

HOUSE BILL NO. 441

INTRODUCED BY REHBEIN
BY REQUEST OF THE BOARD OF WATER WELL CONTRACTORS

IN THE HOUSE

FEBRUARY 3, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
	FIRST READING.
FEBRUARY 11, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1993	PRINTING REPORT.
FEBRUARY 13, 1993	SECOND READING, DO PASS.
FEBRUARY 15, 1993	ENGROSSING REPORT.
FEBRUARY 16, 1993	THIRD READING, PASSED. AYES, 99; NOES, 1.
FEBRUARY 17, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
MARCH 20, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 24, 1993	SECOND READING, CONCURRED IN.
MARCH 25, 1993	THIRD READING, CONCURRED IN. AYES, 48; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 25, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 441
2 INTRODUCED BY Rehbein
3 BY REQUEST OF THE BOARD OF WATER WELL CONTRACTORS
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING GROUNDS,
6 PHOCEDURES, AND ACTIONS IN REGARD TO DISCIPLINE BY THE BOARD
7 OF WATER WELL CONTRACTORS; AMENDING SECTIONS 37-43-202,
8 37-43-203, AND 37-43-204, MCA; REPEALING SECTION 37-43-311,
9 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN
10 APPLICABILITY DATE."

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

13 **Section 1.** Section 37-43-202, MCA, is amended to read:

14 "37-43-202. Powers and duties. (1) The board may
15 exercise the authority granted to it by this chapter.

16 (2) The board shall adopt rules and orders to
17 effectuate this chapter.

18 (3) The board shall adopt rules to establish mandatory
19 water well construction standards and enforcement
20 procedures. The standards must address the protection of the
21 drilling site; specifications for casing materials;
22 materials and specifications for well screens; casing
23 perforations; well development procedures; proper sealing
24 and grouting; temporary capping; cleaning and disinfecting;
25 bonds; guaranties; contractors' and drillers'

1 qualifications; tests for yield and drawdown; reporting
2 procedures and requirements for water quality, well logs,
3 location of wells, and information relating to local
4 conditions; well filters; access ports; gravel packing;
5 sampling methods; plumbness and alignment of the hole and
6 casing; well abandonment procedures; and other necessary and
7 appropriate standards.

8 (4) The board shall adopt minimum standards regarding
9 the construction, use, and abandonment of monitoring wells.
10 The standards must be designed to protect the state's ground
11 water resource from degradation by contamination and loss of
12 hydrostatic pressure. A violation of the standards does not
13 occur if it can be shown that noncompliance results in equal
14 or greater protection of the ground water resource.

15 (5) The board may request the department to inspect
16 water wells or monitoring wells drilled or being drilled,
17 and the department has access to these wells at reasonable
18 times.

19 (6) The board may establish a program for training
20 apprentices and licensed or prospective water well
21 contractors, water well drillers, and monitoring well
22 constructors to more effectively carry out this chapter.

23 (7) The board shall set and enforce standards and rules
24 governing the licensing, registration, and conduct of water
25 well drillers, water well contractors, and monitoring well

constructors.

(8) The board shall set fees commensurate with costs. The board may establish fees, including but not limited to fees for application, examination, renewal, reciprocity, late renewal, and continuing education. Board costs not related to specific programs may be equitably distributed as determined by the board. The board shall maintain records sufficient to support the fees charged for each program area.

(9) The rules of the board must be compiled in printed form for distribution to interested persons, for which the department may charge a fee. Sums realized from these sales must be deposited in the state special revenue fund for the use of the board.

(10) The board shall:

(a) authorize the department to issue licenses to qualified water well contractors, water well drillers, and monitoring well constructors in this state;

(b) cause examinations to be made of applicants for licenses;

(c) ~~deny, revoke, or suspend licenses for good cause, after notice and opportunity to be heard~~ take disciplinary action and issue orders pursuant to this chapter;

~~(d) reinstate licenses previously revoked when justification is shown to the satisfaction of the board;~~ and

~~(e)(d)~~ generally perform duties which that will carry out this chapter.

(11) The board shall pay to the department its share of the assessed costs of the department in administering this chapter."

