

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & LABOR

Call to Order: By CHAIRMAN BRUCE T. SIMON, on January 17, 1995,
at 8:00 AM.

ROLL CALL

Members Present:

Rep. Bruce T. Simon, Chairman (R)
Rep. Norm Mills, Vice Chairman (Majority) (R)
Rep. Robert J. "Bob" Pavlovich, Vice Chairman (Minority) (D)
Rep. Vicki Cocchiarella (D)
Rep. Charles R. Devaney (R)
Rep. Jon Ellingson (D)
Rep. Alvin A. Ellis, Jr. (R)
Rep. David Ewer (D)
Rep. Rose Forbes (R)
Rep. Jack R. Herron (R)
Rep. Bob Keenan (R)
Rep. Don Larson (D)
Rep. Rod Marshall (R)
Rep. Jeanette S. McKee (R)
Rep. Karl Ohs (R)
Rep. Paul Sliter (R)
Rep. Joe Barnett (R)

Members Excused: None.

Members Absent: Rep. Carley Tuss

Staff Present: Stephen Maly, Legislative Council
Alberta Strachan, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 16, HB 147, HB 148
Executive Action: HB 118
HB 100 (Discussed and held until further
date)

EXECUTIVE ACTION ON SB 16

Motion: REP. PAVLOVICH MOVED SB 16 BE CONCURRED IN.

Discussion: None.

Vote: Motion the SB 16 Be Concurred in passed unanimously with REP. SLITER carrying this bill on the floor of the House.

HEARING ON HB 148

Opening Statement by Sponsor:

REP. DANIEL MCGEE, HD 21, Yellowstone County said this bill was an act revising certain provisions of professional engineer and land surveyor licensure, changing the term "engineer-in-training" to "engineer intern"; changing the term "land surveyor-in-training" to "land surveyor intern"; prohibiting local governments from imposing fees or examination requirements on licensees; establishing semester hour requirements for registrants, removing the duration requirement for professional land surveyor examinations; requiring applicants who fail the examinations twice to wait one year before taking a third examination; prohibiting applicants who fail the examinations three times from taking it again except under special circumstances; removing the duration requirement for examinations taken by land surveyors from other states; clarifying the requirements pertaining to partnerships and corporations; and removing the six month deadline from investigation of charges.

Proponents' Testimony:

Dick Ainsworth, Chairman, Board of Engineers and Land Surveyors of Montana said this bill was a "housekeeping" bill which deals with changes of terms from engineer in training and land surveyor in training to engineer intern and land surveyor intern. The Board is trying to get their language to correspond with the national language. He further explained the language in the bill.

Nigel Mends, Montana Society of Engineers said he supported this bill.

Phil Porrini, American Society of Civil Engineers supports this legislation and felt this bill was a safe protection for Montana.

Tom McNabb, Montana Technical Council said his society was made up of 10 professional societies in the state and they supported this bill.

Dan Walker, US West said he was especially in support of section 12 which clears up the language.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. LARSON asked if Montana Power Co. and US West needed to take this exam. Mr. Walker said US West did not take the exam. The engineering that is done there is only telephone engineering. It does not have any effect on land.

REP. COCCHIARELLA questioned the teleconferencing of their hearings. Mr. Ainsworth said they did business on conference calls but on the most part their work was done in person.

REP. PAVLOVICH asked if it were necessary, when retaking an examination for the third time, does the law to have a 1 year waiting period. If a person failed an exam in Montana and took the examination again in Idaho and passed it, would that person be required to retake the exam in Montana even though he passed it in Idaho. Mr. Ainsworth said no.

REP. MILLS asked if the land surveyor doing this investigation was prohibited from practicing or does he continue to practice. Mr. Ainsworth said he continued to practice.

REP. EWER asked if engineers who were hired by a corporation such as U.S. West were required to be licensed. Mr. Ainsworth said no.

