

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

February 25, 1977

The nineteenth 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 with Senator Himsel excused.

CONSIDERATION OF HJR 52: A joint resolution of the Senate and the House of Representatives of the State of Montana urging the Apprenticeship Bureau, Joint Apprenticeship Training Committee, and individual Employers to train more apprentices.

Representative Eugene Frates, District 60, Chief Sponsor of this bill, introduced HJR 52 to the committee. This bill is to ask for a continuation of sponsoring of the apprenticeship program. We have one of the finest training programs in the United States and we are just asking for continued funding and support from the state government. I am also suggesting that there are new areas that might be approached. I don't know of any problems with this bill.

Ernie Post, representing Montana State AFL-CIO, appeared in support of HJR 52. We had some problems with this bill before the amendments were added in the House. We are concerned with the training of apprentices and this bill will also cover small towns where there is a shortage of craftsmen.

Dick Michels, representing the Apprenticeship Bureau appeared in support of HJR 52.

General discussion was then held by the committee. The apprenticeship programs are strictly set up and operating the way they did many years ago. The main funding is through a self supported industry.

Senator Lowe moved HJR 52 BE CONCURRED IN. The motion carried unanimously.

CONSIDERATION OF HB 319: An act to provide for the training of fact finders and arbitrators.

Representative Russ Baeth, Chief Sponsor of this bill, had Senator Blaylock introduce HB 319 to the committee. The Board of Personnel Appeals is in agreement with this and they would set up a one day workshop training program for fact-finders and arbitrators, explaining various collective bargaining laws and guidelines to conducting a hearing. Most of these people now have had no training at all.

Chad Smith, representing Montana School Board Association, appeared in support of HB 319. The matter of service of fact finders

and arbitrators is a very technical one. It is a very delicate situation in the collective bargaining process. It is important to both sides of the table that they can rely on the knowledge of the fact finder and arbitrators. It is not an extremely expensive item. It will run a little more the first year but after the program is set up it will run approximately \$2,000. This is probably one of the most important bills with regards to collective bargaining. Mr. Smith stated that an amendment should be added on page 1, section 1, line 11. Following: "arbitrator" Insert: "under title 59, chapter 16." This bill is intended to relate to collective bargaining and not to cover just anyone.

Bob Jenson, representing Board of Personnel Appeals, appeared in support of HB 319. We have a number of fact finders and arbitrators who have never had any training. We feel this is necessary.

Mr. LeRoy Corbin, representing Montana Federation of Teachers, appeared in support of HB 319. This bill is a very good piece of legislation and a step in the right direction. This is the first step in getting good collective bargaining as we had school board members training in the same way.

General discussion was then held by the committee. This is a school board sponsored bill. The Board of Personnel Appeals would determine the course of the program. They would have a meeting with the union people to develop the curriculum of the kinds of things included. The participant would be paid \$25 a day plus expenses for attending the workshop.

Senator Blaylock moved that the amendment submitted by Mr. Smith be adopted by the committee. The motion carried unanimously. Senator Blaylock then moved that HB 319 BE CONCURRED IN AS AMENDED. The motion carried unanimously.

CONSIDERATION OF SJR 40: A joint resolution of the Senate and the House of Representatives of the State of Montana requesting the committee on priorities to assign a study on the child labor laws of Montana.

Senator Mehrens, District 45, Chief Sponsor of this bill, had Tony Softich introduce SJR 40 to the committee.

Tony Softich, representing Labor Standards, appeared in support of SJR 40. This child labor law is contrary to the federal law. It is imperative that we do have a study on child labor laws so there will be regulations for the state to follow. We need these laws to protect our children. These child labor laws cover a broad area, and the only way we are going to get special requirements is to pass these laws once they have been studied further.

Margaret Zednick, representing Rehabilitative Service Division, appeared in support of SJR 40. The REhabilitative Division has programs in 26 high schools, serving about 500 young people. About 3/4 of these are placed in work experience sites. It is quite a

challenge to try to separate those youngsters and also to have the employers decide whether to employ them.

General Discussion was then held by the committee. Tony Softich stated the the employer in the State of Montana seemed confused to when they can hire a minor. We have more inquiries than we do have complaints. Senator Blaylock stated that he thought that the committee to study this should be made up of members from the House and Senate Labor Committees. Senator Lowe thought the bill should be worked out by the Department of labor. Mr. Softich stated that because of lack of personnel they could not do this since it covers such a broad area.

Senator Smith made a motion that SJR 40 DO PASS. The motion carried unanimously.

CONSIDERATION OF HB 581: An act to require the installation of speedometers on locomotives.

Representative Dassinger, District 50, Chief Sponsor of this bill, introduced HB 581 to the committee. I am a locomotive engineer.

In the early years the speed of a locomotive was measured by the sound of the exhaust of the pistons which were attached to the wheels. Today our trains are powered by diesel-electric locomotives. The sound cannot be coupled with speed. The speedometer is an important safety gauge used for determining the safe speeds when passing over bad tracks and slow curves. The speedometer is also used in making stops. (See attached testimony.)

Richard Pemberton, appeared in support of HB 581. This speedometer requirement is important because of the slow orders we have to follow. It is just about impossible to get down to 10 m.p.h. with a stop watch. We need more control.

Kenneth D. Clark, representing United Transportation Union, appeared in support of HB 581. Mr. Clark stated bad orders that were reported to Miles City were repaired very slowly. We are getting these locomotives without speedometers. The railroads have a tremendous amount of bills in here. They are important to the railroads. We would like to see somekind of law to take these bills to the commissioner for relief and we would not have to go to the legislature.

