# SENATE BILL NO. 242

## INTRODUCED BY LYNCH

### BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

#### IN THE SENATE

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JANUARY 29, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON LABOR & EMPLOYMENT RELATIONS.				
FEBRUARY 6, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.				
FEBRUARY 7, 1987	PRINTING REPORT.				
FEBRUARY 10, 1987	SECOND READING, DO PASS.				
FEBRUARY 11, 1987	ENGROSSING REPORT.				
FEBRUARY 12, 1987	THIRD READING, PASSED.				
	TRANSMITTED TO HOUSE.				
IN THE HOUSE					
	IN THE HOUSE				
FEBRUARY 18, 1987					
FEBRUARY 18, 1987 MARCH 5, 1987	INTRODUCED AND REFERRED TO COMMITTEE				
	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.  COMMITTEE RECOMMEND BILL BE				
MARCH 5, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.				
MARCH 5, 1987 MARCH 7, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN.  THIRD READING, CONCURRED IN.				

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

MARCH 10, 1987

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DIVISION OF WORKERS' COMPENSATION ACCESS TO AN EMPLOYER'S PREMISES FOR THE PURPOSE OF INSPECTION; AND AMENDING SECTION

8 39-71-2305, MCA."

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

11 Section 1. Section 39-71-2305, MCA, is amended to 12 read:

"39-71-2305. Advanced rate for dangerous places of employment — inspection. (1) If, by reason of poor or careless management or otherwise, any place of employment is unduly dangerous in comparison with other like places of employment and the employer operating the same has not complied with the safety provisions of the Montana Safety Act and the employer is under compensation plan No. 3, the division, in addition to any other penalty provided, shall advance the rate upon such place of employment 50%. The advanced rate shall continue and be in force until the place of employment has ceased to be unduly dangerous in comparison with other like places of employment and the employer has obtained a certificate of the division.



1 (2) Each employer who elects to be bound 2 compensation plan No. 3, by reason of such election, 3 consents to provide the division reasonable access to the 4 premises of his business for the purpose of permitting 5 inspection necessitated under subsection (1)." NEW SECTION. Section 2. Extension of authority. Any 7 existing authority of the division of workers' compensation to make rules on the subject of the provisions of this act 8 9 is extended to the provisions of this act.

#### APPROVED BY COMMITTEE ON LABOR & EMPLOYMENT RELATIONS

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1	BILL NO. 242
2	INTRODUCED BY June
3	BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
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6	OF WORKERS' COMPENSATION ACCESS TO AN EMPLOYER'S PREMISES
7	FOR THE PURPOSE OF INSPECTION; AND AMENDING SECTION
8	39-71-2305, MCA."
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 39-71-2305, MCA, is amended to
12	read:
13	"39-71-2305. Advanced rate for dangerous places of
14	employment <u> inspection</u> . (1) If, by reason of poor or
15	careless management or otherwise, any place of employment is
16	unduly dangerous in comparison with other like places of
17	employment and the employer operating the same has not
18	complied with the safety provisions of the Montana Safety
19	Act and the employer is under compensation plan No. 3, the
20	division, in addition to any other penalty provided, shall
21	advance the rate upon such place of employment 50%. The
22	advanced rate shall continue and be in force until the place
23	of employment has ceased to be unduly dangerous in
24	comparison with other like places of employment and the
25	employer has obtained a certificate of the division.

Montana				
L Montana	legisiative	Council		

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1	(2) Each employer who elects to be bound by
2	compensation plan No. 3, by reason of such election,
3	consents to provide the division reasonable access to the
4	premises of his business for the purpose of permitting
5	inspection necessitated under subsection (1)."
6	NEW SECTION. Section 2. Extension of authority. Any
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9	is extended to the provisions of this act.

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BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DIVISION OF WORKERS' COMPENSATION ACCESS TO AN EMPLOYER'S PREMISES FOR THE PURPOSE OF INSPECTION; AND AMENDING SECTION 39-71-2305, MCA."

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

Section 1. Section 39-71-2305, MCA, is amended to read:

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2 compensation plan No. 3, by reason of such election,
3 consents to provide the division reasonable access to the
4 premises of his business for the purpose of permitting
5 inspection necessitated under subsection (1)."
6 NEW SECTION. Section 2. Extension of authority. Any
7 existing authority of the division of workers' compensation
8 to make rules on the subject of the provisions of this act
9 is extended to the provisions of this act.

SB 0242/02

SB 0242/02

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consents	to pro	vide the	divis	ion	reason	able	acces	s to	the
premises	of h	is busi	ness	for	the j	purpos	se of	permit	ting
inspection	on nece	ssitated	under	sub	section	n (1)	<u>.</u> "		
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to make	rules c	n the su	bject	of t	he prov	visio	ns of	this	act
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