

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LABOR & EMPLOYMENT RELATIONS

Call to Order: By CHAIR CAROLYN SQUIRES on March 27, 1991, at 4:10 p.m.

ROLL CALL

Members Present:

Carolyn Squires, Chair (D)
Tom Kilpatrick, Vice-Chairman (D)
Gary Beck (D)
Steve Benedict (R)
Vicki Cocchiarella (D)
Jerry Driscoll (D)
Thomas Lee (R)
Bob Pavlovich (D)
Jim Southworth (D)
Dave Wanzenried (D)
Tim Whalen (D)

Members Excused:

Ed Dolezal (D)
Russell Fagg (R)
H.S. "Sonny" Hanson (R)
David Hoffman (R)
Royal Johnson (R)
Mark O'Keefe (D)
Fred Thomas (R)

Staff Present: Eddy McClure, Legislative Council
Jennifer Thompson, Committee Secretary

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

EXECUTIVE ACTION ON HB 1005

Motion: REP. DRISCOLL moved to amend HB 1005. EXHIBIT 1

Discussion:

REP. DRISCOLL said the amendments include a training program for the inmates. Page 3, Lines 3-5, says there will be a ratio of one journeyman for every two inmates. Page 4, the new section, describes the projects in HB 5 that the prisoners will build. The inmates would get true training in the construction industry. When the inmates are released from prison, they would at least have some knowledge of construction and could possibly get a job

in that field. The last time prison labor was used there was no training. The inmates were used for the "bull" work. They didn't learn anything; it was a way to get cheap labor.

REP. BENEDICT asked REP. DRISCOLL how amendment No. 5 relates to the \$1.5 million. How much of that would be used for the construction of the gymnasium, yard storage, toilet, landscaping, etc? REP. DRISCOLL said the list contains every project that was asked for. It is the full list that was given to him by the Department Institutions for the projects in HB 5. REP. BENEDICT said the amendment narrows the bill to make sure that prison labor will be used for those projects only. REP. DRISCOLL said yes.

Ms. McClure said it is limited to the projects approved by the Legislature, which are contained in amendment No. 5. They are in excess of \$25,000 and are in the long-range building program.

REP. DRISCOLL said the present law allows prison labor to be used on projects that cost \$25,000 or less. The bill would expand it to include the list of projects in Amendment No. 5, which cost more than \$25,000. REP. BENEDICT asked REP. DRISCOLL if he had discussed the amendments with Curt Chisholm. REP. DRISCOLL said he discussed the original set of amendments and also tried to insert an amendment where the architects and engineers would have to use some prisoners, possibly in the layout and drafting of the blueprints. They weren't sure the school of architecture would agree to it, so that amendment was withdrawn. Mr. Chisholm isn't 100 percent in favor of the amendments, but agrees there will be some training and not just work-camp jobs. REP. BENEDICT asked if Mr. Chisholm indicated that the training program would decrease the savings. REP. DRISCOLL said he didn't discuss it with Mr. Chisholm exactly. Through Prison Industries there is training in different fields, including furniture manufacturing, woodwork, etc. They screen all prisoners for their experience prior to going to prison. With the amendment, the classification officer will screen the people that have had some experience in the construction industry, and those prisoners would be selected for the training positions. He didn't know how much it would cost. This proposal would be similar to what was done on the last prison bill, which was the construction of the 96-bed housing unit.

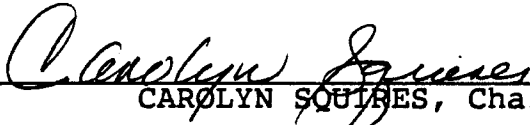
Vote: HB 1005 AMENDMENTS. Motion carried unanimously.

Motion/Vote: REP. WHALEN MOVED TO TABLE HB 1005. Motion failed 6 to 12. EXHIBIT 2

Motion/Vote: REP. BENEDICT MADE A SUBSTITUTE MOTION THAT HB 1005 DO PASS AS AMENDED. Motion carried 10 to 8. EXHIBIT 3

ADJOURNMENT

Adjournment: 4:25 p.m.



CAROLYN SQUIRES, Chair



JENNIFER THOMPSON, Secretary

CS/jt

HOUSE OF REPRESENTATIVES

LABOR AND EMPLOYMENT RELATIONS COMMITTEE

ROLL CALL

DATE 3/27/91

NAME	PRESENT	ABSENT	EXCUSED
REP. JERRY DRISCOLL	✓		
REP. MARK O'KEEFE			✓
REP. GARY BECK	✓		
REP. STEVE BENEDICT	✓		
REP. VICKI COCCHIARELLA	✓		
REP. ED DOLEZAL			✓
REP. RUSSELL FAGG			✓
REP. H.S. "SONNY" HANSON			✓
REP. DAVID HOFFMAN			✓
REP. ROYAL JOHNSON			✓
REP. THOMAS LEE	✓		
REP. BOB PAVLOVICH	✓		
REP. JIM SOUTHWORTH	✓		
REP. FRED THOMAS			✓
REP. DAVE WANZENRIED	✓		
REP. TIM WHALEN	✓		
REP. TOM KILPATRICK, V.-CHAIR	✓		
REP. CAROLYN SQUIRES, CHAIR	✓		

HOUSE STANDING COMMITTEE REPORT

March 27, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Labor report that House Bill 1005 (first reading copy -- white) do pass as amended .

