

HOUSE BILL NO. 339  
INTRODUCED BY DRISCOLL

## IN THE HOUSE

JANUARY 25, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
	FIRST READING.
FEBRUARY 4, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 5, 1993	PRINTING REPORT.
FEBRUARY 6, 1993	SECOND READING, DO PASS.
FEBRUARY 8, 1993	ENGROSSING REPORT.
FEBRUARY 9, 1993	THIRD READING, PASSED. AYES, 96; NOES, 3.
FEBRUARY 10, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 11, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
MARCH 4, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 6, 1993	SECOND READING, CONCURRED IN.
MARCH 8, 1993	THIRD READING, CONCURRED IN. AYES, 37; NOES, 11.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 31, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 2, 1993	THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House BILL NO. 339

2 INTRODUCED BY *Braine*

4 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING REFINERIES  
5 AND PUBLIC UTILITIES FROM THE PROVISIONS OF THE STATE  
6 BUILDING CODE; EXEMPTING REFINERIES AND PUBLIC UTILITIES  
7 FROM THE PROVISIONS OF THE STATE BUILDING CONSTRUCTION  
8 STANDARDS PERTAINING TO ELECTRICAL INSTALLATIONS; AND  
9 AMENDING SECTIONS 50-60-102 AND 50-60-602, MCA."

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

12 **Section 1.** Section 50-60-102, MCA, is amended to read:

13       \*50-60-102. **Applicability.** (1) The state building codes  
14   do not apply to:

15 (a) residential buildings containing less than five  
16 dwelling units or their attached-to structures, any farm or  
17 ranch building, and any private garage or private storage  
18 structure used only for the owner's own use, located within  
19 the municipality's or county's jurisdictional area, unless  
20 the local legislative body or board of county commissioners  
21 by ordinance or resolution makes the state building code  
22 applicable to these structures; or

23 (b) mines and buildings on mine property regulated  
24 under Title 82, chapter 4, and subject to inspection under  
25 the Federal Mine Safety and Health Act; or

(c) refineries or public utilities.

(2) The state may not enforce the state building code under 50-60-205 for the buildings referred to in subsection (1). Local governments that have made the state building codes applicable to the aforementioned buildings may enforce within their jurisdictional areas the state building code as adopted by the respective local government.

(3) Where good and sufficient cause exists, a written request for limitation of the state building code may be filed with the department for filing as a permanent record.

(4) The department may limit the application of any rule or portion of the state building code to include or exclude:

(a) specified classes or types of buildings according to use or other distinctions as may make differentiation or separate classification or regulation necessary, proper, or desirable;

(b) specified areas of the state based upon size, population density, special conditions prevailing therein, or other factors which make differentiation or separate classification or regulation necessary, proper, or desirable."

**Section 2.** Section 50-60-602, MCA, is amended to read:

**"50-60-602. Exceptions.** (1) Nothing in this This part shall be deemed to does not apply to:

HB 339  
PRODUCED BILL

1       (a) the installation, alteration, or repair of  
2       electrical signal or communications equipment owned or  
3       operated by a public utility or a city; or  
4       (b) electrical installations on the premises of  
5       refineries or public utilities.

6       (2) The inspection provisions of this part do not apply  
7       to regularly employed maintenance electricians doing  
8       maintenance work on the business premises of their employer  
9       nor do they apply to line work on the business premises of  
10      the employer or to ordinary and customary in-plant or onsite  
11      installations, modifications, additions, or repairs.

12      (3) Any person who plugs in an electrical appliance  
13      where an approved electrical outlet is already installed  
14      shall may not be considered as an installer.

15      (4) No--provisions--of--this This part shall does not in  
16      any manner interfere with, hamper, preclude, or prohibit any  
17      vendor of any electrical appliance from selling, delivering,  
18      and connecting any electrical appliance if the connection  
19      does not necessitate the installation of electrical wiring  
20      of the structure where the appliance is to be connected."

