

SENATE BILL NO. 296

INTRODUCED BY HAGER

IN THE SENATE

JANUARY 31, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
FEBRUARY 13, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 14, 1989	PRINTING REPORT.
FEBRUARY 15, 1989	SECOND READING, DO PASS.
FEBRUARY 16, 1989	ENGROSSING REPORT.
FEBRUARY 17, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
MARCH 16, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 27, 1989	SECOND READING, CONCURRED IN.
MARCH 29, 1989	THIRD READING, CONCURRED IN. AYES, 97; NOES, 0.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989	RECEIVED FROM HOUSE.
---------------	----------------------

SECOND READING, AMENDMENTS NOT
CONCURRED IN.

APRIL 4, 1989

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 6, 1989

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 12, 1989

CONFERENCE COMMITTEE REPORTED.

APRIL 13, 1989

SECOND READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE HOUSE

APRIL 14, 1989

THIRD READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE SENATE

APRIL 15, 1989

CONFERENCE COMMITTEE
REPORT ADOPTED.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *296*
2 INTRODUCED BY *Hager*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING JOINT
5 LICENSING, REVIEW, AND INSPECTION OF COMMUNITY MENTAL HEALTH
6 CENTERS; AUTHORIZING EMPLOYEES OF ONE STATE AGENCY TO
7 PERFORM CERTAIN FUNCTIONS OF ANOTHER STATE AGENCY; REQUIRING
8 THE GOVERNOR TO DESIGNATE LEAD AGENCIES FOR PURPOSES OF
9 JOINT LICENSING, REVIEW, AND INSPECTION; AND PROVIDING AN
10 EFFECTIVE DATE."
11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13 NEW SECTION. Section 1. Purpose. The purpose of [this
14 act] is to:
15 (1) eliminate unnecessary duplication and overlapping
16 of licensing, review, and inspection of community mental
17 health centers by multiple state agencies;
18 (2) improve the efficiency and minimize the cost of
19 necessary state licensing, review, and inspection of
20 community mental health centers; and
21 (3) reduce the inconvenience and cost to community
22 mental health centers of licensing, review, and inspection
23 by separate state agencies.
24 NEW SECTION. Section 2. Definitions. As used in [this
25 act], unless the context requires otherwise, the following

1 definitions apply:
2 (1) "Community mental health center" means a community
3 comprehensive mental health center as defined in 53-21-201.
4 (2) "State agency" means:
5 (a) the department of administration provided for in
6 2-15-1001;
7 (b) the department of health and environmental
8 sciences provided for in 2-15-2101;
9 (c) the safety bureau of the workers' compensation
10 division of the department of labor and industry provided
11 for in 2-15-1702;
12 (d) the state fire marshall provided for in 2-15-2005;
13 (e) the department of social and rehabilitation
14 services provided for in 2-15-2201;
15 (f) the department of institutions provided for in
16 2-15-2301;
17 (g) the mental disabilities board of visitors provided
18 for in 2-15-211; and
19 (h) the superintendent of public instruction provided
20 for in 2-15-701.
21 NEW SECTION. Section 3. Joint licensing, review, and
22 inspection. Each state agency shall participate in joint
23 licensing, review, and inspection of community mental health
24 centers. All joint licensing, review, and inspection
25 activities of state agencies must be coordinated by function

1 so that similar licensing, review, and inspection activities
2 of each state agency are conducted at one time by personnel
3 from one state agency, who shall use one set of forms for
4 purposes of licensing, review, and inspection.

5 NEW SECTION. Section 4. Authorization for employees
6 to perform functions of other state agency. Each state
7 agency shall enter into an interagency agreement with other
8 state agencies to authorize its employees to conduct
9 specific licensing, review, and inspection of community
10 mental health centers under the jurisdiction of another
11 state agency. Prior to authorizing employees of another
12 state agency to conduct licensing, review, and inspection
13 under its jurisdiction, each state agency may require
14 minimum standards of knowledge and training relevant to the
15 type of activity to be conducted.

16 NEW SECTION. Section 5. Lead agency. For purposes of
17 [this act], the governor shall designate one state agency as
18 the lead agency for other state agencies performing similar
19 licensing, review, and inspection activities. All other
20 state agencies shall cooperate with the lead agency to
21 assure minimum duplication and maximum coordination of
22 effort.

23 NEW SECTION. Section 6. 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

1 [this act].

2 NEW SECTION. Section 7. Codification instruction.
3 [Sections 1 through 5] are intended to be codified as an
4 integral part of Title 53, chapter 10, and the provisions of
5 Title 53, chapter 10, apply to [sections 1 through 5].