Section 2. Section 37-43-203, MCA, is amended to read:

"37-43-203. Disciplinary-----injunctions
Injunctions. ~~{1}--The--board--may--adopt--rules--specifying~~
~~grounds-for-disciplinary-action-and-rules-providing-for:~~

~~{a}--revocation-of-a-license;~~

~~{b}--suspension--of--its-judgment-of-revocation-on-terms~~
~~and-conditions-determined-by-the-board;~~

~~{c}--suspension-of-the-right-to-practice--for--a--period~~
~~not-exceeding-1-year;~~

~~{d}--placing-a-licensee-on-probation;~~

~~{e}--reprimand-or-censure-of-a-licensee;-or~~

~~{f}--taking-any-other-action-in-relation-to-disciplining~~
~~a-licensee-as-the-board-in-its-discretion-considers-proper;~~

~~{2}--Any--disciplinary--action--by--the--board--must--be~~
~~conducted--as--a--contested-case-hearing-under-the-provisions~~
~~of-the-Montana-Administrative-Procedure-Act;~~

~~{3} The board may maintain an action to enjoin a person~~
~~from engaging in the drilling, making, or construction of~~
~~water wells or monitoring wells until a license to practice~~
~~is procured. A person who has been enjoined and who violates~~

the injunction is punishable for contempt of court."

NEW SECTION. Section 3. Complaints and investigations.

The board may investigate complaints against licensees to determine compliance with the laws and rules of this chapter. Licensees must be given an opportunity to respond to complaints and demonstrate or achieve legal compliance prior to disciplinary action. The board may require complainants and licensees to appear before the board to discuss complaints and to attempt to settle differences.

NEW SECTION. Section 4. Disciplinary procedure. (1)

If, after investigation and attempted settlement under [section 3], compliance with lawful requirements is not demonstrated or achieved, the board may initiate discipline by issuing a proposed disciplinary order. The proposed order must state the factual and legal basis for the order and identify the witnesses, documents, logs, and reports relied upon by the board in reaching a decision. Copies of any documents, logs, or reports must be attached to the proposed order.

(2) The board shall mail or deliver a copy of the proposed order to the licensee, along with notice that the licensee may request a hearing to show cause why the order should be rejected or modified. If a hearing is not requested within 20 days, the board shall adopt the proposed order as a final order.

(3) A request for hearing must be in writing and specify which, if any, board witnesses the licensee wishes to cross-examine. If a timely request for hearing is received, the board shall schedule a hearing before the board or assign a hearings examiner to conduct the hearing at a later date to be set by the hearings examiner. The board shall make the specified witnesses available for cross-examination at the hearing.

(4) The licensee has the burden to show cause why the proposed order should be rejected or modified. The licensee may cross-examine the board's witnesses, present evidence, propose alternative discipline, argue issues of law and fact, or otherwise attempt to convince the board that the proposed order should be rejected or modified.

(5) After considering the evidence, proposals, and arguments presented at the hearing, the board shall issue its final order adopting, rejecting, or modifying the proposed order. The final order must state the reason for the adoption, rejection, or modification of the proposed order.

(6) A final disciplinary order may be appealed to the district court in the first judicial district and is reviewable according to the rules and standards for judicial review of contested cases pursuant to the Montana Administrative Procedure Act.

1 NEW SECTION. **Section 5. Disciplinary authority.** (1) If
2 the board finds grounds for disciplinary action, as provided
3 in subsection (2), the board may by order:

4 (a) require a licensee to repair or reconstruct
5 substandard wells at the licensee's expense to meet board
6 standards;

7 (b) require a licensee to take further training or
8 education;

9 (c) place probationary terms and conditions on a
10 license;

11 (d) suspend a license for a period not to exceed 1
12 year; or

13 (e) revoke a license, specifying that the licensee may
14 not reapply for licensure for a period of 3 years from the
15 date of revocation.

16 (2) Grounds for disciplinary action include:

17 (a) violating the rules, construction standards, or
18 laws established by the board and this chapter;

19 (b) disobeying an order from the board to repair or
20 reconstruct a substandard well;

21 (c) violating probationary terms of or conditions on a
22 license;

23 (d) misrepresenting facts on well log reports, license
24 or renewal applications, or apprenticeship records or in
25 response to board inquiries; or

1 (e) failing to maintain qualifications for licensure as
2 specified in 37-43-305.

