

FEBRUARY 13, 1979
PROCEEDINGS OF THE
LABOR AND EMPLOYMENT RELATIONS COMMITTEE

The meeting was called to order by Chairman Williams at 11:30 a.m. The secretary took roll. Rep. Fagg was absent. All other members were present.

HOUSE BILL 632: Rep. Moore, sponsor, said that this bill only applies to public employees. He said the bill is not a panacea. He said it is not as good as some people think, nor as bad as others think. He said the bill would save loss of pay for employees and save the state from having to pay for emergency services. He said the bill would not prevent a walkout, but would make it possible for the courts to order workers back to work.

There were no proponents.

Opponents were:

Don Judge, Executive Director, Montana State Council No. 9, of the American Federation of State, County and Municipal Employees Union, AFL-CIO, (exhibit 1).

Thomas Schneider, Montana Public Employees' Association, said the bill is not a solution to collective bargaining. He said there is nothing in the bill that would help labor and management reach an agreement. He said the bill is against employees and for management.

Dave Sexton, Montana Education Association, said there are some things that are much worse than strikes. He said that when people feel suppressed they react strongly.

Jim McGarvey, Montana Federation of Teachers, AFL-CIO, said that it was their feeling that this bill was introduced at this time because their brothers in another union were out on strike. He explained to the committee that when employers refuse to bargain and employees are forced to take action, they withhold their services. They do not consider the withholding of their services to be a strike.

LeRoy Schramm, Labor Relations Bureau, said he thought the bill would increase hostility between employers and employees, and would not work. He said he did not agree with Mr. McGarvey's testimony, but did agree with the rest of the previous testimony.

Edward Mares, Montana Nurses Association, said they have never had a strike, but do not want that right taken away.

Lucille Mills, City of Billings (exhibit 2), James Murry, AFL-CIO, (exhibit 3), and John St. Jermain, Operating Engineers, (exhibit 4) spoke against the bill and gave written testimony.

Also opposing HB 632 were: Sharon Donaldson, AFSCME, AFL-CIO,

Boulder; Cordell Brown, Public Health Service Workers, MFT, AFL-CIO; Joe Rossman, Montana Joint Council of Teamsters; Maurice J. Mulcahy Montana Police Protection Association; and Pat McKittrick, Montana Joint Council of Teamsters.

Also opposing HB 632 were workers from Galen, Deer Lodge, and Boulder (exhibits 5 & 6).

In closing, Rep. Moore said that the request for HB 632 was placed with the legislative council in January, and just so happened to come out on the same Monday that state workers went out on strike.

Rep. Ellerd said he was in sympathy with the strikers. He said that in his opinion strikes are over money, and asked Jim Murry if he agreed. Mr. Murry said he basically agreed.

Mr. Tom Ryan submitted written testimony (exhibit 7) after the hearing.

EXECUTIVE SESSION

HOUSE BILL 527: hold for a report from the select committee on the pay plan.

HOUSE BILL 540: Rep. Stobie made a motion that HB 540 DO PASS. After lengthy discussion Rep. Dassinger made a substitute motion that HB 540 DO NOT PASS. Motion failed 8-8. The committee voted on the original motion. Motion failed 10-6. Reps. Ellerd, Stobie, Underdal, Seifert, Wyrick, and Porter voted no. Rep. Manning made a motion that HB 540 DO NOT PASS. Motion carried 10-6. Reps. Ellerd, Stobie, Underdal, Seifert, Wyrick, and Porter voted no.

The committee went into regular session to hear the following bill:

HOUSE BILL 636: Rep. Harper, sponsor, said the committee has heard a number of bills this session that would put people to work, but HB 636 aims at getting people off the welfare roles. The bill would provide preference for citizens who are within the poverty level by giving them first chance at a job when all applicants are equally qualified and one of them is within the poverty level and the others are not. Rep. Harper submitted amendments to the committee (exhibit 8).

Proponent Gail Stoltz, Human Resource Council, said the bill does not apply to merit system jobs.

Opponent Mark Kress, State Personnel Division, said the intent of the bill is good, but it would pose serious hiring problems.

Questions were asked by the committee.

EXECUTIVE SESSION

HOUSE BILL 632: It was moved by Rep. Manning that HB 632 DO NOT PASS. Motion carried 10-6. Reps. Ellerd, Stobie, Underdal, Seifert, Wyrick, and Porter voted no.

HOUSE BILL 564: It was moved by Rep. Harrington that HB 564 DO NOT PASS. Motion carried 15-1. Rep. Dozier voted no.

HOUSE BILL 323: It was moved by Rep. Dozier that HB 323 DO PASS. Motion carried 14-2. Reps. Seifert and Stobie voted no.

HOUSE JOINT RESOLUTION 25: Rep. Harrington moved that HJR 25 DO NOT PASS. Motion carried 9-6. Reps. Dozier, Harrington, Manning, Menahan, Pavlovich, and Teague voted no. Rep. O'Connell abstained.

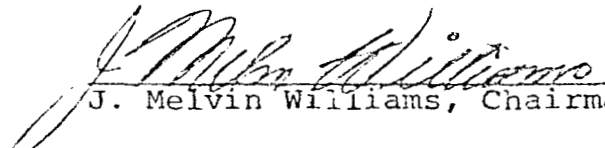
HOUSE BILL 333: It was moved by Rep. Seifert that HB 333 DO NOT PASS. Motion carried unanimously.

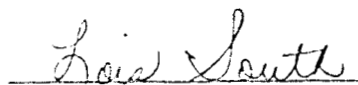
HOUSE JOINT RESOLUTION 24: It was moved by Rep. Seifert that HJR 24 DO NOT PASS. Motion carried. Reps. Ellerd, Underdal, Pavlovich and Teague voted no.

HOUSE BILL 349: It was moved by Rep. Seifert that HB 349 DO PASS AS AMENDED. Motion carried unanimously.

HOUSE BILL 54: It was moved by Rep. Harper to adopt the amendments to HB 54. Motion carried. Reps. Stobie, Porter, Seifert, Ellerd, Wyrick, and Underdal voted no.

Meeting adjourned at 2:15 p.m.


J. Melvin Williams, Chairman


Lois South, Secretary