

HOUSE BILL NO. 222  
INTRODUCED BY MENAHAN  
BY REQUEST OF THE BOARD OF BARBERS

IN THE HOUSE

|                  |   |
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| JANUARY 17, 1989 | INTRODUCED AND REFERRED TO COMMITTEE<br>ON BUSINESS & ECONOMIC DEVELOPMENT.<br><br>FIRST READING. |
| JANUARY 26, 1989 | COMMITTEE RECOMMEND BILL<br>DO NOT PASS. REPORT ADOPTED.  |
| JANUARY 27, 1989 | ON MOTION, TAKEN FROM ADVERSE COMMITTEE<br>REPORT AND REREFERRED TO SECOND READING                |
| JANUARY 30, 1989 | SECOND READING, DO PASS AS AMENDED.   |
| JANUARY 31, 1989 | ENGROSSING REPORT.  |
| FEBRUARY 1, 1989 | THIRD READING, PASSED.<br>AYES, 95; NOES, 4.<br><br>TRANSMITTED TO SENATE.                        |

IN THE SENATE

|                  |  |
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| FEBRUARY 2, 1989 | INTRODUCED AND REFERRED TO COMMITTEE<br>ON STATE ADMINISTRATION.<br><br>FIRST READING.       |
| MARCH 13, 1989   | COMMITTEE RECOMMEND BILL BE<br>CONCURRED IN AS AMENDED. REPORT<br>ADOPTED.                   |
| MARCH 14, 1989   | SECOND READING, CONCURRED IN.  |
| MARCH 16, 1989   | THIRD READING, CONCURRED IN.<br>AYES, 46; NOES, 1.<br><br>RETURNED TO HOUSE WITH AMENDMENTS. |

IN THE HOUSE

MARCH 30, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 31, 1989

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 222  
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 3 BY REQUEST OF THE BOARD OF BARBERS  
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
 6 LAW RELATING TO THE DISCIPLINE OF BARBER LICENSEES; ALLOWING  
 7 THE BOARD OF BARBERS TO DISCIPLINE A LICENSED BARBER;  
 8 PROVIDING FOR IMPOSITION OF AN ADMINISTRATIVE FINE; ALLOWING  
 9 THE BOARD TO DEFINE, BY RULE, UNPROFESSIONAL CONDUCT; AND  
 10 AMENDING SECTION 37-30-425, MCA."

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

13 **Section 1.** Section 37-30-425, MCA, is amended to read:  
 14 "37-30-425. Refusal, suspension, or revocation of  
 15 license -- administrative fine. The board may, after notice  
 16 and opportunity for a hearing, either refuse to issue or  
 17 renew or may suspend or revoke the license of a barber,  
 18 barbershop, or barber school or college license or may  
 19 impose a fine not to exceed \$500 an incident against a  
 20 licensee for any one-or-combination of the following causes  
 21 acts of a licensee:

- 22 (1) the violation of any of the provisions of  
 23 37-30-308; 37-30-403, except subsection (1)(f); 37-30-406;  
 24 37-30-407; 37-30-412; 37-30-413; and or 37-30-421;  
 25 (2) gross malpractice or gross incompetency;

- 1 (3) continued practice by a person knowingly having an  
 2 infectious or contagious disease;  
 3 (4) advertising by means of knowingly false or  
 4 deceptive statements;  
 5 (5) advertising, practicing, or attempting to practice  
 6 under a trade name other than one's own;  
 7 (6) habitual drunkenness or addiction to the use of  
 8 morphine, cocaine, or other habit-forming drugs;  
 9 (7) the violation of any of the rules adopted pursuant  
 10 to 37-30-203, including rules defining unprofessional  
 11 conduct."

12 **NEW SECTION. Section 2.** Extension of authority. Any  
 13 existing authority to make rules on the subject of the  
 14 provisions of [this act] is extended to the provisions of  
 15 [this act].  
 16 **NEW SECTION. Section 3.** Code commissioner  
 17 instruction. Section 37-30-425 is intended to be renumbered  
 18 and codified by the code commissioner as an integral part of  
 19 Title 37, chapter 30, part 5.

-End-

LC 0520/01  
ADVERSE COMMITTEE REPORT  
BY COMM. ON BUSINESS  
AND ECONOMIC DEVELOPMENT  
ON MOTION, PRINTED AND  
PLACED ON SECOND READING

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(1) the violation of any of the provisions of 37-30-308; 37-30-403, except subsection (1)(f); 37-30-406; 37-30-407; 37-30-412; 37-30-413; and or 37-30-421;

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-End-



SENATE STANDING COMMITTEE REPORT

March 13, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 222 (third reading copy -- blue), respectfully report that HB 222 be amended and as so amended be concurred in:

Sponsor: Menahan (Lynch)

1. Page 1, line 15.  
Following: "license"  
Strike: "-- administrative fine"

AND AS AMENDED BE CONCURRED IN

Signed: Farrell  
William E. Farrell, Chairman

SENATE  
HB 222

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