6 NEW SECTION. Section 8. Effective date. [This act] is
7 effective July 1, 1989.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 296

INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING JOINT
LICENSING, REVIEW, AND INSPECTION OF COMMUNITY MENTAL HEALTH
CENTERS; AUTHORIZING EMPLOYEES OF ONE STATE AGENCY TO
PERFORM CERTAIN FUNCTIONS OF ANOTHER STATE AGENCY; ~~REQUIRING~~
~~THE GOVERNOR TO DESIGNATE--HEAD--AGENCIES--FOR--PURPOSES--OF~~
~~JOINT--LICENSING,--REVIEW,--AND--INSPECTION,~~ AND PROVIDING AN
EFFECTIVE DATE."

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

NEW SECTION. **Section 1.** Purpose. The purpose of [this
act] is to:

(1) eliminate unnecessary duplication and overlapping
of licensing, review, and inspection of community mental
health centers by multiple state agencies;

(2) improve the efficiency and minimize the cost of
necessary state licensing, review, and ANNOUNCED inspection
of community mental health centers; and

(3) reduce the inconvenience and cost to community
mental health centers of licensing, review, and inspection
by separate state agencies.

NEW SECTION. **Section 2.** Definitions. As used in [this
act], unless the context requires otherwise, the following

definitions apply:

(1) "Community mental health center" means a community
comprehensive mental health center as defined in 53-21-201.

(2) "State agency" means:

~~{a}--the department of administration provided--for--in~~
~~2-15-1001;~~

~~{b}{A}~~ the department of health and environmental
sciences provided for in 2-15-2101;

~~{c}--the safety bureau--of--the--workers'--compensation~~
~~division--of--the--department of labor and industry provided~~
~~for in 2-15-1702;~~

~~{d}--the state fire marshall provided for in 2-15-2005;~~

~~{e}{B}~~ the department of social and rehabilitation
services provided for in 2-15-2201;

~~{f}{C}~~ the department of institutions provided for in
2-15-2301; AND

~~{g}{D}~~ the mental disabilities board of visitors
provided for in 2-15-211; and,

~~{h}--the--superintendent of public instruction provided~~
~~for in 2-15-701;~~

NEW SECTION. **Section 3.** Joint ~~licensing,~~ review, and
inspection. Each state agency shall, IF POSSIBLE AND
PRACTICAL, participate in joint ~~licensing,~~ review, and
inspection of community mental health centers. All joint
~~licensing,~~ ANNOUNCED ON-SITE review, and inspection

activities of state agencies must be coordinated by function so that similar ~~licensing~~, review, and inspection activities of each state agency are conducted at one time ~~by personnel from one state agency, who shall use one set of forms for purposes of licensing, review, and inspection.~~

NEW SECTION. Section 4. Authorization for employees to perform functions of other state agency. Each state agency shall MAY enter into an interagency agreement with other state agencies to authorize its employees to conduct specific ~~licensing~~, review, and inspection of community mental health centers under the jurisdiction of another state agency. Prior to authorizing employees of another state agency to conduct ~~licensing~~, review, and inspection under its jurisdiction, each state agency may require minimum standards of knowledge and training relevant to the type of activity to be conducted.

~~NEW SECTION. Section 5. Lead agency. For purposes of [this act], the governor shall designate one state agency as the lead agency for other state agencies performing similar licensing, review, and inspection activities. All other state agencies shall cooperate with the lead agency to assure minimum duplication and maximum coordination of effort.~~

NEW SECTION. Section 5. Extension of authority. Any existing authority to make rules on the subject of the

provisions of [this act] is extended to the provisions of [this act].

~~NEW SECTION. Section 7. Codification. Instruction. Sections 1 through 5 are intended to be codified as an integral part of Title 53, chapter 10, and the provisions of Title 53, chapter 10, apply to sections 1 through 5.~~

NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1989.

-End-

SENATE BILL NO. 296

INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING JOINT LICENSING, REVIEW, AND INSPECTION OF COMMUNITY MENTAL HEALTH CENTERS; AUTHORIZING EMPLOYEES OF ONE STATE AGENCY TO PERFORM CERTAIN FUNCTIONS OF ANOTHER STATE AGENCY; REQUIRING THE GOVERNOR TO DESIGNATE LEAD AGENCIES FOR PURPOSES OF JOINT LICENSING, REVIEW, AND INSPECTION; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Purpose. The purpose of [this act] is to:

(1) eliminate unnecessary duplication and overlapping of licensing, review, and inspection of community mental health centers by multiple state agencies;

(2) improve the efficiency and minimize the cost of necessary state licensing, review, and ANNOUNCED inspection of community mental health centers; and

(3) reduce the inconvenience and cost to community mental health centers of licensing, review, and inspection by separate state agencies.