CHAIRMAN SIMON asked if the seal and stamp which has been stricken from the bill was still required? Would this not apply to corporations? Mr. Ainsworth said it was required elsewhere in the law. REP. SONNY HANSON said there was a section in the law that says no plans may be released unless the individual stamps it regardless of what the corporation does.

CHAIRMAN SIMON asked why a certificate of authorization is required from the board before engaging in the practice of engineering and what does a certificate do to protect the public beyond what licensure of the engineers in that firm would do. Mr. Ainsworth said it informs the board of corporations and partnerships and the makeup of those organizations.

CHAIRMAN SIMON then asked what happened when an engineer on a staff was not licensed. Mr. Ainsworth said that historically nothing had been done.

Closing by Sponsor:

Sponsor closes.

HEARING ON HB 147Opening Statement by Sponsor:

REP. MCGEE said this bill was an act allowing engineering doctorate degree graduates with 4 years' experience to take the professional engineering examination; adding continuing education or other options to continued practice in engineering or land surveying as criteria for biennial registration renewal; and allowing civil penalties for unlicensed practice of engineering or land surveying.

Proponents' Testimony:

Mr. Ainsworth said this bill deals with permitting people who have doctorate degrees in engineering plus 4 years of experience to take the engineering examination. Boards are trying to get more and more engineering professors licensed. Historically, they did not get licensed. In regard to the continuing education there is language being added to permit the board to require continuing education at some point in time that was appropriate. More and more states are requiring continuing education. This in turn will cause problems in the reciprocal licensing when people move from state to state.

Dennis Lay, President, Central Chapter of Montana Association of Registered Land Surveyors submitted a letter which has been noted in Informational Testimony.

Tom McNab, Montana Technical Council supports this bill.

Nigel Mends, supports this legislation because it improves the protection of the public. He also said that when an engineer makes a mistake the best to hope for is that it will cost money and not lives. His organization is dedicated to raising the level of professionalism in engineering practice. The board is in unanimous agreement in seeing this bill pass for the betterment of the profession and for the protection of the public.

Dan McCauley, Past President, Montana Society of Engineers said that for several years the citizens of the state were not protected. He has worked with the registration board to try to make sure that engineers or non-engineers holding themselves out as engineers are not allowed to practice.

Dan Walker, US West offered an amendment to this bill. He discussed section 12 of the bill. The insertion of this section would be inserted in HB 147 on page 3, line 13. He stated this was a precautionary measure in the event HB 147 did not pass and HB 148 did.

REP. SONNY HANSON, HD 9, Powder River County said he had a difficult time accepting a broad, wide open continuing education category. This education must be controlled.

Opponents' Testimony:

None.

Informational Testimony:

Daniel P. Brien, President, Montana Registered Land Surveyors Association EXHIBIT 1

Questions From Committee Members and Responses:

REP. ELLIS asked what the board intended in the term continuing education and saying exactly what they intended. **Mr. Ainsworth** said this would occur if required by board rule. A comprehensive plan would be established. A series of hearings would occur in which there would be consultations with engineers and surveyors to develop a program.

REP. ELLIS said he disliked giving boards permission to write rules. It is apparent the board could require anything it chooses. **Mr. Ainsworth** said the board did not have any specific goal in mind. **REP. MCGEE** said the surveying community is in support of this language. Several states now have continuing education requirements which was also in answer to **REP. ELLIS'** question.

REP. PAVLOVICH questioned the continuing education issue with the department. **Lance Melton, Attorney, Department of Commerce** said it has been provided in statute that if there is not a sufficient number of continuing education courses in rural areas the board needs to offer one of these courses. **REP. MCGEE** asked if there was any objection with the amendment. **REP. MCGEE** said the point of the amendment is as he mentioned, should 148 fail and 147 pass then that particular language is not incorporated into the law.

REP. BARNETT questioned the rule making authority and the designation of the court system. **Mr. Ainsworth** said the law is whatever the law is with regard to the practice of engineering or surveying. The board would be the party interpreting whether the person were violating the law or not. The board would also hold the hearings.

