

SENATE BILL NO. 83

INTRODUCED BY HARP
BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE SENATE

JANUARY 5, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
JANUARY 14, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 15, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
JANUARY 16, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 46; NOES, 1.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 18, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
	FIRST READING.
JANUARY 27, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 30, 1993	SECOND READING, CONCURRED IN.
FEBRUARY 3, 1993	THIRD READING, CONCURRED IN. AYES, 97; NOES, 1.
FEBRUARY 4, 1993	RETURNED TO SENATE.

IN THE SENATE

FEBRUARY 4, 1993	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

SENATE BILL NO. 83

INTRODUCED BY HARP

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A PERSON MUST BE LICENSED IN ORDER TO BE REFERRED FOR EMPLOYMENT IN ELECTRICAL WORK; PROVIDING FOR RENEWAL OF LICENSING FOR ELECTRICAL WORK EVERY 3 YEARS; SPECIFYING THAT A VIOLATION OF THE ELECTRICAL LAW IS A CONTINUING VIOLATION; AND AMENDING SECTIONS 37-68-301, 37-68-307, 37-68-310, 37-68-311, 37-68-312, AND 37-68-322, MCA."

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

Section 1. Section 37-68-301, MCA, is amended to read:

"37-68-301. License required to engage in electrical work. (1) A person may not engage in or work at the business, trade, or calling of electrical contractor, residential electrician, journeyman electrician, or master electrician in this state until he the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician.

(2) An organization or employee of an organization, such as a private or public employment agency or labor union, who refers persons for employment by others may not

refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician."

Section 2. Section 37-68-307, MCA, is amended to read:

"37-68-307. Examination procedure -- issuance of master, journeyman, or residential electrician's license -- expiration. (1) To ~~insure~~ ensure impartiality, the examination for either the master's or journeyman's license ~~shall~~ must be by numbers drawn by lot. A paper may not be marked with the name of an applicant, but ~~shall~~ must be anonymously graded by the department. The examination passing grade is 75%.

(2) If it is determined that the applicant has passed the examination, the department, on payment by the applicant of the fee, shall issue to the applicant a license which that authorizes him the licensee to engage in the business, trade, or calling of a residential electrician, journeyman electrician, or master electrician.

(3) Each original license expires on the July 15 which that is at least ~~1-year~~ 2 years but not more than ~~2~~ 3 years subsequent to the date of issuance."

Section 3. Section 37-68-310, MCA, is amended to read:



1 "37-68-310. Annual License renewal every three years.
 2 Licenses of residential electricians, journeyman
 3 electricians, or master electricians, unless they have been
 4 suspended or revoked by the board, ~~shall~~ must be renewed for
 5 a period of ~~1-year~~ 3 years by the department on application
 6 for renewal made to the department prior to July 15 of the
 7 year in which the prior license expired and on the payment
 8 of ~~an--annual~~ a renewal fee. If application for renewal is
 9 not made prior to July 15, an additional fee prescribed by
 10 the board ~~shall~~ must be paid ~~on-account~~ because of the
 11 delinquency in renewal. All applications for renewal must be
 12 made prior to August 15 of ~~that the year in which the prior~~
 13 license expired, otherwise the license is forfeited and the
 14 applicant is required to pass the examination and pay the
 15 fees required of applicants for original licenses."

16 **Section 4.** Section 37-68-311, MCA, is amended to read:

17 "37-68-311. Examination fee -- annual license fee --
 18 specific exemption for apprentices. (1) Master electricians
 19 ~~who---are---not---electrical---contractors~~ and journeyman or
 20 residential electricians installing or intending to install
 21 for hire electric wiring or equipment to convey electric
 22 current or apparatus to be operated by this current shall
 23 make application for a license to the department. The
 24 application ~~shall~~ must be on a form furnished by the
 25 department and must be accompanied by an examination fee set

1 by the board. The forms ~~shall~~ must state the applicant's
 2 full name, ~~his~~ and address, the extent of ~~his~~ work
 3 experience, and other information required by the board. If
 4 the applicant has complied with the rules adopted by the
 5 board and, being qualified, has successfully completed the
 6 examination, ~~he~~ the applicant shall pay to the department ~~an~~
 7 ~~annual~~ a license fee set by the board for a master
 8 electrician's license or for a journeyman or a residential
 9 electrician's license, and upon receipt of the fee the
 10 department shall issue the proper license to the applicant.

