1	SENATE JOINT RESOLUTION NO. 32			
2	INTRODUCED BY E. ARNTZEN			
3	BY REQUEST OF THE SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS STANDING			
4	COMMITTEE			
5	;			
6				
7	A JOINT RESOLUTION OF THE SENATE AND	THE HOUSE OF REPR	ESENTATIVES OF THE STATE OF	
8	MONTANA REQUESTING AN INTERIM STUDY	MONTANA REQUESTING AN INTERIM STUDY OF PROFESSIONAL AND OCCUPATIONAL LICENSING		
9	BOARDS TO DETERMINE IF DEPARTMENTAL REORGANIZATIONS HAVE BEEN BENEFICIAL OR			
10	DETRIMENTAL TO THE GENERAL PUBLIC OR	DETRIMENTAL TO THE GENERAL PUBLIC OR TO MEMBERS OF THE REGULATED PROFESSIONS AND		
11	OCCUPATIONS.	OCCUPATIONS.		
12				
13	WHEREAS, professional and occupationa	I licensing boards prior t	o 2001 had more autonomy than they	
14	do now, with some of the boards participating in the hiring of their own executive staff; and			
15	WHEREAS, changes to licensing boards have taken place at least twice since 2001 when the			
16	Department of Labor and Industry became the department to which professional and occupational licensing			
17	boards were attached for administrative purposes and many of these organizational changes have been			
18	undertaken to improve efficiency and uniformity among the boards; and			
19	WHEREAS, in the 63rd Legislature at least two professions have sought to declare their independence			
20	from general oversight and budgetary control by the Department of Labor and Industry with indications that the			
21	uniformity and efficiency have been detrimental to	uniformity and efficiency have been detrimental to their ability to govern their professions and occupations and		
22	with concerns raised about the reorganizations expanding the government bureaucracy or cross-subsidization			
23	among boards at greater costs to some boards and their licensees than others.			
24				
25	NOW, THEREFORE, BE IT RESOLVED BY THE S	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE		
26	STATE OF MONTANA:	STATE OF MONTANA:		
27	That the Legislative Council be requested	to designate an approp	priate interim committee, pursuant to	
28	section 5-5-217, MCA, or direct sufficient staff res	section 5-5-217, MCA, or direct sufficient staff resources to examine whether:		
29	(1) reorganizations of professional and occupational licensing boards have decreased the ability of the			
30	boards to respond to and serve their licensees, set policy, and respond to public complaints and concerns;			
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1 (2) uniformity and efficiency serve a legal and public purpose without which the state or the licensing 2 boards themselves may be subject to greater liability or costs; 3 (3) uniformity and efficiency remove the incentive for creative websites intended to educate the public about the professions and occupations rather than serving as only a portal for board activities; 4 5 (4) there are avenues for boards to protest indirect costs and other assessed costs over which they have 6 no control; and 7 (5) independence of licensing boards would provide an adequate forum for the public for complaints or 8 to avoid restraints of trade among competitors. 9 BE IT FURTHER RESOLVED, that the study coordinate with the study required under section 37-1-142, 10 MCA, of whether licensing boards remain relevant for public health, welfare, and safety so that recommendations 11 from the study may include whether, if the recommendation is not to terminate a board, the legislature should 12 retain the current structure of the board or provide more board independence while retaining the board as a state 13 agency with immunity from certain liability. 14 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be 15 presented to and reviewed by an appropriate committee designated by the Legislative Council. 16 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review 17 requirements, be concluded prior to September 15, 2014. 18 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, 19 comments, or recommendations of the appropriate committee, be reported to the 64th Legislature. 20 - END -

