

SENATE BILL NO. 242

INTRODUCED BY LYNCH

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

IN THE SENATE

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

FEBRUARY 18, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & LABOR.

MARCH 5, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 7, 1987 SECOND READING, CONCURRED IN.

MARCH 9, 1987 THIRD READING, CONCURRED IN.
AYES, 90; NOES, 7.
RETURNED TO SENATE.

IN THE SENATE

MARCH 10, 1987 RECEIVED FROM HOUSE.
SENT TO ENROLLING.

1 Senate BILL NO. 242
 2 INTRODUCED BY Lynch
 3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DIVISION
 6 OF WORKERS' COMPENSATION ACCESS TO AN EMPLOYER'S PREMISES
 7 FOR THE PURPOSE OF INSPECTION; AND AMENDING SECTION
 8 39-71-2305, MCA."
 9

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 -- inspection. (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.

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
 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.

-End-



-2- INTRODUCED BILL
 SB-242

1 SENATE BILL NO. 242
 2 INTRODUCED BY LYNCH
 3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DIVISION
 6 OF WORKERS' COMPENSATION ACCESS TO AN EMPLOYER'S PREMISES
 7 FOR THE PURPOSE OF INSPECTION; AND AMENDING SECTION
 8 39-71-2305, MCA."

9
 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 -- inspection. (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.

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
 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.

-End-

