inspector's certificate  
from this state.~~

~~(3) A state coal mine inspector may not act as agent  
for a corporation, superintendent, or manager of a mine and  
shall in no manner be in the employ of mining companies, nor  
shall he be interested in any way in coal mining operations.~~

~~either as owner, lessee, or otherwise.~~

~~(2) A PERSON IS NOT ELIGIBLE TO BE A STATE COAL MINE  
INSPECTOR UNLESS HE IS A CITIZEN OF THE UNITED STATES, A  
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~~(3) A STATE COAL MINE INSPECTOR MAY NOT ACT AS AGENT  
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-End-

SECOND READING

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-End-

March 3, 1983

SENATE STANDING COMMITTEE REPORT  
(Labor & Employment Relations)

That House Bill No. 225 be amended as follows:

1. Page 2, line 2.  
Strike: lines 2 through 10

.....APRIL 15, 1983..... 19.....

CONFERENCE COMMITTEE REPORT ON  
SENATE AMENDMENTS TO HOUSE BILL 225  
(Report No. 1)

Mr. Speaker:

We, your Conference Committee on Senate amendments to House Bill 225,  
met and considered:

Senate Labor and Employment Committee amendment of March 3, 1983.

We recommend as follows:

That the Senate recede from Senate Labor and Employment Committee  
amendment of March 3, 1983; and

That this Conference Committee Report be adopted.

CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

1) Page 1, line 12

Following: "{+}"

Insert: "(1)"

2) Page 2

Following: line 10

Insert: "(2) A person is not eligible to be a state coal mine inspector  
unless he is a citizen of the United States, a resident of this state,  
and has been actually employed in coal mining 5 years before his  
appointment.

(3) A state coal mine inspector may not act as agent for a  
corporation, superintendent, or manager of a mine and shall in no  
manner be in the employ of mining companies, nor shall be interested  
in any way in coal mining operations, either as owner, lessee, or  
otherwise."

FOR THE HOUSE

*Dozier*

DOZIER, CHAIR

*Asay*

ASAY

*McCormick*

MCCORMICK

FOR THE SENATE

*Akilestad*

AKLESTAD, CHAIR

*Thomas Keating*

KEATING

*J. A. Lynch*

LYNCH

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