

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

March 16, 1977

The twenty-fifth 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 with Senator Nelson excused.

CONSIDERATION OF HJR 47: A joint resolution of the Senate and the House of Representatives of the State of Montana urging the Governors Office and the Department of Labor and Industry to investigate methods of putting more unemployed Montanans to work improving the condition of our agricultural and forestland resources.

Representative Gary Kimble, District 94, Chief Sponsor of this bill, introduced HJR 47 to the committee. HJR 47 urges the Department of Labor and Industry and the Governors Office to investigate methods of putting unemployed Montanans to work improving our agricultural and forestland resources. Montana now faces problems of unemployment and the need for conservation work on millions of acres of land. The passage of this resolution would be highly beneficial to both the economy and resources of Montana. The potential of these conservation and employment programs must be studied. (See attached testimony.)

General discussion was then held by the committee. These people would be employed and paid by both state and federal employers. There is no fiscal impact, it is just a study and the department feels it can be done within the existing staff. The resolution would help in getting assistance from the federal government.

Senator Smith made a motion that HJR 47 BE CONCURRED IN. The motion carried with Senator Goodover voting "nay".

CONSIDERATION OF HB 370: An act to provide for noncharging for benefits paid to newly covered workers during the transition.

Representative Jack Moore, District 41, Chief Sponsor of this bill, introduced HB 370 to the committee. This is another bill requested by the Department of Labor. It provides for non-charging of benefits paid to newly covered workers coming into the state. HB 370 changes the ratio and provides for the duration of benefits and changes the benefit schedule.

Harold Kansier, representing the Employment Security Division, appeared in support of HB 370. There are two federal requirements in this bill. One provides for unemployment benefits for newly covered workers. The federal government will pay their benefits until they require wages. The other one is the federal trigger on extended benefits. The recommended changes in the benefit schedule

by the division and employee groups, changes the present system to a ratio of 12 to 26 weeks. This makes a better determination based on the labor market.

Dale Kutterer, representing Great Falls Chamber of Commerce, appeared in support of HB 370. The present law provides for only three alternatives for determining wage benefits. Two of the alternatives, the 20 and 26 week base, are based on \$100 during the quarter of a benefit year. This is very inequitable and does not provide fair unemployment compensation in the work force. This bill does bring fairness and equity to this part of the law.

Jim Murray, representing Montana State AFL-CIO, appeared in neither support or opposition of HB 370. We do support two provisions of this bill, the federal requirements as far as the benefits of newly covered workers and the federal trigger. We have a problem on the section that the weeks of duration of benefits has been revised. Some workers are going to lose some entitlement under the law. People in the upper part of the benefit schedule can benefit by getting additional benefits and the people on the bottom can lose. The problems that we have is that there had been several people talking about their concern for the fund. The fund is broke not because of the workers in Montana, but because the economy has no control under this bill.

Representative Moore in closing stated that if we could save some of the money in the fund and if employment reduces in the long run, the fund could get built back up and be to the benefit of the workers. It will help the working people of the state.

General discussion was then held by the committee.

FURTHER CONSIDERATION OF HB 468: Mrs. Josephine Driscoll, of the Insurance Department presented some amendments to the committee for HB 468. A copy is attached. Senator Smith made a motion that the committee adopt the proposed amendments. The motion carried unanimously. Senator Smith then made a motion that HB 468 BE CONCURRED IN AS AMENDED. The motion carried unanimously.

FURTHER CONSIDERATION OF HJR 25: Further discussion was held on HJR 25. Senator Smith stated he would like to amend this bill by deleting lines 11 through 14 and lines 20 through 24 on page 2. He feels that unwarranted searches should be determined by the courts. Since the full committee was not present, these amendments will be voted on at a later meeting.

FURTHER CONSIDERATION OF HB 736: Further discussion was held on HB 587. Senator Smith made a motion that HB 736 BE CONCURRED IN. The motion carried unanimously.

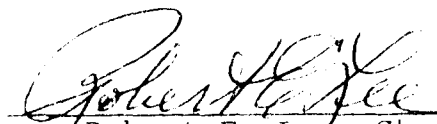
LABOR & EMPLOYMENT RELATIONS
March 16, 1977

Page 3

FURTHER CONSIDERATION OF HB 587: Further discussion was held on HB 587. Senator Lowe made a motion that HB 587 BE CONCURRED IN. The motion carried with Senator Goodover voting "nay".

