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 S	enate
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	

A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING THE DIVISION OF WORKERS' COMPENSATION THE AUTHORITY TO EMPLOY AN ADEQUATE 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.

t2)--A--person--is-not-eliqible-to-be-a-state-ecol-mine
inspector-unless-he-is-a-citizen-of--the--United--Statesy--a
resident--of--this-statey-has-been-actually-employed-in-coal
mining-5-years-before-his--appointmenty--and--holds--a--mine
foreman*s--certificate--and--a--mine-inspector*s-certificate
from-this-states

(3)--A-state-coal-mine-inspector-may-not-act--as--agent
for--a-corporationy-superintendenty-or-manager-of-a-mine-and
shall-in-no-manner-be-in-the-employ-of-mining-companiesy-nor
shall-he-be-interested-in-any-way-in-coal-mining-operationsy

either-os-ownery-lesseey-or-otherwise**
-End-

INTRODUCED BILL
-2- MB225

STATE OF MONTANA

		117-83
REQUEST	NO.	

FISCAL NOTE

Form BD-15

In c	compliance w	ith a wi	ritten request r	eceived	January	13,	198	83_ , t	here is	hereby :	submitted a	a Fiscal Note
for	House I	B111 2	25	_ pursuant to 1	Title 5, Cha	pter 4, Pa	rt 2 of	the M	ontana	Code An	notated (M	1CA).
Bac	kground infor	rmation u	used in developi	ng this Fiscal N	ote is availa	ble from t	he Offi	ice of B	Budget a	nd Progr	am Plannin	g, to members
of t	he Legislature	e upon r	equest.									

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:

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

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

48th Legislature HB 0225/02

HOUSE BILL NO. 225

INTRODUCED BY ASAY, NORMAN

Approved by Committee on Labor & Employment Relations

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY 3 A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING THE DIVISION OF WORKERS! COMPENSATION THE AUTHORITY TO EMPLOY AN ADEQUATE 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: 10 Section 1. Section 50-73-401, MCA, is amended to read: 11 M50-73-401. Coal mine inspector. +++ The division 12 shall appoint state employ an adequate number of qualified 13 coal mine inspectors for the enforcement of this chapter and 14 15 shall prescribe their powers-and duties. +21--x--person--is-not-eliqible-to-be-a-state-coal-mine 16 inspector-unless-he-is-a-citizen-of--the--bnited--Statesy--a 17 resident--ef--this-statev-has-been-actually-employed-in-coal 18 mining-5-years-before-his--appointmenty--and--holds--a--mine 19 foremanis--certificate--and--a--mine-inspector*s-certificate 20 21 from-this-state-22 +3+--a-state-eaal-mine-inspector-mov-not-act--as--agent 23 for--a-corporation,-superintendenty-or-manager-of-a-mine-and 24 shall-in-no-manner-be-in-the-employ-of-mining-companiesy-nor shall-he-be-interested-in-any-way-in-coal-mining-operationsy

1 either-as-ownery-lesseev-or-otherwisew 2 121_A PERSON IS NOT ELIGIBLE TO BE A STATE COAL MINE 3 INSPECIOR UNLESS HE IS A CITIZEN OF THE UNITED STATES. A 4 RESIDENT DE THIS STATE: AND HAS BEEN ACTUALLY EMPLOYED IN 5 COAL MINING 5 YEARS BEFORE HIS APPOINTMENT. 6 (3) A STATE COAL MINE INSPECTOR MAY NOT ACT AS AGENT 7 EDR A CORPORATION. SUPERINIENDENT. OR MANAGER OF A MINE AND 8 SHALL IN NO MANNER BE IN THE EMPLOY OF MINING COMPANIES. NOR 9 SHALL HE BE INTERESTED IN ANY WAY IN COAL MINING OPERATIONS. 10 EITHER AS OWNER. LESSEE. OR OTHERWISE." -End-

HB 0225/02

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9	SHALL_HE_BE_INTERESTED_IN_ANY_WAY_IN_COAL_MINING_DRESATIONS:
10	EITHER_AS_OWNERLESSEEOR_OTHERWISE.*
	-End-

SENATE STANDING COMMITTE REPORT (Labor & Employment Relations)

That House Bill No. 225 be amended as follows:

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

APRII. 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: "\(\frac{1}{2}\)"
 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

FOR THE SENATE

AKLESTAD, CHAIR

AKLESTAD, CHAIR

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48th Legislature HB 0225/03 HB 0225/03

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8	SHALL-IN-NO-MANNER-BE-IN-INE-EMPLOY-GE-MINING-GOMPANIES:-NGR
9	SUALL-UE-95-INTERESTED-IN-ANT-WAY-IN-69AL-MINING-9PERATIONS*
10	ETTHER-AS-BUNER: LESSEE - GR-BTHERHTSE - *

-End-