

HOUSE BILL NO. 656  
INTRODUCED BY R. BITNEY

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE SAFETY EMPLOYMENT EDUCATION AND TRAINING ADVISORY COMMITTEE; AMENDING SECTIONS 39-71-1501, 39-71-1502, AND 39-71-1503, MCA; REPEALING SECTION 2-15-1708, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 39-71-1501, MCA, is amended to read:

**"39-71-1501. Short title.** ~~Section 2-15-1708 and this~~ This part may be cited as the "Montana Safety Culture Act"."

**Section 2.** Section 39-71-1502, MCA, is amended to read:

**"39-71-1502. Purpose.** The purpose of ~~2-15-1708 and~~ this part is to reduce the incidence of occupational injury and illness by promoting safety in the workplace in order to control the costs of claims for workers' compensation insurance. The creation of a safety culture requires employers to provide training and education to make safety awareness part of the requirement for each worker's satisfactory job performance and requires the department to promote safety awareness for the public through the education and preparation of each student for entrance into the labor market. A reduction in workplace injuries, illnesses, and deaths through enhanced safety on the job benefits the public as well as the employers and the employees by lowering both financial and physical costs. Ensuring immunity to insurers in the provision of safety consultation services encourages and promotes safety in the workplace and improves the relationship between employers and employees."

**Section 3.** Section 39-71-1503, MCA, is amended to read:

**"39-71-1503. Safety consultation.** (1) As used in ~~2-15-1708 and~~ this part, "safety consultation services" means assistance rendered by an insurer to advise and aid an insured employer in the identification, evaluation, and control of existing and potential accidental and occupational health problems. The services may be delivered in person, by mail, or by telephone, based upon need.

(2) Safety consultation services include but are not limited to:

- (a) surveys consisting of onsite identification and subsequent evaluation of exposures relative to employees, materials, equipment, work methods, processes, and facilities;
- (b) recommendations expressed in the form of communications to an insured employer, with reference to control of exposures to occupational accident, injury, or illness and to improvement of safety programs and systems;
- (c) training programs, including aids, programs, and materials made available to assist in the control of exposures;
- (d) consultations to advise insured employers relative to risk, exposure, and experience in the insured employer's business;
- (e) accident analysis consisting of review of reported accidents to determine cause and trends; and
- (f) industrial hygiene services, including recognition, evaluation, and control of chemical, physical, and biological exposures."

NEW SECTION. **Section 4. Repealer.** Section 2-15-1708, MCA, is repealed.

NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2003.

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