

FEBRUARY 3, 1979
PROCEEDINGS OF THE
LABOR AND EMPLOYMENT RELATIONS COMMITTEE

The meeting was called to order at 12:30 p.m. by Chairman Williams. The secretary took roll. Reps. Ellerd, Porter, and Seifert were absent. All other members were present.

HOUSE BILL 331: Rep. Dozier, sponsor, said this bill does not make any great changes. The bill would exempt municipal bus drivers from the law that restricts them from working more than 8 hours in a 24 hour period. He said bus drivers are not allowed to work overtime because of the provision in the present law.

Proponent, Chad Smith, Montana School Boards Association, Helena, said that many times bus drivers have an occasion to take students on trips to games, tournaments, or musical festivals and if the trip takes longer than 8 hours, they must keep the students over night.

Proponent, Ray Blehm, Montana State Firemen's Association said they find it to be a good and useful piece of legislation.

Proponent, Richard Larsen, City Administrator, Billings, spoke and gave written testimony (exhibit 1).

Written testimony was submitted by the Transit Department Bus Operators, City of Billings (exhibit 2). There were no opponents.

HOUSE BILL 333: Rep. Moore, sponsor, said his bill is an act to establish a pilot program to provide recipients of public assistance an opportunity to contribute their time and efforts in return for assistance received. He said the bill applies only to people who are able to work, and exempts persons who are ill, of advanced age, or any person who is needed at home fulltime to care for children. He said this program is not to interfere or replace any other programs.

Rep. Bob Marks, co-sponsor, said this bill was before the last legislature and easily passed the house, but got over to the senate too late. He said the idea for the bill came from Mr. Waterman, Dept. of SRS. He distributed information from the State of Utah and said they had recently enacted a similar bill. He said the people of Utah responded well to the program and things were being accomplished that were not being accomplished before.

Walter K. Foster, Montanans in Action for People, (MAP) spoke as a proponent and gave written testimony (exhibit 3).

The following spoke in favor of the basic concept of HB 333 but said amendments were necessary.

Marlene Kaiser, MAP, Kalispell, said she agrees the bill is worthwhile, but suggested making use of private, non-profit programs already in existence, rather than develop a new program.

Donna Day, MAP, Lewistown, exhibit 4).

Janice Whetstone, MAP, Helena, (exhibit 5).

Richard Larsen, City of Billings, (exhibit 6).

Beverly Gibson, Montana Association of Counties, Helena, (exhibit 7).
Lucy Tiedeman, MAP, Helena, (exhibit 8).
James Murry, AFL-CIO, Helena, (exhibit 9).
Jerry Driscoll, Laborer's Union Local #98 said the philosophy is not too different from CETA. He said the bill has loopholes. He commended Reps. Marks and Moore for their concern to help people find jobs, but said HB 333 is not the vehicle to accomplish the task.

Rep. Moore said that SRS is in favor of the bill. He said it is only a pilot program to be tried and reported back to the next legislature. He said they would then decide if the program should be continued or not.

Questions were asked by the Committee.

HOUSE BILL 349: Rep. Anderson, sponsor, said this bill would require issuance of final orders concerning unfair labor complaints within 6 months from filing of the complaint.

Phil Campbell, Montana Education Association, spoke in favor of the bill and gave written testimony (exhibit 10).

The Montana School Boards Association submitted a written statement in favor of the bill (exhibit 11).

Tom Schneider, Montana Public Employees Association, spoke as an opponent to the bill. He said he had never seen a delay that was caused by the Board. He said most delays are caused by the parties involved. He said the Board is under funded and it would be ridiculous to pass a bill that they cannot afford to do. He offered an amendment to the bill (exhibit 12).

Questions were asked by the Committee.

HOUSE BILL 362: Rep. Fagg, sponsor, said it seems the legislature passes on more and more rules and regulations to the cities. The cities try to live within their budgets by cutting back. He said HB 362 is one method the cities themselves have come up with to help solve the problem. Rep. Fagg submitted amendments to the committee (exhibit 13).

Proponents to HB 362 were:

Richard Larsen, Chairman, League of Cities and Towns, Labor Committee, (exhibit 14).

Chris Cherches, City Commissioner, Great Falls, said cities are strapped with mandated costs by the state, and urged the committee to support HB 362.

Jim Nugent, City of Missoula, said they have no problem with state mandates, as long as the state provides the funds. He said he strongly urged support of HB 362.

Jim Campbell, Personnel Director, City of Helena, was a proponent.

The following were opponents to HB 362:

Tom Schneider, Montana Personal Employees Association, said the bill is totally unworkable. He offered an amendment to the bill (exhibit 15). Jerry Driscoll, Laborer's Union Local # 98, Billings, urged DO NOT PASS. Ray Blehm, Montana Firemens' Association, spoke in opposition to the bill and offered amendments (exhibit 16). Pat McKittrick, Joint Council of Teamsters, No.2, said he opposed the bill for the same reasons already presented. David Stiteler, State Personnel Division, said he neither supported or opposed the bill, but wished to point out potential problems to the bill and seek clarification. He said there is a conflict with Employees' Bargaining Act, and if the bill passed would probably have to be appealed.


HOUSE BILL 378: Rep. Manning, sponsor, said the Maternity Leave Act functioned well, as set up, but that it failed in the area that if an employer chose to ignore the commission's orders the present statute does provide a way to enforce the commissions decision in court.

Proponents to HB 378 were:

James Murry, AFL-CIO, (exhibit 17).
David Sexton, Montana Education Association, (exhibit 18).
Dick Kane, Labor Standards Division, (exhibit 19).
Tom Schneider, Montana Public Employees' Association.

Chad Smith, Montana School Board Association, said he was neither an opponent or a proponent, but was concerned about the language in the bill and offered an amendment (exhibit 20).

Meeting adjourned at 3:45 p.m.


J. Melvin Williams, Chairman


Lois South, Secretary