ADJOURN:

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


Robert E. Lee, Chairman

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 3/16

[illegible]

HB 370
BILL HJR 47

SENATE

LABOR

COMMITTEE

VISITORS' REGISTER

DATE _____

3/16

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

HJR 47

BRIEF SUMMARY:

HJR 47 URGES THE DEPARTMENT OF LABOR AND INDUSTRY AND THE GOVERNOR'S OFFICE TO INVESTIGATE METHODS OF PUTTING UNEMPLOYED MONTANANS TO WORK IMPROVING OUR AGRICULTURAL AND FORESTLAND RESOURCES.

WHEREAS CLAUSES:

THE WHEREAS CLAUSES DESCRIBE AND CORRELATE THESE PROBLEMS: UNEMPLOYMENT, DEMAND FOR MORE OUTPUT FROM AGRICULTURAL AND FORESTLAND RESOURCES, AND THE NEED FOR CONSERVATION WORK ON MILLIONS OF ACRES OF LAND.

OVER HALF OF MONTANA'S ECONOMIC ACTIVITY COMES FROM THESE RENEWABLE RESOURCES. IF MANAGED PROPERLY, THEY COULD LAST FOREVER. THE U. S. CONGRESS IS PRESENTLY CONSIDERING ADDITIONAL APPROPRIATIONS FOR PUBLIC WORKS PROJECTS AND THE MONTANA LEGISLATURE HAS EXPRESSED ITS INTENT TO MATCH FEDERAL FUNDS TO PUT MONTANANS TO WORK IN FORESTLAND CONSERVATION PROJECTS.

THEREFORE....RESOLVED:

HJR 47 FIRST RESOLVES THAT THE GOVERNOR'S OFFICE AND THE DEPARTMENT OF LABOR AND INDUSTRY INVESTIGATE THE FEASIBILITY OF PUTTING MORE UNEMPLOYED MONTANANS TO WORK ON PROJECTS OF MAINTENANCE, CONSERVATION, AND IMPROVEMENT OF MONTANA'S LAND RESOURCES.

SECOND, THE RESOLUTION URGES THE CONSIDERATION OF BOTH FEDERAL FUNDS AND MATCHING STATE FUNDS FOR PUBLIC WORKS PROJECTS.

THIRD, EXISTING STATUTORY AND ADMINISTRATIVE CONSTRAINTS FOR THESE TYPES OF PROJECTS SHOULD BE COMPILED.

FOURTH, THE RESOLUTION URGES RELEVANT STATE AGENCIES AND FEDERAL PROGRAMS TO COOPERATE FULLY WITH THE INVESTIGATION.

FINALLY, THE RESOLUTION MANDATES THAT THE FINDINGS AT THE INVESTIGATION BE MADE PUBLIC BY JUNE 1, 1978.

JUSTIFICATION:

THE PASSAGE OF THIS RESOLUTION WOULD BE HIGHLY BENEFICIAL TO BOTH THE ECONOMY AND RESOURCES OF MONTANA. IT'S ENSUING STUDY WOULD EXAMINE THE FEASIBILITY OF BOTH ALLEVATING UNEMPLOYMENT AND CONSERVING RENEWABLE LAND RESOURCES. PUTTING MONTANANS TO WORK WILL STIMULATE THE ECONOMY. CONSERVING LAND RESOURCES WILL HELP ENSURE A STABLE AND PRODUCTIVE ENVIRONMENT FOR POSTERITY.

THE POTENTIAL OF THESE CONSERVATION AND EMPLOYMENT PROGRAMS MUST BE STUDIED.

SUGGESTED AMENDMENTS TO HB 468

1. Amend title, lines 6 and 7.

Following: "PROVISIONS"

Strike: "AND NEED NOT HAVE COMMISSION APPROVAL OF GROUP RATES"

2. Amend page 2, section 1, line 8.

Following: "compensation insurance"

Insert: "written for industry or business associations"

3. Amend page 2, section 2, line 9.

Following: "contracts."

Insert: "However, workers' compensation group insurance rates are subject to all applicable provisions of Title 40, chapter 56."

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/16 HJR Bill No. 25 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 Smith moved to amend HJR 25
to amend page 2 - delete lines 11
through 14.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/16 HJR Bill No. 47 Time 7

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 Smith moved that
HJR 47 be Concurred in. The
motion carried.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/16 House Bill No. 468 Time 7

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 Smith moved HB 468
BE CONCURRED IN AS AMENDED.
The motion carried unanimously

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/16 House Bill No. 587 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 587 Be
CONCURRED IN. The motion carried.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3/16 House Bill No. 736 Time 7

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 Smith moved HB 736
BE CONCURRED IN. The motion
carried unanimously.

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