REP. MILLS asked when it became required that an engineer have a license in Montana. Also, he asked if the board would be comfortable acting as judge and jury over someone who is not even an engineer or surveyor. **Mr. Ainsworth** said the board could review a set of circumstances that might be derived from an investigation on an individual and determine whether or not they were offering engineering or surveying practices to the public.

REP. MILLS then questioned the depository for the fine. **Mr. Ainsworth** said that information was in the fiscal note.

REP. MILLS asked why it was necessary to have a fine when the board can suspend or cancel a license. **Mr. Ainsworth** said the fine indicated does not apply to a licensed individual. The fine deals with a unlicensed individual.

REP. ELLIS asked if there were examples of boards who were allowed to imprison people. **Mr. Melton** said no there were no other boards in the bureau who were allowed imprisonment of any kind. The statutory authority to prosecute criminal offenses rests either to a county attorney or a city attorney. This provision provides for criminal prosecution but not by the board.

REP. MILLS asked if the board would apply the penalty. **Mr. Melton** said in section 3 this provides for criminal prosecution. There is a civil fine on page 4 which is not a criminal penalty. The board would make the determination of whether a civil fine would be imposed but not be a part of the criminal action.

REP. EWER asked if the board had rules. **Mr. Melton** said the board does have rules but there have been few rules drafted in the last few years. **REP. EWER** then questioned **Mr. Ainsworth** as to the same question and he responded that indeed the board did have rules.

REP. EWER then said as the profession was very specialized, the positions on using new techniques often gets certificates of use as a certain type of scope. **Mr. Ainsworth** said it would be difficult to do any sort of education on a broad basis. One advantage of the MetNet situation and the seminars which they offer is it is issued in 8 locations around the state.

REP. PAVLOVICH asked why the board did not propose to necessitate the continuing education rather than have the education. **Mr. Ainsworth** said their concern with making the education mandatory was the board did not have a continuing education package for either engineers or surveyors.

REP. MILLS questioned page 4 and the use of the word "engineer" and what does that do to people that drive trains. **Mr. Ainsworth** said the board was concerned with people who suggested to the public that they are providing engineering or surveying services. A person may say he is an engineer on a train but is not purporting to be an engineer that designed bridges. **REP. MILLS** requested clarification of this term. This question was unanswered.

TAPE 1, SIDE B

CHAIRMAN SIMON said he had witnessed a person coming out of a college, testifying in court as an expert, and he had been appalled by the quality of their testimony. He asked about the

academic personnel that may have a PhD. They may not be very good engineers. **Mr. Ainsworth** said this was true. They must apply at the board which has a set application, with set criteria regarding the kinds of experience which might be required. The application is reviewed on a case by case basis. It is then determined whether or not these people meet the rules to take the examination. They must still pass the exam. In theory after carefully reviewing the applications there is a feeling this person may be qualified and can then pass an 8 hour test, they would then be qualified.

CHAIRMAN SIMON then stated the reason for his question was there was indication in earlier testimony that some of the individuals had followed that academic route for a period of time and they don't take the general test that most engineers graduating from college would take before they get their experience and can actually become licensed. A PhD. tends to be very narrow in their focus, they get into an extreme specialty and that is where they get their degree. They may be experts in mechanics, chemical, etc. The board on the other hand licenses applicants as an "engineer" and not as a chemical engineer but as an engineer. Is the board convinced that the person who has gone through that real narrow slot of engineering be exempt from the requirement of demonstrating that they truly are engineers. That does not narrow their specialty down. **Mr. Ainsworth** said this was true but it is also not true. The board does not license by specialty like many states tend to do. The law says a person must practice within their capabilities and where they are qualified.

