

SENATE BILL NO. 119

Introduced: 01/12/83

Referred to Committee on State Administration: 01/12/83

Hearing: 1/19/83

Died in Committee.

1 *Senate* BILL NO. *119*  
 2 INTRODUCED BY *Samuel Blaylock Halliburton*  
 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REESTABLISHING THE  
 6 BOARD OF AERONAUTICS UNDER EXISTING STATUTORY AUTHORITY AND  
 7 RULES; REMOVING THE BOARD'S QUASI-JUDICIAL DESIGNATION AND  
 8 ITS AUTHORITY OVER INDUSTRIAL REVENUE BONDS AND INTRASTATE  
 9 CARRIERS; AMENDING SECTIONS 2-8-103 AND 2-15-1812, MCA;  
 10 REPEALING SECTIONS 67-1-302 AND 67-3-421 THROUGH 67-3-429,  
 11 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12  
 13 WHEREAS, the sunset law, sections 2-8-103 and 2-8-112,  
 14 MCA, terminates the Board of Aeronautics and requires a  
 15 performance evaluation of the Board by the Legislative Audit  
 16 Committee; and

17 WHEREAS, as a result of the performance evaluation, the  
 18 Legislative Audit Committee recommends that the Board of  
 19 Aeronautics be reestablished under existing statutory  
 20 authority.

21  
 22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

23 NEW SECTION. Section 1. Reestablishment. The board of  
 24 aeronautics, created by 2-15-1812, is reestablished with its  
 25 existing statutory authority and rules for 6 years pursuant

1 to 2-8-122.

2 Section 2. Section 2-8-103, MCA, is amended to read:

3 "2-8-103. Agencies to terminate. (1) The following  
 4 agencies shall terminate on July 1, 1979:

5 (a) board of abstracters, department of professional  
 6 and occupational licensing, created by 2-15-1643;

7 (b) board of real estate, department of professional  
 8 and occupational licensing, created by 2-15-1642;

9 (c) state board of warm air heating, ventilation, and  
 10 air conditioning, department of professional and  
 11 occupational licensing, created by 2-15-1656;

12 (d) board of institutions, department of institutions,  
 13 created by 2-15-2303.

14 (2) The following agencies shall terminate on July 1,  
 15 1981:

16 (a) board of athletics, department of professional and  
 17 occupational licensing, created by 2-15-1661;

18 (b) board of massage therapists, department of  
 19 professional and occupational licensing, created by  
 20 2-15-1627;

21 (c) board of osteopathic physicians, department of  
 22 professional and occupational licensing, created by  
 23 2-15-1607;

24 (d) board of podiatry examiners, department of  
 25 professional and occupational licensing, created by

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1 2-15-1608~~4~~  
2 (3) The following units of state government shall  
3 terminate on July 1, 1983:  
4 ~~(a) board of aeronautics, department of commerce,~~  
5 ~~created by 2-15-1812;~~  
6 ~~(b)(1) state board of hail insurance, department of~~  
7 ~~agriculture, created by 2-15-3003;~~  
8 ~~(c)(1) board of horseracing, department of commerce,~~  
9 ~~created by 2-15-1881;~~  
10 ~~(d)(1) board of livestock, department of livestock,~~  
11 ~~created by 2-15-3102;~~  
12 ~~(e)(1) board of milk control, department of commerce,~~  
13 ~~created by 2-15-1802;~~  
14 ~~(f)(1) board of oil and gas conservation, department~~  
15 ~~of natural resources and conservation, created by 2-15-3303;~~  
16 ~~(g)(1) Montana outfitters' council, department of~~  
17 ~~fish, wildlife, and parks, created by 2-15-3403;~~  
18 ~~(h)(1) public service commission, department of public~~  
19 ~~service regulation, created by 69-1-102;~~  
20 ~~(i)(1) board of water and wastewater operators,~~  
21 ~~department of health and environmental sciences, created by~~  
22 ~~2-15-2105;~~  
23 ~~(j)(1) board of water well contractors, department of~~  
24 ~~commerce, created by 2-15-1862.~~  
25 (4) The following agencies terminate on July 1, 1985:

1 (a) the board of public accountants, department of  
2 commerce, created by 2-15-1866;  
3 (b) the board of architects, department of commerce,  
4 created by 2-15-1871;  
5 (c) state banking board, department of commerce,  
6 created by 2-15-1803;  
7 (d) the state electrical board, department of  
8 commerce, created by 2-15-1874;  
9 (e) the board of professional engineers and land  
10 surveyors, department of commerce, created by 2-15-1873;  
11 (f) office of commissioner of insurance and the  
12 insurance department, state auditor's office, created by  
13 2-15-1902 and 2-15-1903;  
14 (g) office of the securities commissioner, state  
15 auditor's office, created by 2-15-1901;  
16 (h) the board of landscape architects, department of  
17 commerce, created by 2-15-1872;  
18 (i) the board of county printing, department of  
19 commerce, created by 2-15-1811;  
20 (j) the board of plumbers, department of commerce,  
21 created by 2-15-1875;  
22 (k) board of physical therapy examiners, department of  
23 commerce, created by 2-15-1858.  
24 (5) The following agencies terminate on July 1, 1987:  
25 (a) commission for human rights, department of labor

1 and industry, created by 2-15-1706;  
 2 (b) Montana state board of medical examiners,  
 3 department of commerce, created by 2-15-1841;  
 4 (c) board of dentistry, department of commerce,  
 5 created by 2-15-1842;  
 6 (d) board of pharmacists, department of commerce,  
 7 created by 2-15-1843;  
 8 (e) board of nursing, department of commerce, created  
 9 by 2-15-1844;  
 10 (f) board of nursing home administrators, department  
 11 of commerce, created by 2-15-1845;  
 12 (g) board of optometrists, department of commerce,  
 13 created by 2-15-1846;  
 14 (h) board of chiropractors, department of commerce,  
 15 created by 2-15-1847;  
 16 (i) board of radiologic technologists, department of  
 17 commerce, created by 2-15-1848;  
 18 (j) board of speech pathologists and audiologists,  
 19 department of commerce, created by 2-15-1849;  
 20 (k) board of hearing aid dispensers, department of  
 21 commerce, created by 2-15-1850;  
 22 (l) board of psychologists, department of commerce,  
 23 created by 2-15-1851;  
 24 (m) board of veterinarians, department of commerce,  
 25 created by 2-15-1852;

1 (n) board of morticians, department of commerce,  
 2 created by 2-15-1853;  
 3 (o) board of barbers, department of commerce, created  
 4 by 2-15-1856;  
 5 (p) board of cosmetologists, department of commerce,  
 6 created by 2-15-1857;  
 7 (q) board of sanitarians, department of commerce,  
 8 created by 2-15-1861;  
 9 (r) board of veterans' affairs, department of social  
 10 and rehabilitation services, created by 2-15-2202.  
 11 (6) The following agency terminates on July 1, 1989:  
 12 board of aeronautics, department of commerce, created by  
 13 2-15-1812.  
 14 Section 3. Section 2-15-1812, MCA, is amended to read:  
 15 "2-15-1812. Board of aeronautics -- qualification --  
 16 allocation ---quest-jud+et+et+. (1) There is a board of  
 17 aeronautics appointed by the governor.  
 18 (2) The board consists of seven members. The members  
 19 are:  
 20 (a) one member of the Montana pilots' association;  
 21 (b) one member of the Montana chamber of commerce;  
 22 (c) one member of the municipal league;  
 23 (d) one member of the county commissioners  
 24 association;  
 25 (e) one person actively engaged in aviation education

1 In this state;

2 (f) one person representative of interstate commercial  
3 airline operators, who must at the time of appointment be an  
4 employee or official of an interstate commercial airline  
5 operator and a resident of this state;

6 (g) one person who must at the time of appointment be  
7 an active base operator in this state, or an official of a  
8 base operator in this state, of flying services or flying  
9 schools.

10 (3) The board is allocated to the department for  
11 administrative purposes only as prescribed in 2-15-121.

12 (4) The board is designated ~~entitled to be compensated~~  
13 ~~and reimbursed~~ as a quasi-judicial board for purposes of ~~as~~  
14 ~~provided in 2-15-124."~~

15 NEW SECTION. Section 4. Repealer. Sections 67-1-302  
16 and 67-3-421 through 67-3-429, MCA, are repealed.

17 NEW SECTION. Section 5. Effective date. This act is  
18 effective on passage and approval.

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