11 (2) A person serving a 4-year electrician
 12 apprenticeship under the supervision of a licensed
 13 electrician is exempt from the licensing provision of this
 14 section during training. Credit for the time spent in an
 15 electrical school ~~shall~~ must be given to the master
 16 electrician, journeyman electrician, residential
 17 electrician, or apprentice, up to a total of 2 years, on the
 18 4-year requirement."

19 **Section 5.** Section 37-68-312, MCA, is amended to read:

20 "37-68-312. Electrical contractor's license --
 21 application -- issuance -- fees -- renewal. Each electrical
 22 contractor shall, before July 1 of ~~each the year in which~~
 23 the prior license expired, file with the department an
 24 application in writing for each firm operated by ~~him~~ the
 25 electrical contractor in this state to obtain a license. A

1 license may not be issued until the applicant meets the
 2 requirements and has paid to the department a license fee
 3 set by the board for each firm operated by him the
 4 electrical contractor. Licenses ~~shall~~ must bear the date of
 5 issue. ~~and-expire~~ An original license expires on the July 1
 6 following that is at least 2 years but not more than 3 years
 7 subsequent to the date of issue issuance. An electrical
 8 contractor licensed under this chapter is entitled to have
 9 his a license renewed for the ensuing year 3-year period by
 10 payment to the department of the license fee before the date
 11 of expiration of the license and by meeting the requirements
 12 set by the board."

13 **Section 6.** Section 37-68-322, MCA, is amended to read:

14 "37-68-322. Penalty. (1) Any person or corporation
 15 violating any provision of this chapter shall upon
 16 conviction thereof of a violation:

17 (a) if a person, be punished by a fine not more than
 18 \$500, or by imprisonment for a term not to exceed 6 months,
 19 or by revocation of his the license, or by such any
 20 combination of the fine, imprisonment, and revocation, in
 21 the discretion of the court; and

22 (b) if a corporation, be punished by a fine of not more
 23 than \$1,000.

24 (2) Any officer or agent of a corporation or member or
 25 agent of a partnership or association who ~~shall~~ personally

1 ~~participate~~ participates in or be is an accessory to any
 2 violation of this chapter by such the partnership,
 3 association, or corporation shall be subject to the
 4 penalties ~~herein~~ prescribed for individuals.

5 (3) A violation of this chapter is a continuing
 6 violation, and the statute of limitations is tolled until
 7 the violation ceases. The county attorney shall, upon
 8 request of the board, prosecute any violation of the
 9 licensing requirements of this chapter."

-End-

APPROVED BY COMM. ON
BUSINESS & INDUSTRY

SENATE BILL NO. 83

INTRODUCED BY HARP

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A PERSON MUST BE LICENSED IN ORDER TO BE REFERRED FOR EMPLOYMENT IN ELECTRICAL WORK; PROVIDING FOR RENEWAL OF LICENSING FOR ELECTRICAL WORK EVERY-3-YEARS; SPECIFYING THAT A VIOLATION OF THE ELECTRICAL LAW IS A CONTINUING VIOLATION; AND AMENDING SECTIONS 37-68-301, 37-68-307, 37-68-310, 37-68-311, 37-68-312, AND 37-68-322, MCA."

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

Section 1. Section 37-68-301, MCA, is amended to read:

"37-68-301. License required to engage in electrical work. (1) A person may not engage in or work at the business, trade, or calling of electrical contractor, residential electrician, journeyman electrician, or master electrician in this state until he the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician.

(2) ~~An organization or employee of an organization;~~
~~such as a~~ A private or public employment agency or labor union, OR AN EMPLOYEE THEREOF, who refers persons for

employment by others may not refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician."

Section 2. Section 37-68-307, MCA, is amended to read:

"37-68-307. Examination procedure -- issuance of master, journeyman, or residential electrician's license -- expiration. (1) To ~~insure~~ ensure impartiality, the examination for either the master's or journeyman's license ~~shall~~ must be by numbers drawn by lot. A paper may not be marked with the name of an applicant, but ~~shall~~ must be anonymously graded by the department. The examination passing grade is 75%.

(2) If it is determined that the applicant has passed the examination, the department, on payment by the applicant of the fee, shall issue to the applicant a license ~~which~~ that authorizes him the licensee to engage in the business, trade, or calling of a residential electrician, journeyman electrician, or master electrician.