CHAIRMAN SIMON said he was disturbed by section 3. A person would commit a criminal offense if he impersonates someone. He shall be fined not less than \$100 or not more than \$500 or be incarcerated in the county jail for a period of not to exceed 3 months or both. So, given the maximum, a person could have a \$500 fine and could spend 3 months in jail. As the bill reads, during the three month period another person could accumulate fines by your board without being subjected to going through court proceedings, or accumulate fines of 1/2 million dollars. Somehow that seems that something is really out of balance because the board can fine \$5000 and each day is an additional offense. Being convicted in a court of law one can be fined \$500 and spend 3 months in jail. There is a major inequity between what the board can do and what a court of law can do. **Mr. Ainsworth** said he had no comment other than that is the way the bill has been drafted. Control needs to be established on these people. If someone is practicing without a license as an engineer and they continue to do so, it could conceivably be \$5000 a day. The object is to get them stopped and the sooner they are stopped, the better. They should not be practicing engineering or land surveying if they are not licensed to do so.

CHAIRMAN SIMON then stated he did recognize the importance of engineering and the importance of licensure because in many cases

people's lives and livelihood are on the line by the quality of work that is being done by engineers. He said he found it ironic that a board, without the benefit of going through a court action could fined \$5000 for each day of violation and yet a person could be taken to court and be fined \$500 and spend possibly 3 months in jail. Your board would have a tremendous amount of authority that even a court of law would not have. **Mr. Ainsworth** said he had no response to this.

Closing by Sponsor:

REP. MCGEE closed on the bill.

EXECUTIVE ACTION ON HB 118

Motion: REP. ELLIS MADE A MOTION DO PASS ON HB 118. REP. DEVANEY MOVED THE AMENDMENT.

Discussion:

REP. DEVANEY said that in the event call reports were published this particular code would need to be considered. This amendment would state that if and when federal banking laws reestablish this requirement, this would be null and void. The amendment was then quoted.

Steven Maly said the intent of the amendment is clear but technically it would be a new section with a catch line saying termination rather than refer to any subsections. It would be "this act is void." The law would remain the same, the obligation would remain the same.

Vote: Motion to adopt the amendments carried 18-0.

Motion/Vote: REP. DEVANEY MOVED DO PASS AS AMENDED ON HB 118. The question was called. Motion carried 18-0.

EXECUTIVE ACTION ON HB 100

Motion: REP. ELLIS MOVED DO PASS ON HB 100.

Discussion:

REP. ELLIS stated as chairman of the subcommittee on this bill it would also contain a minority report. There were three areas in question on this bill. It was cited that the state was not complying with the law. The areas of contention are counties and schools. This is not like the provision contained on election judges.

REP. MCKEE said personnel on the county level have a cap on not having to report social security wages.

REP. COCCHIARELLA said the counties are concerned that once again the state is mandating this procedure. The mandate is coming from a federal threat. Counties will now need to maintain paperwork in the amount of about \$20,000 in the larger counties. This is the same kind of threat or intimidation on a smaller level. There are letters on record stating this threat for non-compliance. The state will tell these counties that the records must be maintained. The county clerks will go to the federal government and ask for the same kind of limitation or cap to the thousand dollar amount for the entire county. They will then have the authority to not comply. They will be issued a mandate to comply with this which will add huge amounts of paperwork. This portion of the bill is unnecessary. The Department of Labor will not audit these counties because it is not high on their priority list. If this is the case why is there so much pressure being felt by the department from the federal government to comply to this change in law. It is a false threat which puts a burden on the counties.

REP. MCKEE said she did not like the federal mandates either. **Mr. Sager** is filling out the responsibilities of his job. He is not asked to make that decision. It was an omission in the last session.

REP. COCCHIARELLA said she respected **Mr. Sager's** position. The legislature chose to exempt election judges. That law has been capped. The department now, given instructions from the federal government, are supposed to pass the messages on to the legislature. Rather than having the department dictate to the legislature what the policy should be, this should be responsibility of the legislature.

REP. ELLIS said the profiling was not a major area of contention.

