

February 24, 1977

LABOR AND EMPLOYMENT RELATIONS COMMITTEE PROCEEDINGS:

A meeting of the House Labor and Employment Relations Committee was held on Thursday, February 24, 1977 at 9:00 a.m. in Room 428A of the State Capitol, in order to consider several House Bills which were due to be reported out of committee that same day. All members were present with the exception of Reps. Williams, Ellerd, Dassinger, Kanduch and Lynch.

HOUSE BILL 700 was the first bill to be acted on. The sponsor Rep. Brand presented two amendments, which had been agreed upon by both the proponents and the opposition. He then moved that HB 700 DO PASS AS AMENDED. Rep. Baeth seconded the motion. Motion carried with Rep. Lynch opposed. Rep. Sivertsen also left a "no" vote, and Rep. Williams left a "yes" vote.

Rep. Lynch moved and Rep. Baeth seconded that HOUSE BILL 419 DO PASS. Discussion followed. Rep. Lynch stated that the only people who might be in jeopardy are high-risk loans. Rep. Porter warned that passage of this bill would dry up venture capital. Rep. Turner felt that many people would not even be able to obtain surety bonds. Question was then called for, and the motion failed, with Reps. Teague, Wyrick, Turner, Porter and Sivertsen opposed and Reps. Brand, Kimble, Lynch, Baeth and Williams voting in favor of the motion. The bill at this point was to go on the floor without any recommendation from the committee.

Rep. Teague moved that HOUSE BILL 659 DO PASS AS AMENDED. Rep. Williams suggested and Rep. Ellerd concurred, that this bill should only apply to first and second-class municipalities; the proposed amendments would accomplish this. Question was then called for and the motion carried unanimously.

Rep. Lynch then moved to reconsider action on HOUSE BILL 419, being as Rep. Dassinger had arrived. Motion carried with Rep. Teague opposed. Rep. Lynch then moved that HOUSE BILL 419 DO PASS. Rep. Baeth seconded the motion; motion carried with the same members voting correspondingly with the original vote on this motion, and Rep. Dassinger also voting in favor of the DO PASS motion. Rep. Turner then expressed his disapproval of the manner in which the committee had acted concerning this bill and excused himself from the remainder of the meeting.

Rep. Wyrick then moved that HOUSE BILL 690 DO PASS; Rep. Porter seconded the motion. Ernie Post, Staff Representative for the Montana State AFL-CIO stated that the problem with the bill is that an employer could lay someone off until he was forced to accept work at 3/4 of his original wage, and then re-hire the person at a lower wage. Rep. Dassinger made a substitute motion, which was seconded by Rep. Lynch, that the bill DO NOT PASS. Motion carried with Reps. Porter, Teague, Sivertsen and Wyrick opposed.

HOUSE BILL 792. Rep. Porter moved that it DO NOT PASS; Rep. Wyrick seconded the motion. Rep. Porter said that federal law overrides this proposed law. The chairman informed the committee members, in the absence of the sponsor Rep. Brand, that Rep. Brand had told him that he did not care whether the bill received committee approval or not. Question was then called for and the motion carried with Reps. Dassinger and Brand voting "no".

HOUSE BILL 802. Rep. Lynch moved that it DO PASS; Rep. Baeth seconded the motion. Motion carried unanimously.

HOUSE BILL 803. Rep. Teague discussed some amendments, which were very extensive, but which the sponsor was in favor of. They would try to establish a voluntary pilot program. The amendments went as follows: (1.) Amend line 4, following "establishing" insert "voluntary"; (2.) Amend line 7. Strike "in return for benefits received". (3.) Line 19; after "in" strike all of line 20. (4.) Strike the second sentence in Section 2. (5.) Page 2, strike all of Section 3, and renumber subsequent sections. (6.) Strike the last sentence in Section 4 and insert "The incentive pay rate of 10% per 8-hour day of the participating person's unemployment compensation benefits is awarded to those who contribute to this voluntary pilot program." Rep. Teague then moved that HB 803 DO PASS AS AMENDED. Rep. Porter seconded the motion. Discussion. If the people voluntarily decided to participate in the program, they would receive 10% more on their benefit amounts, is basically what the amendment would provide for. Rep. Porter asked Mr. Ernie Post whether the AFL-CIO would accept the amendments. Mr. Post replied that he didn't feel that the amendments would be legal. Rep. Teague then suggested another amendment to stipulate that the counties pay for these programs. Rep. Lynch wondered if six counties would agree to do this. Rep. Dassinger suggested amending the bill further to provide that the counties would be voluntary. After further discussion, Rep. Teague moved that HOUSE BILL 803 DO NOT PASS; motion carried with Rep. Porter opposed.

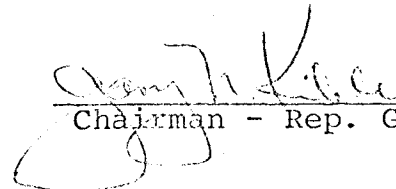
HOUSE BILL 815 was then considered. Rep. Lynch moved two amendments; see copy. This bill would apply to all state,

county and municipal employees. Rep. Lynch then moved and Rep. Baeth seconded that the bill DO PASS AS AMENDED; motion carried unanimously.

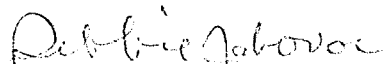
HOUSE JOINT RESOLUTION 47. Rep. Lynch moved that it DO PASS; motion carried unanimously, with Rep. Williams abstaining.

HOUSE BILL 479 - Rep. Dassinger stated that the railroad companies had agreed that they are at fault, and they promised to comply. Rep. Lynch moved to reconsider the committee's original action of DO PASS AS AMENDED. Rep. Porter seconded the motion. Motion carried unanimously. Rep. Lynch then moved that HB 479 be TABLED. Motion carried unanimously.

The meeting was adjourned.



Chairman - Rep. Gary N. Kimble



Secretary