(3) Each original license expires on the A July 15 ~~which that is at least 1 year~~ 2-years but not more than 2 ~~3~~ years subsequent to the date of issuance, AT THE DISCRETION

1 OF THE BOARD."

2 **Section 3.** Section 37-68-310, MCA, is amended to read:

3 "37-68-310. Annual License renewal every three years.

4 Licenses of residential electricians, journeyman
5 electricians, or master electricians, unless they have been
6 suspended or revoked by the board, ~~shall~~ must be renewed for
7 a period of ~~1-year~~ 3 years by the department on application
8 for renewal made to the department prior to July 15 of the
9 year in which the prior license expired and on the payment
10 of ~~an-annual~~ a renewal fee. If application for renewal is
11 not made prior to July 15, an additional fee prescribed by
12 the board ~~shall~~ must be paid ~~on--account~~ because of the
13 delinquency in renewal. All applications for renewal must be
14 made prior to August 15 of ~~that~~ the year in which the prior
15 license expired, otherwise the license is forfeited and the
16 applicant is required to pass the examination and pay the
17 fees required of applicants for original licenses."

18 **Section 4.** Section 37-68-311, MCA, is amended to read:

19 "37-68-311. Examination fee -- annual license fee --
20 specific exemption for apprentices. (1) Master electricians
21 ~~who--are--not--electrical--contractors~~ and journeyman or
22 residential electricians installing or intending to install
23 for hire electric wiring or equipment to convey electric
24 current or apparatus to be operated by this current shall
25 make application for a license to the department. The

1 application ~~shall~~ must be on a form furnished by the
2 department and must be accompanied by an examination fee set
3 by the board. The forms ~~shall~~ must state the applicant's
4 full name, ~~his~~ and address, the extent of ~~his~~ work
5 experience, and other information required by the board. If
6 the applicant has complied with the rules adopted by the
7 board and, being qualified, has successfully completed the
8 examination, ~~he~~ the applicant shall pay to the department ~~an~~
9 ~~annual~~ a license fee set by the board for a master
10 electrician's license or for a journeyman or a residential
11 electrician's license, and upon receipt of the fee the
12 department shall issue the proper license to the applicant.

13 (2) A person serving a 4-year electrician
14 apprenticeship under the supervision of a licensed
15 electrician is exempt from the licensing provision of this
16 section during training. Credit for the time spent in an
17 electrical school ~~shall~~ must be given to the master
18 electrician, journeyman electrician, residential
19 electrician, or apprentice, up to a total of 2 years, on the
20 4-year requirement."

21 **Section 5.** Section 37-68-312, MCA, is amended to read:

22 "37-68-312. Electrical contractor's license --
23 application -- issuance -- fees -- renewal. Each electrical
24 contractor shall, before July 1 of each the year in which
25 the prior license expired, file with the department an

1 application in writing for each firm operated by him the
 2 electrical contractor in this state to obtain a license. A
 3 license may not be issued until the applicant meets the
 4 requirements and has paid to the department a license fee
 5 set by the board for each firm operated by him the
 6 electrical contractor. Licenses ~~shall~~ must bear the date of
 7 issue, ~~and-expire~~ An EACH original license expires on the
 8 July 1 following that is at-least-2-years-but-not-more-than
 9 3-years subsequent to the date of issue issuance, AS
 10 DETERMINED BY THE BOARD. An electrical contractor licensed
 11 under this chapter is entitled to have his a license renewed
 12 for the ensuing year 3-year period by payment to the
 13 department of the license fee before the date of expiration
 14 of the license and by meeting the requirements set by the
 15 board."

16 **Section 6.** Section 37-68-322, MCA, is amended to read:

17 **"37-68-322. Penalty.** (1) Any person or corporation
 18 violating any provision of this chapter shall upon
 19 conviction thereof of a violation:

20 (a) if a person, be punished by a fine not more than
 21 \$500, or by imprisonment for a term not to exceed 6 months,
 22 or by revocation of his the license, or by such any
 23 combination of the fine, imprisonment, and revocation, in
 24 the discretion of the court; and

25 (b) if a corporation, be punished by a fine of not more

1 than \$1,000.

