

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

February 14, 1977

The meeting of the Local Government Committee was called to order by Chairman McCallum on February 14 at 9:45 A.M. in Room 410 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Thiessen.

The following visitors were present: Bob Jensen, Board of Personnel Appeals; Ed James, Silver Bow Fire Console; Randy McKers; Ed Johnston, Montana State Firemen; Art Korn, Montana State Volunteer Firemen's Association; Ray Blehm, Montana State Firemen's Association; R. A. Ellis, Montana State Firemen's Association; Dave Fisher, Montana Fire Chiefs' Association; Bill Murray, Senate Sponsor Senate Bill 349; Al Thelen, City of Helena; Glen Drake, League of Cities and Towns.

CONSIDERATION OF SENATE BILL 349: Senator Murray, District 50, Sponsor of Senate Bill 349, stated he had sponsored the bill at the request of Judge Morales. Senator Murray gave a brief resume of Senate Bill 349. Judge Julio Morales, City Judge, Helena, stated no judge should have to serve at the discretion of any other body. This bill would give a fixed term for judges. Judge Morales strongly supported Senate Bill 349.

Senator Dunkle moved that Senate Bill 349 be given a "Do Pass" recommendation. Senator Peterson seconded the motion. Motion carried unanimously.

CONSIDERATION OF SENATE BILL 347: Senator Dunkle, District 15, Sponsor of Senate Bill 347, stated the bill would bring about arbitration between firefighters and public employers. Senator Dunkle stressed this bill only applies to firefighters. Al Sampson, Montana Firemen's Association, testified in support of Senate Bill 347 (attached). Ray Blehm, Jr., Montana State Firemen's Association; Art Korn, Montana State Volunteer Firemen's Association; Mr. R. A. Ellis, Montana State Volunteer Firemen's Association; Henry Lohr, and Ed Johnston, Montana State Firemen's Association; testified in support of Senate Bill 347.

Al Thelen, City Manager, Helena, opposed Senate Bill 347 stating it would allow third parties to set tax levies

and it would only apply to firefighters. He stated the State of Montana does not fund fire departments and the responsibility should be at the local level. Glen Drake, League of Cities and Towns, stated the League held a meeting and all urged Senate Bill 347 be defeated. Mr. Drake stated he agreed with Mr. Thelen's statements. Mr. Drake suggested that Senate Bill 347 be amended to provide the decision of the arbitrator be submitted to the people at the next election.

Senator Dunkle stated it is extremely important to have fire departments operating every day of the year and this bill would help them to do so.

The committee briefly discussed Senate Bill 347.

Senator Dunkle moved Senate Bill 347 be given a "Do Pass" recommendation. Senator Thomas seconded the motion. Senator Lockrem moved to amend Senate Bill 347 as follows: amend title, line 5, following "Between", strike: "A", following: "Public", strike: "Employer", insert: "Employers", following: "and", strike: "A Firefighters'", insert: "Employees". Amend page 1, section 1, line 6 following: "or", strike: "its", insert: "their". The motion was not seconded. Senator Lockrem moved to amend Senate Bill 347 on page 1, section 1, line 23, following: "by the", strike: "the boards", insert: "American Arbitrations Association". The motion was not seconded.

Chairman called for a Roll Call Vote (attached) on the "Do Pass" motion. Motion carried.

Chairman McCallum stated in his and Senator Watt's absence, Senator Story would act as Chairman.

ADJOURN: The meeting adjourned at 10:55.

George McCallum

BILL _____

VISITORS' REGISTER

DATE _____

NAME	REPRESENTING	BILL #	(check one) SUPPORT OPPOSE	
Bob [unclear]	Board of Personal Appeals			
Ed [unclear]	SILVER BEE FIRE CO			
[unclear]	[unclear]			
[unclear]	Frontiers State Team	SB 347	✓	
ART KOHN	MONT ST VOL FIRE ASSOC	SB 347	✓	
Ray Blehm	Mont State Firemen Assn	SB 347	✓	
al [unclear]	" " " "	SB 347	-	
R.A. Ellis	Mont State Vol Fireman	SB 347	-	
Gene Fisher	Montana Fire Club	SB 347	✓	
BILL MURRAY	SENATE SPONSOR	SB 347	✓	
Al Theley	city of Helena	SB 347		✓
Gene [unclear]	Legis of Helena	SB 347		✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

This is a first---A labor organization asking for binding arbitration. Traditionly labor organizations have battled to stay out of binding arbitration and have jealously held onto their right and privilege of a work stoppage.

Collective bargainging is a process of management and labor negotiating to a middle ground for their mutual benefit.