NEW SECTION. Section 2. Definitions. As used in [this act], unless the context requires otherwise, the following

definitions apply:

(1) "Community mental health center" means a community comprehensive mental health center as defined in 53-21-201.

(2) "State agency" means:

~~(a) the department of administration provided for in 2-15-1001;~~

~~(b)(A)~~ the department of health and environmental sciences provided for in 2-15-2101;

~~(c) the safety bureau of the workers' compensation division of the department of labor and industry provided for in 2-15-1702;~~

~~(d) the state fire marshal provided for in 2-15-2005;~~

~~(e)(B)~~ the department of social and rehabilitation services provided for in 2-15-2201;

~~(f)(C)~~ the department of institutions provided for in 2-15-2301; AND

~~(g)(D)~~ the mental disabilities board of visitors provided for in 2-15-2117; and,

~~(h) the superintendent of public instruction provided for in 2-15-701;~~

NEW SECTION. Section 3. Joint licensing, review, and inspection. Each state agency shall, IF POSSIBLE AND PRACTICAL, participate in joint licensing, review, and inspection of community mental health centers. All joint licensing, ANNOUNCED ON-SITE review, and inspection

activities of state agencies must be coordinated by function so that similar ~~licensing~~, review, and inspection activities of each state agency are conducted at one time by personnel from one state agency, who shall use one set of forms for purposes of ~~licensing~~, review, and inspection.

NEW SECTION. **Section 4.** Authorization for employees to perform functions of other state agency. Each state agency shall MAY enter into an interagency agreement with other state agencies to authorize its employees to conduct specific ~~licensing~~, review, and inspection of community mental health centers under the jurisdiction of another state agency. Prior to authorizing employees of another state agency to conduct ~~licensing~~, review, and inspection under its jurisdiction, each state agency may require minimum standards of knowledge and training relevant to the type of activity to be conducted.

NEW SECTION. ~~**Section 5.**~~ ~~Lead agency.~~ For purposes of {this act}, the governor shall designate one state agency as the lead agency for other state agencies performing similar ~~licensing~~, ~~review~~, and ~~inspection~~ activities. All other state agencies shall cooperate with the lead agency to assure minimum duplication and maximum coordination of effort.

NEW SECTION. **Section 5.** Extension of authority. Any existing authority to make rules on the subject of the

provisions of {this act} is extended to the provisions of [this act].

NEW SECTION. ~~**Section 7.**~~ ~~Codification~~ ~~instruction.~~ {Sections 1 through 5} are intended to be codified as an integral part of Title 53, chapter 10, and the provisions of Title 53, chapter 10, apply to {sections 1 through 5}.

NEW SECTION. **Section 6.** Effective date. [This act] is effective July 1, 1989.

-End-

STANDING COMMITTEE REPORT

March 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 296 (third reading copy -- blue) be concurred in as amended .

Signed: _____

Jan Brown

Jan Brown, Chairman

[REP. _____ WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Page 1, line 16.
Strike: "licensing,"
Following: "review"
Strike: ", "

2. Page 1, line 19.
Strike: "licensing,"
Following: "review"
Strike: ", "
Strike: "ANNOUNCED"

3. Page 1, line 22.
Strike: "licensing,"
Following: "review"
Strike: ", "

4. Page 2, lines 22 and 23.
Strike: " , " on line 22 through " , " on line 23

5. Page 2, line 25.
Strike: "ANNOUNCED ON-SITE"

HOUSE

SB 296

SENATE BILL NO. 296

INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING JOINT LICENSING, REVIEW, AND INSPECTION OF COMMUNITY MENTAL HEALTH CENTERS; AUTHORIZING EMPLOYEES OF ONE STATE AGENCY TO PERFORM CERTAIN FUNCTIONS OF ANOTHER STATE AGENCY; REQUIRING THE GOVERNOR TO DESIGNATE LEAD AGENCIES FOR PURPOSES OF JOINT LICENSING, REVIEW, AND INSPECTION; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1.** Purpose. The purpose of [this act] is to:

(1) eliminate unnecessary duplication and overlapping of licensing, review, and inspection of community mental health centers by multiple state agencies;

(2) improve the efficiency and minimize the cost of necessary state licensing, review, and ANNOUNCED inspection of community mental health centers; and

(3) reduce the inconvenience and cost to community mental health centers of licensing, review, and inspection by separate state agencies.