-End-

4 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING REFINERIES  
5 AND--PUBLIC--UTILITIES FROM THE PROVISIONS OF THE STATE  
6 BUILDING CODE; EXEMPTING REFINERIES AND--PUBLIC--UTILITIES  
7 FROM THE PROVISIONS OF THE STATE BUILDING CONSTRUCTION  
8 STANDARDS PERTAINING TO ELECTRICAL INSTALLATIONS; AND  
9 AMENDING SECTIONS 50-60-102 AND 50-60-602, MCA; AND  
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

13       **Section 1.** Section 50-60-102, MCA, is amended to read:

14       **"50-60-102. Applicability.** (1) The state building codes

15       do not apply to:

24 (b) mines and buildings on mine property regulated  
25 under Title 82, chapter 4, and subject to inspection under

1        the Federal Mine Safety and Health Act; or

2        (c) refineries or public utilities, EXCEPT A STRUCTURE

3        CLASSIFIED UNDER CHAPTER 7, SECTION 701, GROUP B, DIVISION

4        2, AND CHAPTER 9, SECTION 901, GROUP H, OUTSIDE OF PROCESS

5        UNITS, OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE.

6        (2) The state may not enforce the state building code

7        under 50-60-205 for the buildings referred to in subsection

8        (1). Local governments that have made the state building

9        codes applicable to the aforementioned buildings may enforce

10      within their jurisdictional areas the state building code as

11      adopted by the respective local government.

12      (3) Where good and sufficient cause exists, a written

13      request for limitation of the state building code may be

14      filed with the department for filing as a permanent record.

15      (4) The department may limit the application of any

16      rule or portion of the state building code to include or

17      exclude:

18        (a) specified classes or types of buildings according

19      to use or other distinctions as may make differentiation or

20      separate classification or regulation necessary, proper, or

21      desirable;

22        (b) specified areas of the state based upon size,

23      population density, special conditions prevailing therein,

24      or other factors which make differentiation or separate

25      classification or regulation necessary, proper, or

1      desirable."

2      **Section 2.** Section 50-60-602, MCA, is amended to read:

3      "50-60-602. **Exceptions.** (1) Nothing in this This part  
4      shall be deemed to does not apply to:

5      (a) the installation, alteration, or repair of  
6      electrical signal or communications equipment owned or  
7      operated by a public utility or a city; or

8      (b) electrical installations on the premises of  
9      refineries or--public--utilities, EXCEPT A STRUCTURE  
10     CLASSIFIED UNDER CHAPTER 7, SECTION 701, GROUP B, DIVISION  
11     2, AND CHAPTER 9, SECTION 901, GROUP H, OUTSIDE OF PROCESS  
12     UNITS, OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE.

13     (2) The inspection provisions of this part do not apply  
14     to regularly employed maintenance electricians doing  
15     maintenance work on the business premises of their employer  
16     nor do they apply to line work on the business premises of  
17     the employer or to ordinary and customary in-plant or onsite  
18     installations, modifications, additions, or repairs.

19     (3) Any person who plugs in an electrical appliance  
20     where an approved electrical outlet is already installed  
21     shall may not be considered as an installer.

22     (4) No provisions of this This part shall does not in  
23     any manner interfere with, hamper, preclude, or prohibit any  
24     vendor of any electrical appliance from selling, delivering,  
25     and connecting any electrical appliance if the connection

1      does not necessitate the installation of electrical wiring  
2      of the structure where the appliance is to be connected."

3      NEW SECTION. SECTION 3. EFFECTIVE DATE. (THIS ACT) IS  
4      EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

HOUSE BILL NO. 339  
INTRODUCED BY DRISCOLL

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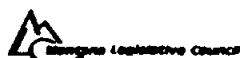
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1      desirable."

2      **Section 2.** Section 50-60-602, MCA, is amended to read:

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-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 3, 1993

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 339 (first reading copy -- blue), respectfully report that House Bill No. 339 be amended as follows and as so amended be concurred in.

Signed:

Senator John "J.D." Lynch, Chair



That such amendments read:

1. Title, line 4.  
Following: "EXEMPTING"  
Insert: "PETROLEUM"

2. Title, line 6.  
Following: "EXEMPTING"  
Insert: "PETROLEUM"

3. Page 2, line 2.  
Following: "(c)"  
Insert: "petroleum"

4. Page 3, line 8.  
Following: "of"  
Insert: "petroleum"

-END-

SENATE

M-Amd. Coord.  
Sec. of Senate

*Forrestis*  
Senator Carrying Bill

HB 339  
481520SC.Sma

HOUSE BILL NO. 339

INTRODUCED BY DR ISCOLL

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