City management representing the public has control of the purse strings. Labor in the private sector and other public sectors have the right to withhold their services and thus cause an economic hardship or in the case of the public sector hardship to the public because of disruption of public services.

Firefighters have a very strong moral reluctance to strike. Without the moral right to strike or the effective ability to strike, collective bargaining is collective begging. There has never been a strike of firefighters in Montana yet. This bill would prevent the possibility of strike and yet give the firefighters the ability to bargain collectively.

In the past the legislature has acted as a safty valve. This was a place we could go and present our case and receive fair and impartial treatment. Examples--minimum wage, sick leave, holidays, vacation, pension benefits and ect. Under the new charter forms of government this is no longer true. We no longer have the third party safty valve. In many cases we are not even allowed to negotiate with local people who are aware of the local problems. Example---New City management in Billings, Anaconda, Great Falls, and Bozeman.

There is a definate need for binding arbitration in Montana for firefighters. In Livingston, for example, the city agreed to

Passed

RESOLUTION 45

Legislative C

Received August 19, 1976

WHEREAS, paid Professional Fire Fighters provide protection to the lives and property of their communities twenty-four hours a day, seven days a week, and

WHEREAS, this extremely hazardous profession is vital and must be maintained and the withdrawal of this service places the lives and property of all citizens in jeopardy, and

WHEREAS, the dedication to consistently providing this service to his community is ingrained in the Fire Fighters' hearts and minds so as to make the withdrawal of this protection seem to the Fire Fighters to be an act of recklessness which places the worker, the parent and their children in a gravely hazardous situation, and

WHEREAS, many of our cities have volunteers to support the paid professional Fire Fighters, who would be available as built-in strike breakers in the event of a strike, and

WHEREAS, we as Fire Fighters feel that our labor disputes with employers should not result in withdrawal of services from the citizens, but should be submitted to an impartial third party for resolution, and

NOW, THEREFORE BE IT RESOLVED, that this Twentieth Annual Convention of the Montana AFL-CIO recognize our attitude as Fire Fighters toward the withdrawal of service to our communities and support legislation for Compulsory and Binding Arbitration for paid Professional Fire Fighters in Montana.

Submitted by the Montana State Council of Professional Fire Fighters

NAME: Ray Blehm Jr DATE: Feb 14, 1977

ADDRESS: 623 Ave B Blgo MT

PHONE: 252-7051

REPRESENTING WHOM? Mont State Firemens Assoc

APPEARING ON WHICH PROPOSAL: S.B. 347

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: This bill will provide a
peacefull and orderly manner
for disputes between Fire Fighters
and the City management to
settle disputes.

Rules and Regulations

BOARD OF PERSONNEL APPEALS

The following Rules and Regulations of the Board of Personnel Appeals are published in the Montana Administrative Codes under numbering 24-3.8(1)-0800 through 24-3.3(30)-S8370; effective as of June 4, 1974.

MONTANA PUBLIC EMPLOYEES COLLECTIVE BARGAINING LAW

Title 59, Chapter 16, Revised Codes of Montana, 1947.

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BOARD MEMBERS

BRENT CROMLEY, Chairman
Warren Harper
Joseph Reber
George Heliker
John Quinn

Executive Secretary

Robert R. Jensen

OFFICE ADDRESS - 1417 Helena Avenue, Helena, Montana.

NAME:

E. J. Johnston

DATE:

Feb 14/1971

ADDRESS:

2809 Bulling Ave.

PHONE:

443-4344

REPRESENTING WHOM?

Montana State Treasurer Assoc.

APPEARING ON WHICH PROPOSAL:

SB-347

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

*this is the only way to
bring a Down agreement the
amount will make the Montana
at fair and real.*

Thank you

NAME: Les Nilson DATE: 2-14-77

ADDRESS: 2009 - Billings Ave, Helena, MT.

PHONE: 443-4344

REPRESENTING WHOM? Mt. State Firemans Assoc

APPEARING ON WHICH PROPOSAL: SB 347

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2-14-77 Senate Bill No. 347 Time 10:30

NAME	YES	NO
George McCallum, Chairman	✓	
Robert Watt, Vice Chairman	✓	
Pete Story		✓
Frank Dunkle	✓	
Lloyd Lockrem		✓
Bob Peterson	✓	
Cornie Thiessen		
Bill Thomas	✓	

May Miller
Secretary

George McCallum
Chairman

Motion: Senate Bill "Do Pass"

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 15,

19 77

MR. President

We, your committee on Local Government

having had under consideration Senate Bill No. 347

Respectfully report as follows: That Senate Bill No. 349

DO PASS

B.A.

STANDING COMMITTEE REPORT

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Pa.