Ernie Post, representing Montana State AFL-CIO, appeared in support of HB 581. The aspect that this bill deals with is the safety of the public. If the engineer does not know what speed to cross the railroad crossing at, it could be very hazardous. For the safety of the public they have to have speedometers on their trains.

There being no further proponents, Senator Lee called for any opponents to HB 581.

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John Delano, representing Montana Railroad, appeared in opposition to HB 581. This is one of a series of nine bills from the railroad. With these nine together, you are talking about many millions of dollars. I can think of no other industry where the employers bring their problems to the legislature. There is no need for bills like this.

D.A. Radabaugh, representing the Milwaukee Railroad, appeared in opposition to H.B. 581. Mr. Radabaugh submitted a statement pointing out the fact that the percent of bad order speed reports are such that they feel the federal government controls the repairs of locomotives. This bill is repetitious and not needed. (See attachment)

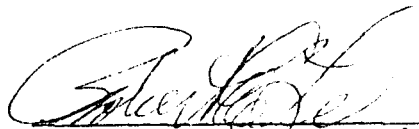
Representative Dassinger in closing stated that this bill is a safety issue. Safety is of a high priority and this should be taken into consideration.

General discussion was held by the committee. Dassinger stated that the railroad companies are very observant to the law in regards to fixing the locomotives. However they will not step out of their way unless it is covered under a law. That is why these bills must be passed. Senator Lowe stated that the federal law is covering this so there is no need for this bill.

Senator Goodover moved that HB 581 BE NO CONCURRED IN. The motion carried with Senators Goodover, Lowe, Nelson and Blaylock voting "aye" and Senators Lee, Mehrens, and Smith voting "nay".

ADJOURN:

There being no further business, the meeting was adjourned at 10:50 a.m.

  
Robert E. Lee, Chairman

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 2/25

[illegible]

HB 317  
581  
BILL HJR 52  
SJR 40

SENATE

LABOR

COMMITTEE

# VISITORS' REGISTER

DATE 2/25

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date \_\_\_\_\_ House Bill No. 581 Time \_\_\_\_\_

NAME	YES	NO
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		✓

Laurie Jo Antonietti  
Secretary

Senator Robert Lee  
Chairman

Motion: Senator Mehrens moved HB 581  
BE NOT CONCURRED IN. The motion  
carried.

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

House Bill 581

Mr. chairman, members of the committee: I am certain you all know that I am a locomotive engineer.

I was employed in engine service at Forsyth by the, then Northern Pacific Railroad in 1953, when all of our freight trains and some of our passenger trains were powered with steam engines. At that time many of our engines were not equipped with speedometers.

However, at that time there were other means to judge speeds accurately. At slow speeds one had the chug chug sound of the exhaust of the pistons which were mechanically attached to the wheels and every exhaust report would signify a certain distance traveled. The measuring of the rapidity of the reports could give one an almost exact measurement of speed. At higher speeds when these reports started to blend into a continuous sound, one had the clickity clack sound of the wheels going over the joints between the individual rail lengths to measure one's speed.

Today our trains are powered by diesel-electric locomotives. In these locomotives a diesel engine drives a large electric generator which is coupled to the traction motors by means of electrical cables. These electric traction motors turn the wheels of the locomotive.

The voltage and amperage values are then changed in this generator while it is producing the power.

Therefore the engine may be revving at full throttle speed while the locomotive may be traveling at any speed from zero to 70 miles per hour. The engine may also be revving at 1/4 or 1/2 the full throttle speed and travel at speeds anywhere from zero to 70 M.P.H.

Therefore the sound cannot be coupled with speed. Today we have also replaced the distinct rail lengths with continuous welded rail and eliminated the clickity clacks by which to measure speed. We still have watches and mile posts which can be used to measure an average rate of speed. Watches however cannot be used to measure an increase or decrease of speed within the checking points.

The speedometer is an important safety gauge used for determining the safe speeds when passing over bad tracks and slow curves.

The speedometer is also used in making stops. For example, if I am handling 100 cars of coal on the Sarpy branch and I apply 10 lbs. of automatic air when coming out of the tunnel at 40 miles per hour at a point 2 1/2 miles from the main line and I then slow to 30 M.P.H. at the curve which is located about 1 1/2 miles from the main line, then I know that my rate of decrease is sufficient to stop the train at the desired point, short of obstructing the main line.



**HB 581**

February 15, 1977 - 8 a.m. to 4 p.m.

15-17-18-24-28-29-558 - all ok

11 - ok

143 - all there but not working

159 - ok

February 15, 1977 - 8 a.m. to 4 p.m.

196 - B. O. - both parts on engine

192 - B. O. - both parts on engine

141 - head works - tape unit B. O.

134 - all parts there but not working

189-199-167 - ok

184 - all there - B. O.

174 - head o.k. - tape B. O.

February 15, 1977 - Afternoon Shift

165 - speedrecorder B. O.

16 - OK

198 - B. O.

186 - O. K.

147 - O. K.

173 - B. O.

24 - O. K.

143 - B. O.

February 15, 1977 - 12 midnight to 8 a.m.

360 - 505 - ok

February 16, 1977 4 p.m. to midnight

146 - head and axle drive ok - recorder missing

131 - BO

162 - OK

156 - B.O. recorder - axle drive and head ok

25 - OK

12 - OK

133 - OK

February 17, 1977 - 8 a.m. to 4 p.m.

132 - OK

151 - Recorder B.O - head ok

136 - Recorder missing - head ok

138 - OK

11 - OK

Afternoon Shift

182 - ok

161 - ok

19 - ok

30 - ok

February 17, 1977 - 12 midnight to 8:00 a.m.

131 - speedrecorder B.O. - head and tape ok

294 - B.O.

282 - B.O.

360 - OK

SPEED RECORDERS  
49 - INSPECTIONS  
30 - OK