

MINUTES OF THE MEETING  
LABOR & EMPLOYMENT RELATIONS COMMITTEE  
MONTANA STATE SENATE

January 14, 1977

The third meeting of the Labor and Employment Relations Committee was called to order by Chairman Lee on the above date in Room 402 of the State Capitol Building at 9:30 a.m.

ROW CALL: All members present.

GENERAL DISCUSSION: Norman Grosfield, head of the Worker's Compensation Division, was back and he continued talking about the package of Worker's Compensation bills. Two more proposals from the Advisory Council were discussed.

The fifth proposed bill would be to remove certain boiler inspection fee requirements. The Division suggests that the inspection fees be deleted, however, the inspections would still be made. The boiler inspection unit would be funded in the same manner that other safety programs within the Division are funded. (See attachment #1)

The sixth proposal is a bill concerning a recodification of the Occupational Disease Act. The reason for this recodification is to clarify the difficult problems that now exist under the Act. It would remove a great deal of complicated language and would clarify several sections in the Act. This bill will not change to any great extent the substances of the Occupational Disease Act. There will be a slight increase in the area of medical benefits and also a clarification of the claim filing system. The Anaconda Company would mainly be affected by this bill. After meeting with them, Grosfield felt that they would come in and support this bill. (See attachment #2)

Senator Lee referred back to the fourth proposal concerning the safety requirements and inspection of steam traction engines. There were no further questions on this proposal so Senator Lowe moved that this proposal be passed. The motion carried unanimously.

There were no further questions on the fifth proposal. Senator Himsl moved that this proposal be passed. The motion carried unanimously.

Senator Lowe then moved that Advisory Council bills 4 and 5 be passed and referred to the committee as committee bills. The motion carried unanimously.

Further consideration of the first proposal was given. After some discussion, Senator Goodover asked if the motion be deferred until the next meeting because he was waiting to hear from some insurance companies in Great Falls. This proposal will be considered again on Monday.

Consideration was then given to the second proposal. Much discussion was held considering whether casual employees are included under the same coverage as the other employees. Senator Lowe felt that the wording was misleading and hard to follow. He then made an ammendment concerning page 2, line 5. Strike: "." and Insert: "for such casual employees." After more discussion, the committee decided it would be better to leave the section like it was to begin with. Senator Lowe withdrew his ammendment and deferred any motion until the next meeting.

The third proposal concerning the uninsured employees fund was then discussed. Mr. Grosfield cleared up questions regarding whether employees in one state are covered by their insurance if they travel in another state. John Bobinski is going to make up an ammendment for a general appropriation fund. If the bill does not pass with this ammendment, it will be sent back to the committee, the ammendment will be deleted, and they will try to pass the bill as it is.

ADJOURN:

There being no further business, the meeting was adjourned at 10:45.

  
Robert E. Lee, Chairman

MEMORANDUM CONCERNING A BILL TO AMEND SECTION 69-1512,  
R.C.M. 1947, BY DELETING CERTAIN BOILER  
INSPECTION FEE REQUIREMENTS

The Division of Workers' Compensation proposes that the inspection fees required in Section 69-1512, R.C.M. 1947, be deleted. The Division finds that the billing and collection of these fees becomes quite expensive. The present law requires that whenever a Division boiler inspector provides a safety inspection for a boiler, a fee must be assessed. The Division must bill the individual owner of the boiler that has been inspected, and must keep detailed records concerning the receipt of the fees charged. The collection costs to the Division are substantial, and do not merit the approximately \$18,400 received every year from such fees. The Division thus suggests that the inspection fees be deleted and that the boiler inspection unit within the Division be funded in the same manner that other safety programs within the Division are funded. This involves assessments against the three compensation plans. However, the additional assessment needed in order to make up for the difference between the fees collected and the administrative costs involved in the collection of the fees, would be miniscule.

MEMORANDUM CONCERNING A PROPOSED RECODIFICATION  
OF THE OCCUPATIONAL DISEASE ACT

The Division of Workers' Compensation suggests that the Occupational Disease Act be recodified in accordance with its proposal. The primary reason for this recodification is to clarify the very difficult procedural problems that now exist under the present Act. The law as it now exists creates difficult problems in interpretation concerning procedures to be used. The recodification would remove a great deal of superfluous and complicated language and would clarify several sections in the Act.

It was not the intent of the drafters of the bill to change to any great extent the substance of the Occupational Disease Act. There would be slight benefit increases in the area of medical benefits. Also, there are some slight increases in compensation benefits. A clarification of the claim filing system under the Act is proposed. The practical effect of the changes would be very minor and the Division would not anticipate any increase in premium cost whatsoever due to the recodification bill. Claims under the Occupational Disease Act constitute a very small percentage of claims by workers for compensation benefits.

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date

1/14

NAME	PRESENT	ABSENT	EXCUSED
Senator Robert Lee, Chairman	✓		
Senator Bill Lowe, Vice Chairman	✓		
Senator Chet Blaylock	✓		
Senator Pat Goodover	✓		
Senator Matt Himsl	✓		
Senator Sandy Mehrens	✓		
Senator Harold Nelson	✓		
Senator Richard Smith	✓		

Each day attach to minutes.

SENATE

LABOR

COMMITTEE

BILL

## VISITORS'

## REGISTER

DATE \_\_\_\_\_

1/14/76

NAME

REPRESENTING

BILL #

(check one)

## SUPPORT

OPPOSE

Wm Lloyd

Montana Self Insurance Co.

*W. H. H. H. H.*

Proctor & Morton Assoc.

Warrent Hospital

11 11 11 11

*W. H. Murray*

Mont. State AFH-010

PLEASE

LEAVE

PREPARED

STATEMENT

WITH

SECRETARY