NEW SECTION. **Section 2.** Definitions. As used in [this act], unless the context requires otherwise, the following

definitions apply:

(1) "Community mental health center" means a community comprehensive mental health center as defined in 53-21-201.

(2) "State agency" means:

(a) ~~the department of administration provided for in 2-15-1001;~~

(b)(A) the department of health and environmental sciences provided for in 2-15-2101;

(c) ~~the safety bureau of the workers' compensation division of the department of labor and industry provided for in 2-15-1702;~~

(d) ~~the state fire marshal provided for in 2-15-2005;~~

(e)(B) the department of social and rehabilitation services provided for in 2-15-2201;

(f)(C) the department of institutions provided for in 2-15-2301; AND

(g)(D) the mental disabilities board of visitors provided for in 2-15-2117 and.

(h) ~~the superintendent of public instruction provided for in 2-15-701;~~

NEW SECTION. **Section 3.** Joint licensing, review, and inspection. Each state agency shall ~~if possible and~~ PRACTICALLY participate in joint licensing, review, and inspection of community mental health centers. All joint licensing, ANNOUNCED--ON-SITE review, and inspection

1 activities of state agencies must be coordinated by function
 2 so that similar ~~licensing~~, review, and inspection activities
 3 of each state agency are conducted at one time ~~by personnel~~
 4 ~~from one state agency, who shall use one set of forms for~~
 5 ~~purposes of licensing, review, and inspection.~~

6 NEW SECTION. **Section 4.** Authorization for employees
 7 to perform functions of other state agency. Each state
 8 agency shall MAY enter into an interagency agreement with
 9 other state agencies to authorize its employees to conduct
 10 specific ~~licensing~~, review, and inspection of community
 11 mental health centers under the jurisdiction of another
 12 state agency. Prior to authorizing employees of another
 13 state agency to conduct ~~licensing~~, review, and inspection
 14 under its jurisdiction, each state agency may require
 15 minimum standards of knowledge and training relevant to the
 16 type of activity to be conducted.

17 NEW SECTION. ~~**Section 5.** Lead agency. For purposes of~~
 18 ~~{this act}, the governor shall designate one state agency as~~
 19 ~~the lead agency for other state agencies performing similar~~
 20 ~~licensing, review, and inspection activities. All other~~
 21 ~~state agencies shall cooperate with the lead agency to~~
 22 ~~assure minimum duplication and maximum coordination of~~
 23 ~~effort.~~

24 NEW SECTION. **Section 5.** Extension of authority. Any
 25 existing authority to make rules on the subject of the

1 provisions of [this act] is extended to the provisions of
 2 [this act].

3 NEW SECTION. ~~**Section 7.** Codification instruction.~~
 4 ~~{Sections 1 through 5} are intended to be codified as an~~
 5 ~~integral part of Title 53, chapter 10, and the provisions of~~
 6 ~~Title 53, chapter 10, apply to {sections 1 through 5}.~~

7 NEW SECTION. **Section 6.** Effective date. [This act] is
 8 effective July 1, 1989.

-End-

Conference Committee Report
on SB 296
Report No. 1, April 11, 1989

Mr President and Mr. Speaker:

We, your Conference Committee on SB 296 met and considered:

The House Committee on State Administration amendments to SB 296
(third reading copy -- blue) dated March 16, 1989.

We recommend that:

House amendments Nos. 1 and 3 be accepted;

House amendments Nos. 4 and 5 be rejected;

House amendment No. 2 be accepted, except that "ANNOUNCED" should
not be stricken; and

that SB 296 (reference copy -- salmon) be amended as follows:

1. Page 1, line 19.

Following: "ANNOUNCED"

Insert: "announced"

2. Page 2, line 23.

Following: "PRACTICAL."

Insert: ", if possible and practical,"


3. Page 2, line 25.

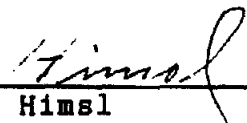
Following: "SITE"


Insert: "announced on site"

And that this Conference Committee Report be adopted.

