

HOUSE BILL NO. 195

INTRODUCED BY GARCIA

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 15, 1985	Introduced and referred to Committee on Business and Labor.
January 21, 1985	Committee recommend bill do pass. Report adopted. Statement of Intent attached.
January 22, 1985	Bill printed and placed on members' desks.
January 25, 1985	Motion pass consideration until 19th Legislative Day.
January 28, 1985	Second reading, do pass. Considered correctly engrossed.
January 29, 1985	Third reading, passed. Ayes, 94; Noes, 6. Transmitted to Senate.

IN THE SENATE

January 30, 1985	Introduced and referred to Committee on Business and Industry.
February 8, 1985	Committee recommend bill be concurred in. Report adopted.
February 11, 1985	Second reading, concurred in.
February 13, 1985	Third reading, concurred in. Ayes, 50; Noes, 0. Returned to House.

IN THE HOUSE

February 14, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 195
 2 INTRODUCED BY
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT REPLACING REFERENCES TO
 6 "MOBILE HOMES" IN TITLE 50, CHAPTER 60, MCA, WITH
 7 "FACTORY-BUILT BUILDINGS"; DEFINING "FACTORY-BUILT
 8 BUILDING"; AND AMENDING SECTIONS 50-60-101, 50-60-401, AND
 9 50-60-402, MCA."

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

12 Section 1. Section 50-60-101, MCA, is amended to read:
13 "50-60-101. Definitions. As used in parts 1 through 4
14 and part 7 of this chapter, unless the context requires
15 otherwise, the following definitions apply:

16 (1) "Building" means a combination of any materials,
17 whether mobile, portable, or fixed, to form a structure and
18 the related facilities for the use or occupancy by persons
19 or property. The word "building" shall be construed as
20 though followed by the words "or part or parts thereof".

21 (2) "Building regulations" means any law, rule,
22 resolution, regulation, ordinance, or code, general or
23 special, or compilation thereof enacted or adopted by the
24 state or any municipality, including departments, boards,
25 bureaus, commissions, or other agencies of the state or a

1 municipality relating to the design, construction,
2 reconstruction, alteration, conversion, repair, inspection,
3 or use of buildings and installation of equipment in
4 buildings. The term does not include zoning ordinances.

5 (3) "Construction" means the original construction and
6 equipment of buildings and requirements or standards
7 relating to or affecting materials used, including
8 provisions for safety and sanitary conditions.

9 (4) "Department" means the department of
10 administration provided for in Title 2, chapter 15, part 10.

11 (5) "Equipment" means plumbing, heating, electrical,
12 ventilating, air conditioning, and refrigerating equipment,
13 elevators, dumbwaiters, escalators, and other mechanical
14 additions or installations.

15 (6) "Factory-built building" means a factory-assembled
16 structure or structures equipped with the necessary service
17 connections but not made so as to be readily movable as a
18 unit or units and designed to be used with a permanent
19 foundation. "Factory-built building" does not include
20 manufactured housing constructed after June 15, 1976, under
21 the HUD, National Mobile Home Construction and Safety Act of
22 1974.

23 (6)(7) "Local building department" means the agency or
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-2- INTRODUCED BILL
 #13 195

1 regulations, approval of plans, inspection of buildings, or
2 the issuance of permits, licenses, certificates, and similar
3 documents prescribed or required by state or local building
4 regulations.

5 ~~(7)~~(8) "Local legislative body" means the council or
6 commission charged with governing the municipality.

7 ~~(8)~~(9) "Municipality" means any incorporated city or
8 town and its jurisdictional area as defined by subsection
9 ~~(9)~~ (10) of this section.

10 ~~(9)~~(10) (a) "Municipal jurisdictional area" means the
11 area within the limits of an incorporated municipality
12 unless the area is extended at the written request of a
13 municipality.

14 (b) Upon request, the council may approve extension of
15 the jurisdictional area to include:

16 (i) all or part of the area within 4 1/2 miles of the
17 corporate limits of a municipality;

18 (ii) all of any platted subdivision which is partially
19 within 4 1/2 miles of the corporate limits of a
20 municipality; and

21 (iii) all of any zoning district adopted pursuant to
22 Title 76, chapter 2, part 1 or 2, which is partially within
23 4 1/2 miles of the corporate limits of a municipality.

24 (c) Distances shall be measured in a straight line in
25 a horizontal plane.

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3 possession, assignee of rents, receiver, executor, trustee,
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7 ~~as-a-recreational-vehicle-in-the-edition-of-NFPA-No--501E-or~~
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9 ~~with--50-60-401~~ a vehicular type unit primarily designed as
10 temporary living quarters for recreational, camping, or
11 travel use, which either has its own mode of power or is
12 mounted on or towed by another vehicle, including but not
13 limited to a:

14 (a) travel trailer;

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16 (c) truck camper; or

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18 ~~(12)~~(13) "State agency" means any state officer,
19 department, board, bureau, commission, or other agency of
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21 ~~(13)~~(14) "State building code" means the state building
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25 Section 2. Section 50-60-401, MCA, is amended to read:

1 "50-60-401. Department to adopt rules for ~~mobile-homes~~
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16 "50-60-402. ~~Mobile-homes~~ Factory-built buildings and
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-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. Revised
FNN 191-85

Form BD-15

In compliance with a written request received January 31, 19 85, there is hereby submitted a Fiscal Note for Senate Bill 195/Am. 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.