3 **Section 6.** Section 37-43-204, MCA, is amended to read:

4 "37-43-204. **Earmarked money for board expenses** --
5 expenditure of funds from bonds. (1) All money collected
6 under this chapter must be deposited in the state special
7 revenue fund and may be used only for the purpose of paying
8 expenses of the board. Except for funds received from bonds
9 in subsection (2), the money must be appropriated by the
10 legislature before it may be expended by the board. Income
11 and interest from investment of the money in the state
12 special revenue fund that are collected under this chapter
13 must be credited to the board.

14 (2) The board may accept and expend all funds received
15 from bonds required by 37-43-306. The funds must be used to
16 remedy defects in water wells, to compensate for damages
17 caused by violations of this chapter or the rules of the
18 board, or to pay any administrative costs incurred by the
19 board under ~~37-43-311~~ [sections 3 through 5]. These funds
20 are statutorily appropriated as provided in 17-7-502."

21 NEW SECTION. **Section 7. Repealer.** Section 37-43-311,
22 MCA, is repealed.

23 NEW SECTION. **Section 8. Codification instruction.**
24 [Sections 3 through 5] are intended to be codified as an
25 integral part of Title 37, chapter 43, part 3, and the

LC 1173/01

1 provisions of Title 37, chapter 43, part 3, apply to
2 [sections 3 through 5].

3 NEW SECTION. **Section 9.** Effective date --
4 applicability. [This act] is effective on passage and
5 approval and applies to all disciplinary actions initiated
6 by the board of water well contractors after [the effective
7 date of this act].

-End-

APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

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17 effectuate this chapter.
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19 water well construction standards and enforcement
20 procedures. The standards must address the protection of the
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24 and grouting; temporary capping; cleaning and disinfecting;
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9 the construction, use, and abandonment of monitoring wells.
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11 water resource from degradation by contamination and loss of
12 hydrostatic pressure. A violation of the standards does not
13 occur if it can be shown that noncompliance results in equal
14 or greater protection of the ground water resource.
15 (5) The board may request the department to inspect
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22 constructors to more effectively carry out this chapter.
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23 action and issue orders pursuant to this chapter;

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25 ~~justification is shown to the satisfaction of the board;~~ and

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2 out this chapter.

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4 the assessed costs of the department in administering this
5 chapter."

6 **Section 2.** Section 37-43-203, MCA, is amended to read:

7 "37-43-203. ~~Disciplinary authority~~ ~~injunctions~~
8 Injunctions. ~~(1) The board may adopt rules specifying~~
9 ~~grounds for disciplinary action and rules providing for:~~

10 ~~(a) revocation of a license;~~

11 ~~(b) suspension of its judgment of revocation on terms~~
12 ~~and conditions determined by the board;~~

13 ~~(c) suspension of the right to practice for a period~~
14 ~~not exceeding 1 year;~~

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19 ~~(2) Any disciplinary action by the board must be~~
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21 ~~of the Montana Administrative Procedure Act;~~

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(2) The board shall mail or deliver a copy of the proposed order to the licensee, along with notice that the licensee may request a hearing to show cause why the order should be rejected or modified. If a hearing is not requested within 20 days, the board shall adopt the proposed order as a final order.

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2 the board finds grounds for disciplinary action, as provided
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5 substandard wells at the licensee's expense to meet board
6 standards;

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8 education;

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10 license;

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14 not reapply for licensure for a period of 3 years from the
15 date of revocation.

16 (2) Grounds for disciplinary action include:

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25 response to board inquiries; or

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2 specified in 37-43-305.

3 **Section 6.** Section 37-43-204, MCA, is amended to read:

4 **"37-43-204. Earmarked money for board expenses --**
5 **expenditure of funds from bonds.** (1) All money collected
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8 expenses of the board. Except for funds received from bonds
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19 board under 37-43-311 [sections 3 through 5]. These funds
20 are statutorily appropriated as provided in 17-7-502."

