

JANUARY 18, 1979  
PROCEEDINGS OF THE  
LABOR AND EMPLOYMENT RELATIONS COMMITTEE

The meeting was called to order at 1:30 p.m. by Chairman Williams. The secretary took roll. All Committee members were present.

HOUSE BILL 54: Rep. Quilici, sponsor, gave a brief explanation of the bill and what it would do. He said HB 54 would change the definition for bond to include a certificate of deposit. He stated there are many people who cannot qualify for a bond, and this amendment would offer them an alternative.

Mr. Dick Kane, Administrator of the Labor Standards Division, Department of Labor and Industry, spoke for the bill and gave written testimony (exhibit 1).

Mr. David Fuller, Commissioner of the Department of Labor and Industry, signed a witness sheet in support of the bill. There were no other proponents.

Mr. Bob Gerke, Tavern Owners Association, and Mr. Ray Wierman, Yellowstone County Tavern Owners Association, both stated they were not opposed to HB 54 per se, but suggested the Committee might make some amendments to clarify the language.

The Committee asked questions of the witnesses.

HOUSE BILL 146: Rep. Harrington, sponsor, presented HB 146. He said the bill is very simple and would change the title of the unemployment compensation law to Unemployment Insurance Law. Rep. Harrington introduced Mr. Harold Kansier, Employment Security Division, Department of Labor and Industry, who further explained the bill. He stated the change in name would be more consistent with the title and would avoid confusion with Workers Compensation. There were no other proponents. There were no opponents.

HOUSE BILL 147: Rep. Harrington, sponsor, introduced Mr. Harold Kansier, Employment Security Division, who spoke for the bill. He said HB 147 repeals a section of the law that relates to the rulemaking authority of the Unemployment Compensation Division. He stated there is a conflict in the Montana Administrative Procedures Act and Section 39-51-302. The Department of Labor thinks this section is covered by the APA. There were no other proponents.

Opponents to HB 147 were: Carole Brass, who stated she was speaking as a private citizen (exhibit 2). Pat McKittrick, Joint Council of Teamsters, stated the Montana Administrative Procedures Act developed considerable safe-guards into the law and it does not create an undue burden on the Department of Labor.

Questions were asked by the Committee members.

HOUSE BILL 129: Rep. Pavlovich, sponsor, introduced Mr. Harold Kansier, Employment Security Division, who spoke for the bill. Mr. Kansier said HB 129 would add a new section to the unemployment compensation laws and would provide a method for the Department of Labor and Industry to recover funds that have been paid to persons who have made false statements. There were no other proponents.

Mr. Chad Smith, Unemployment Compensation Advisors, Inc., was the only opponent to HB 129.

The Committee went into Executive Session.

Chairman Williams appointed a subcommittee to consider HB 33. Those assigned to the subcommittee were: Helen O'Connell, Chairman, and Representatives Manning and Seifert.

HOUSE BILL 54: will be held until HB 177 is heard.

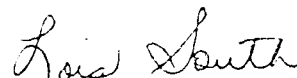
HOUSE BILL 146: It was moved by Rep. Seifert, seconded by Rep. Manning, that HB 146 DO PASS. Motion carried. It was moved by Rep. Fagg to place HB 146 on the Consent Calendar. Motion carried unanimously.

HOUSE BILL 147: will be held for further research by Karen Hedblom, staff researcher.

HOUSE BILL 129: was assigned to a subcommittee. Those assigned to the subcommittee were: Rep. Teague, Chairman, Representatives Fagg and Dozier.

The meeting adjourned at 2:30 p.m.

  
J. Melvin Williams, Chairman

  
Lois South, Secretary