

HOUSE BILL NO. 874

Introduced: 2/15/83

Referred to Committee on Local Government: 2/15/83

Hearing: 2/18/83

Died in Committee

1 *House* BILL NO. *874*
2 INTRODUCED BY *Steve Hansen* *Kade*
3 *Walton*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A LOCAL
5 BOARD OF HEALTH TO ESTABLISH AND COLLECT A FEE FOR ANY
6 INSPECTION MANDATED BY THE STATE; AMENDING SECTION 50-2-116,
7 MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 50-2-116, MCA, is amended to read:

11 "50-2-116. Powers and duties of local boards. (1)
12 Local boards shall:

13 (a) appoint a local health officer who is a physician
14 or a person with a master's degree in public health or
15 equivalent and appropriate experience as determined by the
16 department and fix his salary;

17 (b) elect a chairman and other necessary officers;

18 (c) employ necessary qualified staff;

19 (d) adopt bylaws to govern meetings;

20 (e) hold regular meetings quarterly and hold special
21 meetings as necessary;

22 (f) supervise destruction and removal of all sources
23 of filth which cause disease;

24 (g) guard against the introduction of communicable
25 disease;

1 (h) supervise inspections of public establishments for
2 sanitary conditions.

3 (2) Local boards may:

4 (a) quarantine persons who have communicable diseases;

5 (b) require isolation of persons or things which are
6 infected with communicable diseases;

7 (c) furnish treatment for persons who have
8 communicable diseases;

9 (d) prohibit the use of places which are infected with
10 communicable diseases;

11 (e) require and provide means for disinfecting places
12 which are infected with communicable diseases;

13 (f) accept and spend funds received from a federal
14 agency, the state, a school district, or other persons;

15 (g) contract with another local board for all or a
16 part of local health services;

17 (h) reimburse local health officers for necessary
18 expenses incurred in official duties;

19 (i) abate nuisances affecting public health and safety
20 or bring action necessary to restrain the violation of
21 public health laws or rules;

22 (j) adopt necessary regulations and fees for the
23 control and disposal of sewage from private and public
24 buildings not currently connected to any municipal system
25 (fees shall be deposited with the county treasurer);

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1 ~~(k) establish and collect a fee for any inspection~~
2 ~~mandated by the department, commensurate with the cost of~~
3 ~~the inspection. Such fee shall be paid by the establishment~~
4 ~~being inspected.~~

5 (k)(1) adopt rules which do not conflict with rules
6 adopted by the department:

- 7 (i) for the control of communicable diseases;
8 (ii) for the removal of filth which might cause disease
9 or adversely affect public health;
10 (iii) on sanitation in public buildings which affects
11 public health;
12 (iv) for heating, ventilation, water supply, and waste
13 disposal in public accommodations which might endanger human
14 lives."

-End-