2 (2) Any officer or agent of a corporation or member or
 3 agent of a partnership or association who ~~shall~~ personally
 4 ~~participate~~ participates in or be is an accessory to any
 5 violation of this chapter by such the partnership,
 6 association, or corporation shall be subject to the
 7 penalties ~~herein~~ prescribed for individuals.

8 (3) A violation of this chapter is a continuing
 9 violation, and the statute of limitations is tolled until
 10 the violation ceases. The county attorney shall, upon
 11 request of the board, prosecute any violation of the
 12 licensing requirements of this chapter."

-End-

SENATE BILL NO. 83

INTRODUCED BY HARP

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A PERSON MUST BE LICENSED IN ORDER TO BE REFERRED FOR EMPLOYMENT IN ELECTRICAL WORK; PROVIDING FOR RENEWAL OF LICENSING FOR ELECTRICAL WORK EVERY-3-YEARS; SPECIFYING THAT A VIOLATION OF THE ELECTRICAL LAW IS A CONTINUING VIOLATION; AND AMENDING SECTIONS 37-68-301, 37-68-307, 37-68-310, 37-68-311, 37-68-312, AND 37-68-322, MCA."

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

Section 1. Section 37-68-301, MCA, is amended to read:

"37-68-301. License required to engage in electrical work. (1) A person may not engage in or work at the business, trade, or calling of electrical contractor, residential electrician, journeyman electrician, or master electrician in this state until he the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician.

(2) ~~An organization or employee of an organization, such as a~~ A private or public employment agency or labor union, OR AN EMPLOYEE THEREOF, who refers persons for

employment by others may not refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician."

Section 2. Section 37-68-307, MCA, is amended to read:

"37-68-307. Examination procedure -- issuance of master, journeyman, or residential electrician's license -- expiration. (1) To insure ensure impartiality, the examination for either the master's or journeyman's license ~~shall~~ must be by numbers drawn by lot. A paper may not be marked with the name of an applicant, but ~~shall~~ must be anonymously graded by the department. The examination passing grade is 75%.

(2) If it is determined that the applicant has passed the examination, the department, on payment by the applicant of the fee, shall issue to the applicant a license which that authorizes him the licensee to engage in the business, trade, or calling of a residential electrician, journeyman electrician, or master electrician.

(3) Each original license expires on the A July 15 which that is ~~at least 1 year~~ 2 years but not more than 2 3 years subsequent to the date of issuance, AT THE DISCRETION

1 OF THE BOARD."

2 **Section 3.** Section 37-68-310, MCA, is amended to read:

3 "37-68-310. Annual License renewal every three years.
4 Licenses of residential electricians, journeyman
5 electricians, or master electricians, unless they have been
6 suspended or revoked by the board, shall must be renewed for
7 a period of ~~1-year~~ 3 years by the department on application
8 for renewal made to the department prior to July 15 of the
9 year in which the prior license expired and on the payment
10 of ~~an-annual~~ a renewal fee. If application for renewal is
11 not made prior to July 15, an additional fee prescribed by
12 the board shall must be paid ~~on--account~~ because of the
13 delinquency in renewal. All applications for renewal must be
14 made prior to August 15 of that the year in which the prior
15 license expired, otherwise the license is forfeited and the
16 applicant is required to pass the examination and pay the
17 fees required of applicants for original licenses."

18 **Section 4.** Section 37-68-311, MCA, is amended to read:

19 "37-68-311. Examination fee -- annual license fee --
20 specific exemption for apprentices. (1) Master electricians
21 ~~who--are--not--electrical--contractors~~ and journeyman or
22 residential electricians installing or intending to install
23 for hire electric wiring or equipment to convey electric
24 current or apparatus to be operated by this current shall
25 make application for a license to the department. The

1 application ~~shall~~ must be on a form furnished by the
2 department and must be accompanied by an examination fee set
3 by the board. The forms ~~shall~~ must state the applicant's
4 full name, ~~--his~~ and address, the extent of his work
5 experience, and other information required by the board. If
6 the applicant has complied with the rules adopted by the
7 board and, being qualified, has successfully completed the
8 examination, he the applicant shall pay to the department an
9 ~~annual~~ a license fee set by the board for a master
10 electrician's license or for a journeyman or a residential
11 electrician's license, and upon receipt of the fee the
12 department shall issue the proper license to the applicant.

