

March 7, 1977

LABOR AND EMPLOYMENT RELATIONS COMMITTEE PROCEEDINGS:

A meeting of the House Labor and Employment Relations Committee was held on Monday, March 7, 1977 at 10:00 a.m. in Room 225 of the State Capitol. All members were present with the exception of Rep. Sivertsen.

The first bill to be heard was SENATE BILL 140, sponsored by the Senate Labor Committee. The Chairman of that committee, Senator Lee, presented the bill. There were several areas of the government which supported introduction of this bill. A few were the Division of Workers Compensation, the Advisory Council; Jim Murry from the AFL-CIO; Steve Sheehe; George Wood, Montana Self-Insurers; and others. Senator Lee's committee had six bills drafted and five of the bills received unanimous approval from his committee. This bill would delete certain boiler inspection fee requirements. It costs more money to collect these fees than it is worth. The inspection would not be eliminated if this bill passed; only the fee would be waived. Ernie Post, staff representative for the Montana State AFL-CIO, concurred with Senator Lee's comments. Mr. B. J. Briggeman, Division of Workers Comp., spoke next; see prepared statement.

There were no opponents to SB 140. Questions were asked. When the money is collected, it only goes into earmarked funds, so passage of this bill would not have any impact on the general fund. The hearing was then closed.

SENATE BILL 186 was then heard. The sponsor, Senator Lee, spoke; see prepared testimony. Harold Kansier, Montana Employment Security Division, then spoke. This would increase the penalty for late payment and the interest charged. Ernie Post, AFL-CIO, spoke next. This is another bill from the Employment Security Commission. This money will help the unemployment fund.

There were no opponents to SENATE BILL 186. Questions followed. Rep. Turner asked Mr. Kansier what the average contribution paid per quarter amounted to. Mr. Kansier replied that probably the average sum paid by late filers is less than \$100.

SENATE BILL 272 was then heard. The sponsor, Senator Blaylock, explained that both labor and employment approve of the bill. Some cleanup language will be incorporated into the law. Larry Huss, Montana Contractors Association, spoke up in support of the bill. Joe Crosswhite, Operating Engineers Union, spoke. He had recently spoken to Bill Evans, from the Hoisting Local in Butte, who is in approval of the bill, also.

There were no opponents to SB 272. Questions were asked. The hearing was closed.

SENATE BILL 334 was then heard. The sponsor was Senator Blaylock, once again. This bill changes the word from "shall" to "may". The Workers Compensation Division under the present law cannot always get good inspections. This measure would give them the power to reject an inspection report and send out a state inspector to do the inspection. Bill Potts, Safety Representative for the Missoula County Trades and Labor Council, spoke next; see prepared statement. At this time he also presented written testimony from Charles Frey, a first-class engineer employed by Hoerner Waldorf of Missoula. Ernie Post then spoke. This bill is one of those bills which receives very little public attention, but would have a definite impact on the people. No one should have any complaints with this bill; if the inspectors are doing their jobs, then they should not be opposed to this measure. Joe Crosswhite, Operating Engineers of Montana, spoke up in support of the bill.

Martin Frelinger, Power and Recovery Superintendent at the Hoerner Waldorf mill in Missoula spoke in opposition to SB 334; see prepared statement. Paul R. Rafferty, Board of Safety Advisors, Dept. of Labor, stated that occasionally boiler inspectors are slipshod in their practices; for instance, a business will be billed and no inspection will be made.

Questions were then asked concerning SB 334. Rep. Lynch asked Mr. Frelinger if he was not over-pessimistic about whether the Dept. of Health would accept their inspections. Mr. Frelinger replied that he couldn't have any idea whether the reports would be accepted or not. Mr. J. H. McCann, Hartford Steam Boiler Insurance and Investigation Company, expressed his opinion concerning the slipshod inspectors. He felt that "these bad apples will weed themselves out". The hearing was closed.

The committee went into executive session to consider the following bills:

SENATE BILL 140 - Rep. Lynch moved that it BE CONCURRED IN. Rep. Williams seconded the motion. Motion carried unanimously. Rep. Lynch will carry the bill on the floor.

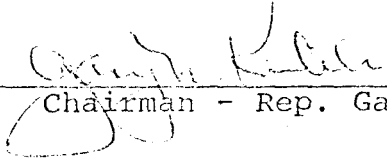
SENATE BILL 272 - Rep. Baeth moved and Rep. Teague seconded that it BE CONCURRED IN. Motion carried unanimously. Rep. Dassinger agreed to carry the bill on the floor.

SENATE BILL 334 - Rep. Lynch moved it BE CONCURRED IN. Rep. Teague seconded the motion; motion carried unanimously. Rep. Kanduch will carry this bill.


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SENATE BILL 186 -- Rep. Lynch moved that it BE CONCURRED IN; Rep. Williams seconded the motion. Rep. Turner expressed his opposition to the 1% per month rate, because there is no "extenuating circumstances" provision, and also the bill does not specify whether the payment has to be received or in the mail and postmarked by the due date. He has no complaints with the rest of the bill. Rep. Lynch stressed that the bill would merely serve as an incentive for the employers to make their payments on time. Rep. Turner felt that industry should not always be the one to be penalized. Rep. Kanduch expressed his agreement with Rep. Turner's statements. He feels that the companies that are not deliberate violators are going to be hit hardest. Rep. Williams then moved as a substitute motion that the bill be passed for the day. Rep. Lynch seconded the motion. Motion carried unanimously.

The meeting was then adjourned.



Chairman - Rep. Gary N. Kimble



Secretary