REP. COCCHIARELLA stated this portion of the law is creating an after the fact profiling program for people who potentially exhaust their benefits. If the profiling is accepted the apprenticeship program is being ceased. It is a proactive preventative measure which is an after the fact crisis attempt.

REP. DEVANEY asked if the profiling was part of the federal requirement.

Mr. Sager said yes it was a requirement that there is something in place. All states must have a profiling system in place with an agreement signed last November.

REP. ELLIS stated in regard to the department no longer wanting funding for the apprenticeship program, this helps to educate teachers of the program especially in areas where there may not be a significant block of labor. Often times it is difficult for an apprentice to get to an area. It is the position of the Department of Labor that this could be done by the Office of Public Instruction (OPI). They do handle the program.

REP. COCCHIARELLA questioned the fact that the money comes from the Department of Labor. The position is, they feel OPI should do this instruction. They do not disagree with the program, but that some other funding should be found regarding the money to maintain the profiling.

REP. ELLIS said it was his understanding this program was funded by the Department of Labor and governed by OPI.

REP. COCCHIARELLA said the issue still remains that the money for the profiling is being taken away. If the money is lost that is specified in this bill, then there is no money for this apprentice program.

REP. MCKEE said she felt the money was in the wrong place.

CHAIRMAN SIMON said there was money in a federal account. Is this just the penalty and interest money that is being used to fund the program or is this money from the special revenue account which could be federal money that could fund this apprentice program?

REP. ELLIS said this depended upon the appropriation. This is not in the Governor's budget.

Jerry Driscoll said it was the interest portion only.

REP. ELLIS said the next issue was employees receiving employers funded pensions. This is a federal requirement. There was an issued made in committee that this treated private employees differently than government employees. The real issue is how the pension is funded.

REP. COCCHIARELLA said the federal government stated employer contributions to pension funds, under the law, is the method for complying. These monies are negotiated at \$.25 per hour. A person 70-1/2 must collect their pension. We are not allowing people in private sector to collect their pension and unemployment whereas in the public sector this is permitted. This law only affects a handful of people - the contention in this issue lies here. It is totally unfair to do this to certain pension systems for a few people that are negatively affected. They do not have any choice.

REP. ELLIS said the money that is paid in wages and actually goes into the check which the pensioner receives each month might be the money that is paying for the pension and is taxed to the federal government and handled very differently than the money the employer keeps and puts into the pension.

REP. COCCHIARELLA stated this was not true. The dollars are taxed in the same exact way - pre tax dollars for both systems.

Jerry Driscoll said the state administers six pension plans and they are pre tax dollars. That bill was passed in 1985. The amount of deduction that the public employees contribute is the amount that is deducted before social security or income tax is subtracted from the check. The private pension fund never shows up on the check stub - it is a pre taxed dollar. The employer is

required to make this contribution. In some cases it is made voluntarily to a pension fund. They are both pre taxed dollars. Some of the money must begin to be drawn out at age 70-1/2 which is an IRS regulation.

REP. ELLIS then stated that this was a point of contention with the federal government. This is something which we are required to do. It is just a matter of whether the requirements are going to be met or not. They have legitimate concerns.

CHAIRMAN SIMON then questioned **REP. ELLIS** if his committee report was to accept the bill as submitted.

REP. OHS asked what the effect the state would have with the federal government.

REP. ELLIS said conceivably, employers could no longer participate in the federal program and would be forced to pay 5.4% more in federal unemployment compensation taxes.

REP. MCKEE said that in further response, the state may lose administrative funding and employers may lose their state unemployment insurance credit on their federal unemployment tax return.

Motion: **REP. PAVLOVICH** MOVED TO ADOPT THE MCCLURE AMENDMENT.

Discussion:

REP. MCKEE said the department does not support this amendment.

REP. DEVANEY asked if the committee wanted to try the federal government.

REP. ELLINGSON said he favored the amendment. He said the important thing to know is the merit behind the threat. Simply because the department has received letters from a regional administrator advising the state it is out of compliance, this does not mean the state is in fact out of compliance.