13 (2) A person serving a 4-year electrician
14 apprenticeship under the supervision of a licensed
15 electrician is exempt from the licensing provision of this
16 section during training. Credit for the time spent in an
17 electrical school ~~shall~~ must be given to the master
18 electrician, journeyman electrician, residential
19 electrician, or apprentice, up to a total of 2 years, on the
20 4-year requirement."

21 **Section 5.** Section 37-68-312, MCA, is amended to read:

22 "37-68-312. Electrical contractor's license --
23 application -- issuance -- fees -- renewal. Each electrical
24 contractor shall, before July 1 of each the year in which
25 the prior license expired, file with the department an

1 application in writing for each firm operated by him the
 2 electrical contractor in this state to obtain a license. A
 3 license may not be issued until the applicant meets the
 4 requirements and has paid to the department a license fee
 5 set by the board for each firm operated by him the
 6 electrical contractor. Licenses ~~shall~~ must bear the date of
 7 issue, and ~~expire~~ An EACH original license expires on the
 8 July 1 following that is at-least-2-years-but-not-more-than
 9 3-years subsequent to the date of issue issuance, AS
 10 DETERMINED BY THE BOARD. An electrical contractor licensed
 11 under this chapter is entitled to have his a license renewed
 12 for the ensuing year 3-year period by payment to the
 13 department of the license fee before the date of expiration
 14 of the license and by meeting the requirements set by the
 15 board."

16 **Section 6.** Section 37-68-322, MCA, is amended to read:

17 "37-68-322. Penalty. (1) Any person or corporation
 18 violating any provision of this chapter shall upon
 19 conviction thereof of a violation:

20 (a) if a person, be punished by a fine not more than
 21 \$500, or by imprisonment for a term not to exceed 6 months,
 22 or by revocation of his the license, or by such any
 23 combination of the fine, imprisonment, and revocation, in
 24 the discretion of the court; and

25 (b) if a corporation, be punished by a fine of not more

1 than \$1,000.

2 (2) Any officer or agent of a corporation or member or
 3 agent of a partnership or association who ~~shall~~ personally
 4 participate participates in or be is an accessory to any
 5 violation of this chapter by such the partnership,
 6 association, or corporation shall be subject to the
 7 penalties herein prescribed for individuals.

8 (3) A violation of this chapter is a continuing
 9 violation, and the statute of limitations is tolled until
 10 the violation ceases. The county attorney shall, upon
 11 request of the board, prosecute any violation of the
 12 licensing requirements of this chapter."

-End-

SENATE BILL NO. 83

INTRODUCED BY HARP

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A PERSON MUST BE LICENSED IN ORDER TO BE REFERRED FOR EMPLOYMENT IN ELECTRICAL WORK; PROVIDING FOR RENEWAL OF LICENSING FOR ELECTRICAL WORK EVERY-3-YEARS; SPECIFYING THAT A VIOLATION OF THE ELECTRICAL LAW IS A CONTINUING VIOLATION; AND AMENDING SECTIONS 37-68-301, 37-68-307, 37-68-310, 37-68-311, 37-68-312, AND 37-68-322, MCA."

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

Section 1. Section 37-68-301, MCA, is amended to read:

"37-68-301. License required to engage in electrical work. (1) A person may not engage in or work at the business, trade, or calling of electrical contractor, residential electrician, journeyman electrician, or master electrician in this state until he the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician.

(2) ~~An organization or employee of an organization;~~
~~such as a~~ A private or public employment agency or labor union, OR AN EMPLOYEE THEREOF, who refers persons for

employment by others may not refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician."

Section 2. Section 37-68-307, MCA, is amended to read:

"37-68-307. Examination procedure -- issuance of master, journeyman, or residential electrician's license -- expiration. (1) To insure ensure impartiality, the examination for either the master's or journeyman's license shall must be by numbers drawn by lot. A paper may not be marked with the name of an applicant, but shall must be anonymously graded by the department. The examination passing grade is 75%.

(2) If it is determined that the applicant has passed the examination, the department, on payment by the applicant of the fee, shall issue to the applicant a license which that authorizes him the licensee to engage in the business, trade, or calling of a residential electrician, journeyman electrician, or master electrician.

(3) Each original license expires on the A July 15 which that is at-least-1-year 2-years but not more than 2 3 years subsequent to the date of issuance, AT THE DISCRETION

1 OF THE BOARD."

2 **Section 3.** Section 37-68-310, MCA, is amended to read:

3 "37-68-310. Annual License renewal every three years.

