

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

March 11, 1977

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

CONSIDERATION OF HB 587: An act to permit members of the National Guard to file applications to become members of the Public Employees' retirement system and to receive credit for prior service.

Representative Jack Moore, District 41, Chief Sponsor of this bill, introduced HB 587 to the committee. This is a bill for the national guards people to allow them to participate in the PERS retirement system if they desire to. They have not been able to in the past.

Bob Cummins, representing Montana National Guard, appeared in support of HB 587. This bill will eliminate any questions or problems on whether or not members of the National Guard can participate in this program. It is a voluntary program. The main reason is for the assistance and recruiting of the National Guard. It will allow the members to get some assistance from the State of Montana for the work they do in Montana. There is no cost involved.

Tom Harrison, representing the National Guard Association, appeared in support of HB 587. This bill is cost free as far as the State of Montana goes. The cost would paid by the guardsmen. Mr. Harrison explained how the retirement system would work. HB 587 will be helpful in the operation of the National Guard.

John Walsh, representing the National Guard, appeared in support of this bill. He explained that he is a full time employee of the National Guard and he does not qualify under this bill. It will only be for the part time employees who do not have another type of retirement system and who do not participate in the federal retirement system.

In closing Representative Moore stated that we do very little for these people who are called out and fight fires and who did a commendable job in helping with the institutions a few years ago.

General discussion was then held by the committee. There are a number of federal retirement programs and those who participate can not be included under this bill.

CONSIDERATION OF HJR 25: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Congress to review OSHA.

Representative Jay Fabrega, District 44, Chief Sponsor of this bill, introduced HJR 25 to the committee. This resolution asks Congress to review the Occupational Safety and Health Act to eliminate those practices which violate the Constitution of the United States. This act has been misused. They should not be able to come in at any time and search without a warrant.

Tom Winsor, representing Montana Chamber of Commerce, appeared in support of this resolution. OSHA needs to be reviewed. The purpose of OSHA is a good one and we do need a safety act. We should have more protection against unwarranted searches.

There being no further proponents to HJR 25, Senator Lowe asked for any opponents.

Jim Murray, representing Montana State AFL-CIO appeared in opposition to HJR 25. We are not opposed to the Congress reviewing the Occupational Safety and Health Act, it should be reviewed because it is simply not being enforced. Mr. Murray gave some statistics to job related accidents due to not enforcing the safety regulations. We do oppose two sections in this resolution. On page 2, line 11-14, we don't feel that OSHA threatens the businesses to shut down. The workers are willing to shut down. Also on line 20 we feel that unwarranted searches is a question that is going to have to be settled in the courts. We don't feel it is that great of a problem. This is the most serious piece of legislation that effects the safety of the working people and we do feel that OSHA needs to be studied.

In closing Representative Fabrega stated that his main interest is to make sure that we communicate to the congress that OSHA needs to be reviewed and to have it working the way it is intended to be.

ADJOURN:

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



William R. Lowe, Vice-Chairman

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date _____

3/11

[illegible]

BILL

HB 587
HJR 25

VISITORS' REGISTER

DATE _____

3/11

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