REP. COCCHIARELLA stated there were degrees of threats. In these issues where the state has been living with the law the way it has been and the federal government has done nothing to the state. It is the contention that by reacting in this compulsive way to their threat, the state is reinforcing their power which may make the next threat bigger.

Vote: Roll call vote was taken on the amendment. The amendment passed with **REPS. DEVANEY, ELLIS, HERRON, KEENAN, MARSHALL, MCKEE** and **SLITER** voting no.

Discussion:

REP. EWER proposed another contractual amendment which was a cross reference in this bill that if Rep. Squires' bill failed then the money for tracking would be stricken. If either of the other bills passes, this bill will pass in its current form.

CHAIRMAN SIMON said he had a suggestion which may alleviate the problem. There is a concern in the committee with regard to making sure there is an instruction program. A letter may be drafted from this committee to the Appropriations Committee indicating the support for this type of program.

REP. EWER withdrew his amendment.

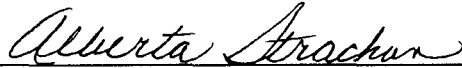
CHAIRMAN SIMON suggested the committee delay action on this bill until members may gather additional information.

ADJOURNMENT

Adjournment: 11:10 AM



BRUCE T. SIMON, Chairman



ALBERTA STRACHAN, Secretary

BTS/ajs

HOUSE OF REPRESENTATIVES

Business and Labor

ROLL CALL

DATE 1-17-94

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bruce Simon, Chairman	X		
Rep. Norm Mills, Vice Chairman, Majority	X		
Rep. Bob Pavlovich, Vice Chairman, Minority	X		
Rep. Joe Barnett	X		
Rep. Vicki Cocchiarella	X		
Rep. Charles Devaney	X		
Rep. Jon Ellingson	X		
Rep. Alvin Ellis, Jr.	X		
Rep. David Ewer	X		
Rep. Rose Forbes	X		
Rep. Jack Herron	X		
Rep. Bob Keenan	X		
Rep. Don Larson	X		
Rep. Rod Marshall	X		
Rep. Jeanette McKee	X		
Rep. Karl Ohs	X		
Rep. Paul Sliter	X		
Rep. Carley Tuss		X	

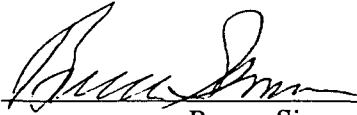


HOUSE STANDING COMMITTEE REPORT

. January 17, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **Business and Labor** report that **House Bill 118** (first reading copy -- white) **do pass as amended.**

Signed: 
Bruce Simon, Chair

And, that such amendments read:

1. Title, line 5.

Following: "PUBLISHED;"

Insert: "PROVIDING FOR CONTINGENT TERMINATION TO CONFORM TO
CHANGES IN FEDERAL BANKING LAWS;"

2. Page 1.

Following: line 25

Insert: "NEW SECTION. Section 2. Contingent termination. [This act] terminates on the date that the commissioner of financial institutions certifies to the governor that federal banking laws require that a nationally chartered bank publish its call report in a newspaper published in the place where the bank is located."

-END-

1-17
mm
Committee Vote:
Yes 18, No 0.

141243SC.Hdh



HOUSE STANDING COMMITTEE REPORT

January 17, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **Business and Labor** report that **Senate Bill 16** (third reading copy -- blue) be concurred in.

Signed: _____

A handwritten signature in cursive script, appearing to read "Bruce Simon", written over a horizontal line.

Bruce Simon, Chair

Carried by: Rep. Sliter

1-17

A small, stylized handwritten flourish or mark.

Committee Vote:

Yes 18, No 0.