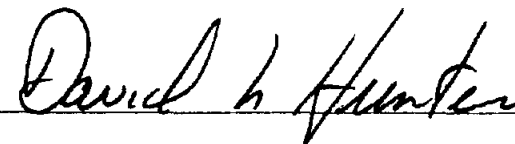
AMENDED FISCAL NOTE:*

Data is not available to determine which employees would be retiring or at what level replacements would be hired. Normally a person nearing retirement would be at a higher step and replacements would be hired at a lower step. However, the savings generated are already taken into account in the Executive Budget's recommendation for a 4% vacancy savings. A substantial portion of vacancy savings is generated by retirements and resignations and replacement being hired at a lower step. The only savings that SB 195 could generate would be if state employees retired at a faster pace than under current law.

To reflect the impact of a person retiring and being replaced by a person at a lower step the following comparisons can be shown. It is important to note that these savings cannot be relied upon because each retirement/replacement will be different. These are broad comparisons.

<u>Grade</u>	<u>Step 13</u>	<u>Step 2</u>	<u>Maximum Savings</u>
7	\$15,680	\$12,115	\$ 3,565
8	\$16,809	\$13,004	\$ 3,805
9	\$18,059	\$13,992	\$ 4,067
10	\$19,430	\$15,073	\$ 4,357
11	\$20,927	\$16,255	\$ 4,672
12	\$22,586	\$17,563	\$ 5,023
13	\$24,393	\$18,987	\$ 5,406

*Supplemental information for original fiscal note.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 6, 1985

Amended SB 195

APPROVED BY COMM. ON
BUSINESS AND LABOR

1 STATEMENT OF INTENT

2 HOUSE BILL 195

3 House Business and Labor Committee

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THIRD READING

HB 195



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 25 a horizontal plane.

1 ~~(10)~~(11) "Owner" means the owner or owners of the
 2 premises or lesser estate, a mortgagee or vendee in
 3 possession, assignee of rents, receiver, executor, trustee,
 4 lessee, or other person, firm, or corporation in control of
 5 a building.

6 ~~(11)~~(12) "Recreational vehicle" means ~~anything--defined~~
 7 ~~as-a-recreational-vehicle-in-the-edition-of-NFPA-No.-501E-or~~
 8 ~~ANSI-A119-2-most-recently-adopted-by-the-state-in-accordance~~
 9 ~~with--50-60-401~~ a vehicular type unit primarily designed as
 10 temporary living quarters for recreational, camping, or
 11 travel use, which either has its own mode of power or is
 12 mounted on or towed by another vehicle, including but not
 13 limited to a:

- 14 (a) travel trailer;
- 15 (b) camping trailer;
- 16 (c) truck camper; or
- 17 (d) motor home.

18 ~~(12)~~(13) "State agency" means any state officer,
 19 department, board, bureau, commission, or other agency of
 20 this state.

21 ~~(13)~~(14) "State building code" means the state building
 22 code provided for in 50-60-203 or any portion of the code of
 23 limited application and any of its modifications or
 24 amendments."

25 Section 2. Section 50-60-401, MCA, is amended to read:

1 "50-60-401. Department to adopt rules for ~~mobile-homes~~
 2 factory-built buildings and recreational vehicles. The
 3 department ~~shall make rules embodying the fundamental~~
 4 ~~principles adopted, recommended, or issued as USAS-A119-1~~
 5 ~~and USAS-A119-2 and amended from time to time by the United~~
 6 ~~States of America standards institute (USASI), successor to~~
 7 ~~the American standards association (ASA), and American~~
 8 ~~national standards applicable to mobile-homes~~ may adopt by
 9 reference nationally recognized construction standards, in
 10 whole or in part, but this does not prevent the department
 11 from adopting rules more stringent than those contained in
 12 such standards, for the construction of factory-built
 13 buildings and recreational vehicles as defined in
 14 50-60-101."

15 Section 3. Section 50-60-402, MCA, is amended to read:

16 "50-60-402. ~~Mobile-homes~~ Factory-built buildings and
 17 recreational vehicles to comply with standards. (1) No
 18 person, firm, or corporation may manufacture, sell, or offer
 19 for sale any new ~~mobile-home~~ factory-built building or
 20 recreational vehicle unless such ~~mobile-home~~ factory-built
 21 building or recreational vehicle, its components, systems,
 22 and appliances have been constructed and assembled in
 23 accordance with the standards herein defined.

24 (2) Any ~~mobile-home~~ factory-built building or
 25 recreational vehicle unit which has been approved by the

1 department shall be deemed to be in full compliance with the
 2 standards and rules prescribed in parts 1 through 4.

3 (3) All ~~mobile-home~~ factory-built buildings or
 4 recreational vehicle units thus approved shall be acceptable
 5 as meeting the requirements of parts 1 through 4 throughout
 6 the state of Montana without further inspection or fees
 7 except for zoning, utility connections, and foundation
 8 permits required by local ordinance."

-End-