FOR THE SENATE

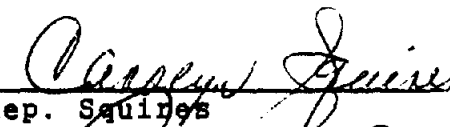

Sen. Hager, Chairman

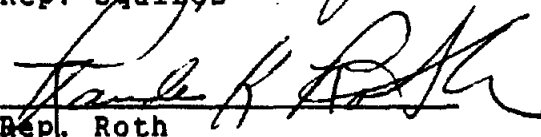

Sen. Himsel


Sen. Jacobson

FOR THE HOUSE


Rep. Jan Brown


Rep. Squires


Rep. Roth

ADOPT

REJECT

SB 296

ccsb296.411

SENATE BILL NO. 296

INTRODUCED BY HAGER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING JOINT
LICENSING, REVIEW, AND INSPECTION OF COMMUNITY MENTAL HEALTH
CENTERS; AUTHORIZING EMPLOYEES OF ONE STATE AGENCY TO
PERFORM CERTAIN FUNCTIONS OF ANOTHER STATE AGENCY; REQUIRING
THE GOVERNOR TO DESIGNATE LEAD AGENCIES FOR PURPOSES OF
JOINT LICENSING, REVIEW, AND INSPECTION; AND PROVIDING AN
EFFECTIVE DATE."

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

NEW SECTION. Section 1. Purpose. The purpose of [this
act] is to:

(1) eliminate unnecessary duplication and overlapping
of licensing, review, and inspection of community mental
health centers by multiple state agencies;

(2) improve the efficiency and minimize the cost of
necessary state licensing, review, and ~~ANNOUNCED~~ ANNOUNCED
inspection of community mental health centers; and

(3) reduce the inconvenience and cost to community
mental health centers of licensing, review, and inspection
by separate state agencies.

NEW SECTION. Section 2. Definitions. As used in [this
act], unless the context requires otherwise, the following

definitions apply:

(1) "Community mental health center" means a community
comprehensive mental health center as defined in 53-21-201.

(2) "State agency" means:

~~{a}--the department of administration provided for in~~
~~2-15-1001;~~

~~{b}(A) the department of health and environmental~~
~~sciences provided for in 2-15-2101;~~

~~{c}--the safety bureau of the workers' compensation~~
~~division of the department of labor and industry provided~~
~~for in 2-15-1702;~~

~~{d}--the state fire marshal provided for in 2-15-2005;~~

~~{e}(B) the department of social and rehabilitation~~
~~services provided for in 2-15-2201;~~

~~{f}(C) the department of institutions provided for in~~
~~2-15-2301; AND~~

~~{g}(D) the mental disabilities board of visitors~~
~~provided for in 2-15-2117; and.~~

~~{h}--the superintendent of public instruction provided~~
~~for in 2-15-701;~~

NEW SECTION. Section 3. Joint licensing, review, and
inspection. Each state agency shall ~~IF POSSIBLE AND~~
~~PRACTICABLE, IF POSSIBLE AND PRACTICAL,~~ participate in joint
licensing, review, and inspection of community mental health
centers. All joint licensing, ~~ANNOUNCED ON-SITE~~ ANNOUNCED

1 ON-SITE review, and inspection activities of state agencies
 2 must be coordinated by function so that similar licensing,
 3 review, and inspection activities of each state agency are
 4 conducted at one time by personnel from one state agency,
 5 who shall use one set of forms for purposes of licensing,
 6 review, and inspection.

7 NEW SECTION. Section 4. Authorization for employees
 8 to perform functions of other state agency. Each state
 9 agency shall MAY enter into an interagency agreement with
 10 other state agencies to authorize its employees to conduct
 11 specific licensing, review, and inspection of community
 12 mental health centers under the jurisdiction of another
 13 state agency. Prior to authorizing employees of another
 14 state agency to conduct licensing, review, and inspection
 15 under its jurisdiction, each state agency may require
 16 minimum standards of knowledge and training relevant to the
 17 type of activity to be conducted.

18 NEW SECTION. Section 5. Lead agency. For purposes of
 19 {this act}, the governor shall designate one state agency as
 20 the lead agency for other state agencies performing similar
 21 licensing, review, and inspection activities. All other
 22 state agencies shall cooperate with the lead agency to
 23 assure minimum duplication and maximum coordination of
 24 effort.

25 NEW SECTION. Section 5. Extension of authority. Any

1 existing authority to make rules on the subject of the
 2 provisions of [this act] is extended to the provisions of
 3 [this act].

4 NEW SECTION. Section 7. Codification. Instruction.
 5 {Sections 1 through 5} are intended to be codified as an
 6 integral part of Title 53, chapter 10, and the provisions of
 7 Title 53, chapter 10, apply to {sections 1 through 5}.

8 NEW SECTION. Section 6. Effective date. [This act] is
 9 effective July 1, 1989.

-End-