

MARCH 6, 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. All members were present.

SENATE BILL 321: Senator Roskie, sponsor, said SB 321 is a very simple little one page bill. He said the bill provides that the Board of Personnel Appeals be independent of the Department of Labor and Industry. He said the Board of Personnel Appeals oversees collective bargaining, holds hearings, and makes determinations on labor matters. He said at the present time the Board is attached to the Department of Labor and Industry. He stated that there have been no problems yet, but the potential for a conflict of interest is there.

Proponent, Tom Schneider, Montana Personal Employees' Association, spoke for the bill and gave written testimony (exhibit 1).

Proponent, Glen Drake, Montana Personal Employees' Association, said the bill is nothing more than a separation of powers.

Opponent, George Bousliman, Governor's Office, said he was speaking for the administration and they think that the present arrangement works well and that the Board of Appeals has been able to work without interference from management.

Opponent, Dave Fuller, Commissioner, Dept. of Labor and Industry, said the present arrangement works well and is cost effective. He said that any suggestion that it costs more money is untrue. He also stated that as head of the department, it would be foolish to think that he could influence a decision of the board. He said the board will find what it wants to find, not what he wants it to find.

In closing, Senator Roskie said he wanted to make it clear that he did not think the clerical pool was unworkable. He said it should be continued. He also stated that he did not believe there was improper management of funds, but the problem is, "who is who."

Rep. Ellerd asked where the bill originated. Tom Schneider said the MPEA had it drafted and they were certain it would not cost anymore money. Rep. Ellerd asked Dave Fuller if he thought it would cost more money and he said, "yes."

Rep. Porter asked Glen Drake what the identifiable problem was, and he said it was the separation of powers.

Rep. Harper said he was interested in the realness of concern and asked Mr. Fuller if there was a potential for abuse. Mr. Fuller said there was, but the abuse could come from either side.

Rep. Stobie was excused.

SENATE BILL 208: Senator Hafferman, sponsor, said HB 208 was a code commissioner bill and introduced John Bobinski from the Code Commissioner's office who explained the bill to the committee.


Tom Dowling, said he was a proponent of the bill and offered an amendment (exhibit 3). There were no opponents. Questions were asked by the committee.

Rep. Dassinger said he thought code commissioner bills were to clean up the books and make the law more readable, and thought an amendment to a code commissioner bill inappropriate.

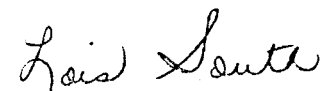
SENATE BILL 155: Chairman Williams had Dick Kane introduce Richard Perkins to the committee. Mr. Perkins is a compliance officer with Dept. of Labor and Industry for the federal government. He explained the federal overtime compensation law to the committee.

SENATE BILL 467: Rep. Williams said that Senator Lowe, sponsor of SB 467, was out of town and had asked that the bill be postponed until Thursday.

Meeting adjourned at 2:00 p.m.



J. Melvin Williams, Chairman



Lois South, Secretary