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23 NEW SECTION. Section 8. Codification instruction.
24 [Sections 3 through 5] are intended to be codified as an
25 integral part of Title 37, chapter 43, part 3, and the

1 provisions of Title 37, chapter 43, part 3, apply to
2 [sections 3 through 5].

3 NEW SECTION. Section 9. Effective date --
4 applicability. [This act] is effective on passage and
5 approval and applies to all disciplinary actions initiated
6 by the board of water well contractors after [the effective
7 date of this act].

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1 (e) (d) generally perform duties which that will carry
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4 the assessed costs of the department in administering this
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6 **Section 2.** Section 37-43-203, MCA, is amended to read:

7 "37-43-203. Disciplinary authority in injunctions
8 Injunctions. (1) The board may adopt rules specifying
9 grounds for disciplinary action and rules providing for:

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11 (b) suspension of its judgment of revocation on terms
12 and conditions determined by the board;

13 (c) suspension of the right to practice for a period
14 not exceeding 1 year;

15 (d) placing a licensee on probation;

16 (e) reprimand or censure of a licensee; or

17 (f) taking any other action in relation to disciplining
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3 The board may investigate complaints against licensees to
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11 If, after investigation and attempted settlement under
12 [section 3], compliance with lawful requirements is not
13 demonstrated or achieved, the board may initiate discipline
14 by issuing a proposed disciplinary order. The proposed order
15 must state the factual and legal basis for the order and
16 identify the witnesses, documents, logs, and reports relied
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18 documents, logs, or reports must be attached to the proposed
19 order.

20 (2) The board shall mail or deliver a copy of the
21 proposed order to the licensee, along with notice that the
22 licensee may request a hearing to show cause why the order
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(a) require a licensee to repair or reconstruct substandard wells at the licensee's expense to meet board standards;

(b) require a licensee to take further training or education;

(c) place probationary terms and conditions on a license;

(d) suspend a license for a period not to exceed 1 year; or

(e) revoke a license, specifying that the licensee may not reapply for licensure for a period of 3 years from the date of revocation.

(2) Grounds for disciplinary action include:

(a) violating the rules, construction standards, or laws established by the board and this chapter;

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(e) failing to maintain qualifications for licensure as specified in 37-43-305.

Section 6. Section 37-43-204, MCA, is amended to read:

"37-43-204. Earmarked money for board expenses -- expenditure of funds from bonds. (1) All money collected under this chapter must be deposited in the state special revenue fund and may be used only for the purpose of paying expenses of the board. Except for funds received from bonds in subsection (2), the money must be appropriated by the legislature before it may be expended by the board. Income and interest from investment of the money in the state special revenue fund that are collected under this chapter must be credited to the board.

(2) The board may accept and expend all funds received from bonds required by 37-43-306. The funds must be used to remedy defects in water wells, to compensate for damages caused by violations of this chapter or the rules of the board, or to pay any administrative costs incurred by the board under 37-43-311 [sections 3 through 5]. These funds are statutorily appropriated as provided in 17-7-502."

NEW SECTION. Section 7. Repealer. Section 37-43-311, MCA, is repealed.

NEW SECTION. Section 8. Codification instruction. [Sections 3 through 5] are intended to be codified as an integral part of Title 37, chapter 43, part 3, and the

1 provisions of Title 37, chapter 43, part 3, apply to
2 [sections 3 through 5].

3 NEW SECTION. Section 9. Effective date --
4 applicability. [This act] is effective on passage and
5 approval and applies to all disciplinary actions initiated
6 by the board of water well contractors after [the effective
7 date of this act].

-End-

1 HOUSE BILL NO. 441

2 INTRODUCED BY REHBEIN

3 BY REQUEST OF THE BOARD OF WATER WELL CONTRACTORS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING GROUNDS,
6 PROCEDURES, AND ACTIONS IN REGARD TO DISCIPLINE BY THE BOARD
7 OF WATER WELL CONTRACTORS; AMENDING SECTIONS 37-43-202,
8 37-43-203, AND 37-43-204, MCA; REPEALING SECTION 37-43-311,
9 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN
10 APPLICABILITY DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:13 **Section 1.** Section 37-43-202, MCA, is amended to read:14 "37-43-202. Powers and duties. (1) The board may
15 exercise the authority granted to it by this chapter.16 (2) The board shall adopt rules and orders to
17 effectuate this chapter.

