

HOUSE BILL NO. 339
INTRODUCED BY DRISCOLL

IN THE HOUSE

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| 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

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| 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

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

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 339
2 INTRODUCED BY Enright
3
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."
10
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

1 (c) refineries or public utilities.
2 (2) The state may not enforce the state building code
3 under 50-60-205 for the buildings referred to in subsection
4 (1). Local governments that have made the state building
5 codes applicable to the aforementioned buildings may enforce
6 within their jurisdictional areas the state building code as
7 adopted by the respective local government.
8 (3) Where good and sufficient cause exists, a written
9 request for limitation of the state building code may be
10 filed with the department for filing as a permanent record.
11 (4) The department may limit the application of any
12 rule or portion of the state building code to include or
13 exclude:
14 (a) specified classes or types of buildings according
15 to use or other distinctions as may make differentiation or
16 separate classification or regulation necessary, proper, or
17 desirable;
18 (b) specified areas of the state based upon size,
19 population density, special conditions prevailing therein,
20 or other factors which make differentiation or separate
21 classification or regulation necessary, proper, or
22 desirable."
23 **Section 2.** Section 50-60-602, MCA, is amended to read:
24 "50-60-602. **Exceptions.** (1) ~~Nothing-in-this~~ This part
25 ~~shall-be-deemed-to~~ does not apply to:

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-

HOUSE BILL NO. 339

INTRODUCED BY DRISCOLL

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

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

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

"50-60-102. Applicability. (1) The state building codes
do not apply to:

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

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

the Federal Mine Safety and Health Act; or

(c) refineries ~~or public utilities~~, EXCEPT A STRUCTURE
CLASSIFIED UNDER CHAPTER 7, SECTION 701, GROUP B, DIVISION
2, AND CHAPTER 9, SECTION 901, GROUP H, OUTSIDE OF PROCESS
UNITS, OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE.

(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:

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

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

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

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

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

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

NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

HOUSE BILL NO. 339

INTRODUCED BY DRISCOLL

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

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

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

"50-60-102. Applicability. (1) The state building codes do not apply to:

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

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

the Federal Mine Safety and Health Act; or

(c) refineries or public utilities, EXCEPT A STRUCTURE CLASSIFIED UNDER CHAPTER 7, SECTION 701, GROUP B, DIVISION 2, AND CHAPTER 9, SECTION 901, GROUP H, OUTSIDE OF PROCESS UNITS, OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE.

(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

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.

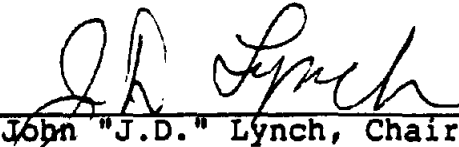
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SENATE STANDING COMMITTEE REPORT

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-

 M- Amd. Coord.
Sec. of Senate


Forrestis
Senator Carrying Bill

SENATE
HB 339
481520SC.Sma

HOUSE BILL NO. 339

INTRODUCED BY DRISCOLL

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

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

the Federal Mine Safety and Health Act; or

(c) PETROLEUM refineries or public-utilities, EXCEPT A STRUCTURE CLASSIFIED UNDER CHAPTER 7, SECTION 701, GROUP B, DIVISION 2, AND CHAPTER 9, SECTION 901, GROUP H, OUTSIDE OF PROCESS UNITS, OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE.

(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.

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