

HOUSE BILL 694

Introduced by Squires, et al.

2/14	Introduced
2/14	Referred to Labor & Employment Relations
2/16	Hearing
2/17	Committee Report--Bill Passed
2/21	2nd Reading Do Pass as Amended Failed

1 *HOUSE* BILL NO. *694*
 2 INTRODUCED BY *Spencer H. Whalen*
 3 *Pipinich Richard Manning McLeish St. Moore*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MANDATE THAT AN
 5 EMPLOYER PURCHASE, FURNISH, AND REQUIRE THE USE OF
 6 PROTECTIVE CLOTHING OR OTHER HEALTH AND SAFETY ITEMS THAT
 7 MAY BE REQUIRED FOR THE PROTECTION OF AN EMPLOYEE IN THE
 8 WORKPLACE; TO PROHIBIT A PERSON FROM REMOVING, INTERFERING
 9 WITH, OR REFUSING TO USE REQUIRED HEALTH AND SAFETY ITEMS;
 10 AMENDING SECTIONS 50-71-201 AND 50-71-203, MCA; AND
 11 PROVIDING EFFECTIVE DATES."

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

14 **Section 1.** Section 50-71-201, MCA, is amended to read:

15 "50-71-201. Employer to provide safe workplace, to
 16 purchase, furnish, and require health and safety devices
 17 items, and to use safe practices. Every employer shall:

18 (1) furnish a place of employment which that is safe
 19 for each of his employees therein-and-shall;

20 (2) purchase, furnish and-use, and require the use of
 21 such health and safety devices, and safeguards and,
 22 protective clothing, and other health and safety items,
 23 including air masks, hardhats, and protective gloves that
 24 may be required by state or federal law, by the employer, or
 25 by the terms of an employment contract;

1 (3) shall adopt and use such practices, means,
 2 methods, operations, and processes as that are reasonably
 3 adequate to render the place of employment safe; and shall
 4 (4) do every any other thing reasonably necessary to
 5 protect the life, health, and safety of his employees."

6 **Section 2.** Section 50-71-203, MCA, is amended to read:

7 "50-71-203. Removal of or refusal to use health and
 8 safety devices items prohibited. No A person shall may not:

9 (1) remove, displace, damage, destroy, carry off, or
 10 refuse to use any health and safety device or, safeguard,
 11 protective clothing, or other health and safety items
 12 furnished and--provided for his use in-any-employment-or
 13 place-of-employment by his employer; or

14 (2) interfere in-any-way with the use thereof of any
 15 required health and safety device, safeguard, protective
 16 clothing, or other health and safety items by any other
 17 person; or

18 (3) interfere with the use of any method or process
 19 adopted for the protection of any employee in such
 20 employment-or the place of employment; or

21 (4) fail to do any other thing reasonably necessary to
 22 protect the life, health, and safety of such any employees."

23 **NEW SECTION. Section 3.** Extension of authority. Any
 24 existing authority to make rules on the subject of the
 25 provisions of [this act] is extended to the provisions of

LC 1053/01

1 [this act].

2 NEW SECTION. **Section 4.** Effective dates. (1) [Section
3 3 and this section] are effective on passage and approval.
4 (2) [Sections 1 and 2] are effective October 1, 1989.

-End-

APPROVED BY COMMITTEE
ON LABOR & EMPLOYMENT
RELATIONS

1 *HOUSE* BILL NO. *694*
2 INTRODUCED BY *James H. Whalen*
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8 WORKPLACE; TO PROHIBIT A PERSON FROM REMOVING, INTERFERING
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