Signed: _____
Carolyn Squires, Chairman

And, that such amendments read:

1. Page 3, line 1.

Following: "projects"

Strike: "are"

2. Page 3, line 2.

Following: "(i)"

Insert: "are"

3. Page 3, lines 3 through 5.

Following: "(ii)"

Strike: remainder of line 3 through "offenders" on line 5

Insert: "include a training program for inmates on an ratio of one journeyman employee to every two inmates. The department shall negotiate a project agreement that includes a training program with the craft unions having jurisdiction within the geographic area of the Montana state prison."

4. Page 4, line 18.

Following: "(6)"

Strike: "A"

Insert: "Except for projects employing journeymen employees, the"

5. Page 4.

Following: line 21

Insert: "NEW SECTION. Section 2. Inmate-labor projects approved. The projects that use inmate labor approved by the legislature pursuant to 53-1-301 are limited to the gymnasium, yard storage, toilet, and landscaping and the expansions of the low-security food service, business administration building, industries facilities, and the warehouse at the state prison in Deer Lodge."

Re-number: subsequent section

CLERICAL

HOUSE Bill No. 1005

Date: 3/27/91

Time: 6:45

SEA
(Legislative Council Staff)

S H LABOR Standing Committee

(Chairman) Squires

S / H Committee of the Whole

(Sponsor)

In accordance with the Rules of the Montana Legislature, the following clerical errors may be corrected:

Amendment # 3 should read:

Insert: "include... on ^{an} a ratio

Strike: "... offenders;" on line 5

Amendments to House Bill No. 1005
First Reading Copy

Requested by Rep. Driscoll
For the House Committee on Labor and Employment Relations

Prepared by Eddy McClure
March 23, 1991

1. Page 3, line 1.
Following: "projects"
Strike: "are"
2. Page 3, line 2.
Following: "(i)"
Insert: "are"
3. Page 3, lines 3 through 5.
Following: "(ii)"
Strike: remainder of line 3 through "offenders" on line 5
Insert: "include a training program for inmates on an ratio of one journeyman employee to every two inmates. The department shall negotiate a project agreement that includes a training program with the craft unions having jurisdiction within the geographic area of the Montana state prison."
4. Page 4, line 18.
Following: "(6)"
Strike: "A"
Insert: "Except for projects employing journeymen employees, the"
5. Page 4.
Following: line 21
Insert: "NEW SECTION. Section 2. Inmate-labor projects approved. The projects that use inmate labor approved by the legislature pursuant to 53-1-301 are limited to the gymnasium, yard storage, toilet, and landscaping and the expansions of the low-security food service, business administration building, industries facilities, and the warehouse at the state prison in Deer Lodge."
Renumber: subsequent section

EXHIBIT 3
DATE 3/27/91
HB 1005

HOUSE OF REPRESENTATIVES

LABOR AND EMPLOYMENT RELATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/27/91 BILL NO. HR 1005 NUMBER _____

MOTION: Do Pass as Amended

NAME	AYE	NO
REP. JERRY DRISCOLL		✓
REP. MARK O'KEEFE		✓
REP. GARY BECK		✓
REP. STEVE BENEDICT	✓	
REP. VICKI COCCHIARELLA	✓	
REP. ED DOLEZAL		✓
REP. RUSSELL FAGG	✓	
REP. H.S. "SONNY" HANSON	✓	
REP. DAVID HOFFMAN	✓	
REP. ROYAL JOHNSON	✓	
REP. THOMAS LEE	✓	
REP. BOB PAVLOVICH		✓
REP. JIM SOUTHWORTH		✓
REP. FRED THOMAS	✓	
REP. DAVE WANZENRIED	✓	
REP. TIM WHALEN		✓
REP. TOM KILPATRICK, VICE-CHAIRMAN	✓	
REP. CAROLYN SQUIRES, CHAIR		✓
TOTAL	10	8

EXHIBIT 2
DATE 3/27/91
HB 1005

HOUSE OF REPRESENTATIVES
LABOR AND EMPLOYMENT RELATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/27/91 BILL NO. HB 1005 NUMBER _____

MOTION: Table

NAME	AYE	NO
REP. JERRY DRISCOLL	✓	
REP. MARK O'KEEFE		✓
REP. GARY BECK	✓	
REP. STEVE BENEDICT		✓
REP. VICKI COCCHIARELLA		✓
REP. ED DOLEZAL	✓	
REP. RUSSELL FAGG		✓
REP. H.S. "SONNY" HANSON		✓
REP. DAVID HOFFMAN		✓
REP. ROYAL JOHNSON		✓
REP. THOMAS LEE		✓
REP. BOB PAVLOVICH	✓	
REP. JIM SOUTHWORTH	✓	
REP. FRED THOMAS		✓
REP. DAVE WANZENRIED		✓
REP. TIM WHALEN	✓	
REP. TOM KILPATRICK, VICE-CHAIRMAN		✓
REP. CAROLYN SQUIRES, CHAIR		✓
TOTAL	6	12