18 (3) The board shall adopt rules to establish mandatory
19 water well construction standards and enforcement
20 procedures. The standards must address the protection of the
21 drilling site; specifications for casing materials;
22 materials and specifications for well screens; casing
23 perforations; well development procedures; proper sealing
24 and grouting; temporary capping; cleaning and disinfecting;
25 bonds; guaranties; contractors' and drillers'

1 qualifications; tests for yield and drawdown; reporting
2 procedures and requirements for water quality, well logs,
3 location of wells, and information relating to local
4 conditions; well filters; access ports; gravel packing;
5 sampling methods; plumbness and alignment of the hole and
6 casing; well abandonment procedures; and other necessary and
7 appropriate standards.

8 (4) The board shall adopt minimum standards regarding
9 the construction, use, and abandonment of monitoring wells.
10 The standards must be designed to protect the state's ground
11 water resource from degradation by contamination and loss of
12 hydrostatic pressure. A violation of the standards does not
13 occur if it can be shown that noncompliance results in equal
14 or greater protection of the ground water resource.

15 (5) The board may request the department to inspect
16 water wells or monitoring wells drilled or being drilled,
17 and the department has access to these wells at reasonable
18 times.

19 (6) The board may establish a program for training
20 apprentices and licensed or prospective water well
21 contractors, water well drillers, and monitoring well
22 constructors to more effectively carry out this chapter.

23 (7) The board shall set and enforce standards and rules
24 governing the licensing, registration, and conduct of water
25 well drillers, water well contractors, and monitoring well

constructors.

(8) The board shall set fees commensurate with costs. The board may establish fees, including but not limited to fees for application, examination, renewal, reciprocity, late renewal, and continuing education. Board costs not related to specific programs may be equitably distributed as determined by the board. The board shall maintain records sufficient to support the fees charged for each program area.

(9) The rules of the board must be compiled in printed form for distribution to interested persons, for which the department may charge a fee. Sums realized from these sales must be deposited in the state special revenue fund for the use of the board.

(10) The board shall:

(a) authorize the department to issue licenses to qualified water well contractors, water well drillers, and monitoring well constructors in this state;

(b) cause examinations to be made of applicants for licenses;

(c) ~~deny, revoke, or suspend licenses for good cause, after notice and opportunity to be heard~~ take disciplinary action and issue orders pursuant to this chapter;

~~(d) reinstate licenses previously revoked when justification is shown to the satisfaction of the board;~~ and

~~(e)(d)~~ generally perform duties which that will carry out this chapter.

(11) The board shall pay to the department its share of the assessed costs of the department in administering this chapter."

Section 2. Section 37-43-203, MCA, is amended to read:

"37-43-203. ~~Disciplinary authority~~ injunctions. ~~{1} The board may adopt rules specifying grounds for disciplinary action and rules providing for:~~

~~{a} revocation of a license;~~

~~{b} suspension of its judgment of revocation on terms and conditions determined by the board;~~

~~{c} suspension of the right to practice for a period not exceeding 1 year;~~

~~{d} placing a licensee on probation;~~

~~{e} reprimand or censure of a licensee; or~~

~~{f} taking any other action in relation to disciplining a licensee as the board in its discretion considers proper.~~

~~{2} Any disciplinary action by the board must be conducted as a contested case hearing under the provisions of the Montana Administrative Procedure Act.~~

~~{3} The board may maintain an action to enjoin a person from engaging in the drilling, making, or construction of water wells or monitoring wells until a license to practice is procured. A person who has been enjoined and who violates~~

the injunction is punishable for contempt of court."

NEW SECTION. Section 3. Complaints and investigations.

The board may investigate complaints against licensees to determine compliance with the laws and rules of this chapter. Licensees must be given an opportunity to respond to complaints and demonstrate or achieve legal compliance prior to disciplinary action. The board may require complainants and licensees to appear before the board to discuss complaints and to attempt to settle differences.

