

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

March 14, 1977

The twenty-fourth 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.

ROLL CALL: All members present.

CONSIDERATION OF HB 802: A act to allow a person operating a restaurant or bar to file a financial statement in lieu of a bond to assure payment of employee wages and taxes.

Representative Melvin Underdal, District 12, Chief Sponsor of this bill, introduced HB 802 to the committee. This bill is a substitute bill for HB 75 which was to repeal restaurant, bar and tavern wage protection. HB 802 is a compromise bill which will allow a person operating a restaurant or bar to file a financial statement in lieu of a bond to assure payment of wages and taxes. This financial statement should be verified by a public accountant stating that the net worth of the business is in excess of \$15,000 in assests.

Ernie Post, representing Montana State AFL-CIO, appeared in support of HB 802. Mr. Post stated that he worked on the committee that worked out this compromise bill. We feel that financial statements could not create a hardship.

Phil Strobe, representing Montana Taverns Association, appeared in support of HB 802.

General discussion was then held by the committee. Representative Underdal felt it was discriminatory in that only restaurants, bars and taverns were required to have bonds.

Senator Blaylock made a motion that HB 802 BE CONCURRED IN. The motion carried with Senator Smith and Senator Lowe voting "nay".

CONSIDERATION OF HB 815: An act to allow public employees who are absent from work because of employee-related injury to continue payments of employer retirement contributions during the absence.

Representative Menahan, District 45, Chief Sponsor of this bill, introduced HB 815 to the committee. If a person is off of work due to a work related accident, his retirement benefits are ceased. If he was off of work for six months, he would have to work six months longer to receive his full retirement benefits. This Bill provides that if an employee is off of work, the state will pay the states share and the employer will have to pay his own share in contributions back when he returns to work. When an employee chooses to continue his contributions, the employer shall contribute an equal amount to what its contributions would have been if the employer had not been absent.

Don Judge, representing AFSCME, AFL-CIO, appeared in support of HB 815. This bill does do something for the public employees. It allows them to pay back state retirement pay. There is no cost involved because the state should have been paying this anyway, and the employee does pay it back. Mr. Judge stated that they also support the amendment.

Jim Turcotte, representing the Public Employees Retirement System stated that they have one problem with the bill. Mr. Turcotte submitted the following amendment to the committee. Amend page 1, line 23. Following: "for" Strike: "all purposes" Insert: "both the calculation and qualification of benefits."

Tom Schneider, representing Montana Public Employees Association, appeared in support of HB 815.

General discussion was then held by the committee. This bill states that once an employee returns to work, he can pick up and pay the contributions for the time he was off work. He will not lose his retirement benefits.

Senator Blaylock made a motion that HB 815 BE CONCURRED IN AS AMENDED. The motion carried unanimously.

FURTHER CONSIDERATION OF HB 612: Senator Smith and Senator Lowe submitted an amendment which they had worked out for HB 612. Amend page 1, section 1, line 22. Following: "department" Insert: "after consultation with the elected official, board or commission." This will allow an elected official to have a voice.

Senator Lowe made a motion that the committee accept the amendment. The motion carried unanimously. Senator Lowe then moved that HB 612 BE CONCURRED IN AS AMENDED. The motion carried with Senator Lee and Senator Nelson voting "nay".

FURTHER CONSIDERATION OF HB 244: Further discussion was held on HB 244. Senator Blaylock made a motion that HB 244 BE CONCURRED IN. The motion carried with Senators Lee, Blaylock, Himsl, Mehrens, and Smith voting "aye" and Senators Lowe, Goodover, and Nelson voting "nay".

ADJOURN:

There being no further business, the meeting was adjourned at 10:30 a.m.



Robert E. Lee, Chairman

LABOR & EMPLOYMENT RELATIONS COMMITTEE

Date 3/14

[illegible]

DATE 3/14

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/14 House Bill No. 244 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 Blaylock moved HB 244 BE
CONCURRED IN. The motion carried.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/14 House Bill No. 612 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 Lowe moved HB 612 BE
CONCURRED IN AS AMENDED. The
motion carried.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/14 House Bill No. 802 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 Blaylock moved HB 802 BE
CONCURRED IN. The motion carried.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/14 House Bill No. 815 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 Blaylock moved HB 815 BE
CONCURRED IN AS AMENDED. The motion
carried unanimously

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