141239SC.Hdh

HOUSE OF REPRESENTATIVES

BUSINESS AND LABOR COMMITTEE

ROLL CALL VOTE

DATE 1-17-95 BILL NO. HB 100 NUMBER _____

MOTION: McCLURE AMENDMENT

NAME	AYE	NO
Rep. Bruce Simon, Chairman	X	
Rep. Norm Mills, Vice Chair, Maj.	X	
Rep. Bob Pavlovich, Vice Chair, Min.	X	
Rep. Joe Barnett	X	
Rep. Vicki Cocchiarella	X	
Rep. Charles Devaney		X
Rep. Jon Ellingson	X	
Rep. Alvin Ellis, Jr.		X
Rep. David Ewer	X	
Rep. Rose Forbes	X	
Rep. Jack Herron		X
Rep. Bob Keenan		X
Rep. Don Larson	X	
Rep. Rod Marshall		X
Rep. Jeanette McKee		X
Rep. Karl Ohs	X	
Rep. Paul Sliter		X
Rep. Carley Tuss	X	

PRESIDENT
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EXHIBIT 1
DATE 1-17-95 PRESIDENT-ELECT
HB 147 WARREN P. LATVALA
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SECRETARY-TREASURER
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406 - 587-5407
406 - 587-5408 (Fax)

P.O. Box 359
COLUMBIA FALLS, MT 59912

January 16, 1995

House Business and Labor Committee / Room 104

Re: Hearing on HB 147 and HB 148 at 8:00 am Tuesday, January 17, 1995.

Dear Committee Chair and members:

HB 147 deals with two major areas we have tried to address for many years. In this age of fast moving and changing technology, we feel the need for the continuing in education for all Professional Land Surveyors. MARLS currently has a continuing in education committee that holds from 3 to 4 seminars a year. This year we held a spring seminar attended by 112, a fall seminar attended by 190 and a seminar to be held this coming Wednesday with 130 registrants so far. These past three have been done over the Montana Educational Telecommunications Network (METNET), held at eight sites around Montana. In addition we hold a seminar at our yearly conference. This bill enables our Board of Registration the option of making continuing in education mandatory.

The need for dealing with the unlicensed practice of land surveying is of paramount concern. Currently our Board of Registration has no control over the unlicensed practitioner. This currently is only a misdemeanor. We've found it very difficult to get our County Attorneys to investigate and prosecute these cases. This bill would put some enforcement teeth into the Board that currently handles all of the licensed people in our profession.

HB 148 is mainly a house keeping bill to clean up areas of concern by our Board of Registration.

On behalf of the 177 members of Montana Association of Registered Land Surveyors (MARLS), I urge your support of these bills as introduced.

Professionally,

Daniel P. Brien, President MARLS

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Business & Labor

~~Budgets & Appropriations~~

SUB-COMMITTEE

DATE 1/17/94

BILL NO. ~~147~~ ^{HB 148} SPONSOR(S) Dan McGee

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Nigel Mand's PO Box 614, Helena 59614	Montana Society of Engineers	✓	
DAN MCCALLEY	MONTANA SOCIETY OF ENGINEERS		
P.O. BOX 1137 HELENA 59624	PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE	✓	
PHIL PORRINI	AMERICAN SOCIETY	✓	
P.O. BOX 5653 HELENA 59604	OF CIVIL ENGINEERS		
LANCE MELTON	DEPARTMENT OF COMMERCE - INFO. ONLY		
DICK AINSWORTH P.O. BOX 3416, MISSOULA 59806	BOARD OF PROF. ENG. & LAND SURVEYORS	✓	
DAN McGee Capitol Station	Representation	✓	
TOM MCNAB P.O. Box 20996, BILLINGS, MT.	MONTANA TECH. COUNCIL 59104	✓	
DAN WALKER 560 N PARK Helena	US WEST HB 147 amendment HB 148	✓	
Sonny Houson HB 147	HD-147	✓ w/Am	
DENNIS E. LAY 2230 5 TH AVE HELENA, MT 59601	MONTANA ASSOC. OF REGISTERED LAND SURVEYORS	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

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CS-14