NEW SECTION. Section 4. Disciplinary procedure. (1)

If, after investigation and attempted settlement under [section 3], compliance with lawful requirements is not demonstrated or achieved, the board may initiate discipline by issuing a proposed disciplinary order. The proposed order must state the factual and legal basis for the order and identify the witnesses, documents, logs, and reports relied upon by the board in reaching a decision. Copies of any documents, logs, or reports must be attached to the proposed order.

(2) The board shall mail or deliver a copy of the proposed order to the licensee, along with notice that the licensee may request a hearing to show cause why the order should be rejected or modified. If a hearing is not requested within 20 days, the board shall adopt the proposed order as a final order.

(3) A request for hearing must be in writing and specify which, if any, board witnesses the licensee wishes to cross-examine. If a timely request for hearing is received, the board shall schedule a hearing before the board or assign a hearings examiner to conduct the hearing at a later date to be set by the hearings examiner. The board shall make the specified witnesses available for cross-examination at the hearing.

(4) The licensee has the burden to show cause why the proposed order should be rejected or modified. The licensee may cross-examine the board's witnesses, present evidence, propose alternative discipline, argue issues of law and fact, or otherwise attempt to convince the board that the proposed order should be rejected or modified.

(5) After considering the evidence, proposals, and arguments presented at the hearing, the board shall issue its final order adopting, rejecting, or modifying the proposed order. The final order must state the reason for the adoption, rejection, or modification of the proposed order.

(6) A final disciplinary order may be appealed to the district court in the first judicial district and is reviewable according to the rules and standards for judicial review of contested cases pursuant to the Montana Administrative Procedure Act.

1 **NEW SECTION. Section 5. Disciplinary authority.** (1) If
2 the board finds grounds for disciplinary action, as provided
3 in subsection (2), the board may by order:

4 (a) require a licensee to repair or reconstruct
5 substandard wells at the licensee's expense to meet board
6 standards;

7 (b) require a licensee to take further training or
8 education;

9 (c) place probationary terms and conditions on a
10 license;

11 (d) suspend a license for a period not to exceed 1
12 year; or

13 (e) revoke a license, specifying that the licensee may
14 not reapply for licensure for a period of 3 years from the
15 date of revocation.

16 (2) Grounds for disciplinary action include:

17 (a) violating the rules, construction standards, or
18 laws established by the board and this chapter;

19 (b) disobeying an order from the board to repair or
20 reconstruct a substandard well;

21 (c) violating probationary terms of or conditions on a
22 license;

23 (d) misrepresenting facts on well log reports, license
24 or renewal applications, or apprenticeship records or in
25 response to board inquiries; or

1 (e) failing to maintain qualifications for licensure as
2 specified in 37-43-305.

3 **Section 6.** Section 37-43-204, MCA, is amended to read:

4 "37-43-204. **Earmarked money for board expenses** --
5 expenditure of funds from bonds. (1) All money collected
6 under this chapter must be deposited in the state special
7 revenue fund and may be used only for the purpose of paying
8 expenses of the board. Except for funds received from bonds
9 in subsection (2), the money must be appropriated by the
10 legislature before it may be expended by the board. Income
11 and interest from investment of the money in the state
12 special revenue fund that are collected under this chapter
13 must be credited to the board.

14 (2) The board may accept and expend all funds received
15 from bonds required by 37-43-306. The funds must be used to
16 remedy defects in water wells, to compensate for damages
17 caused by violations of this chapter or the rules of the
18 board, or to pay any administrative costs incurred by the
19 board under ~~37-43-311~~ [sections 3 through 5]. These funds
20 are statutorily appropriated as provided in 17-7-502."

21 **NEW SECTION. Section 7. Repealer.** Section 37-43-311,
22 MCA, is repealed.

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24 [Sections 3 through 5] are intended to be codified as an
25 integral part of Title 37, chapter 43, part 3, and the

1 provisions of Title 37, chapter 43, part 3, apply to
2 [sections 3 through 5].

3 NEW SECTION. **Section 9.** Effective date --
4 applicability. [This act] is effective on passage and
5 approval and applies to all disciplinary actions initiated
6 by the board of water well contractors after [the effective
7 date of this act].

-End-