4 Licenses of residential electricians, journeyman
5 electricians, or master electricians, unless they have been
6 suspended or revoked by the board, shall must be renewed for
7 a period of ~~1-year~~ 3 years by the department on application
8 for renewal made to the department prior to July 15 of the
9 year in which the prior license expired and on the payment
10 of ~~an-annual~~ a renewal fee. If application for renewal is
11 not made prior to July 15, an additional fee prescribed by
12 the board shall must be paid ~~on--account~~ because of the
13 delinquency in renewal. All applications for renewal must be
14 made prior to August 15 of ~~that~~ the year in which the prior
15 license expired, otherwise the license is forfeited and the
16 applicant is required to pass the examination and pay the
17 fees required of applicants for original licenses."

18 **Section 4.** Section 37-68-311, MCA, is amended to read:

19 "37-68-311. Examination fee -- annual license fee --
20 specific exemption for apprentices. (1) Master electricians
21 ~~who--are--not--electrical--contractors~~ and journeyman or
22 residential electricians installing or intending to install
23 for hire electric wiring or equipment to convey electric
24 current or apparatus to be operated by this current shall
25 make application for a license to the department. The

1 application ~~shall~~ must be on a form furnished by the
2 department and must be accompanied by an examination fee set
3 by the board. The forms ~~shall~~ must state the applicant's
4 full name, ~~his~~ and address, the extent of his work
5 experience, and other information required by the board. If
6 the applicant has complied with the rules adopted by the
7 board and, being qualified, has successfully completed the
8 examination, ~~he~~ the applicant shall pay to the department ~~an~~
9 annual ~~a~~ license fee set by the board for a master
10 electrician's license or for a journeyman or a residential
11 electrician's license, and upon receipt of the fee the
12 department shall issue the proper license to the applicant.

13 (2) A person serving a 4-year electrician
14 apprenticeship under the supervision of a licensed
15 electrician is exempt from the licensing provision of this
16 section during training. Credit for the time spent in an
17 electrical school ~~shall~~ must be given to the master
18 electrician, journeyman electrician, residential
19 electrician, or apprentice, up to a total of 2 years, on the
20 4-year requirement."

21 **Section 5.** Section 37-68-312, MCA, is amended to read:

22 "37-68-312. Electrical contractor's license --
23 application -- issuance -- fees -- renewal. Each electrical
24 contractor shall, before July 1 of each the year in which
25 the prior license expired, file with the department an

1 application in writing for each firm operated by him the
 2 electrical contractor in this state to obtain a license. A
 3 license may not be issued until the applicant meets the
 4 requirements and has paid to the department a license fee
 5 set by the board for each firm operated by him the
 6 electrical contractor. Licenses ~~shall~~ must bear the date of
 7 issue, and ~~expire~~ An EACH original license expires on the
 8 July 1 following that is at-least-2-years-but-not-more-than
 9 3-years subsequent to the date of issue issuance, AS
 10 DETERMINED BY THE BOARD. An electrical contractor licensed
 11 under this chapter is entitled to have his a license renewed
 12 for the ensuing year 3-year period by payment to the
 13 department of the license fee before the date of expiration
 14 of the license and by meeting the requirements set by the
 15 board."

16 **Section 6.** Section 37-68-322, MCA, is amended to read:

17 **"37-68-322. Penalty.** (1) Any person or corporation
 18 violating any provision of this chapter shall upon
 19 conviction thereof of a violation:

20 (a) if a person, be punished by a fine not more than
 21 \$500, or by imprisonment for a term not to exceed 6 months,
 22 or by revocation of his the license, or by such any
 23 combination of the fine, imprisonment, and revocation, in
 24 the discretion of the court; and

25 (b) if a corporation, be punished by a fine of not more

1 than \$1,000.

2 (2) Any officer or agent of a corporation or ~~member~~ or
 3 agent of a partnership or association who ~~shall~~ personally
 4 ~~participate~~ participates in or be is an accessory to any
 5 violation of this chapter by such the partnership,
 6 association, or corporation shall be subject to the
 7 penalties herein prescribed for individuals.

8 (3) A violation of this chapter is a continuing
 9 violation, and the statute of limitations is tolled until
 10 the violation ceases. The county attorney shall, upon
 11 request of the board, prosecute any violation of the
 12 licensing requirements of this chapter."

-End-