

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

March 8, 1979

The meeting of the Labor and Employment Relations Committee was called to order by Chairman Lowe on March 8, 1979, at 1:00 p.m. in Room 404 of the State Capitol.

ROLL CALL: All members were present with the exception of Senators Mehrens and Smith who were excused.

Chairman Lowe opened the hearing on House Bill #642 and asked Representative Hal Harper of District 30 to address the Committee. Representative Harper stated that this bill would prohibit a former state employee from contracting or being employed by the State for 6 months following the termination of his employment. Representative Harper stated that this bill would save the State a substantial amount of money as this practise was now going on in the State. Representative Harper also suggested that the Committee might want to amend the bill to make the State liable for such a practise instead of the employee. Representative Harper indicated that this bill did not apply to legislators or to competitive bids. Representative Harper then introduced Mr. Mike Meldahl of the Office of Budget and Program Planning to address the Committee.

Mr. Meldahl explained to the Committee that this bill only addressed itself to former employees of State Government. Mr. Meldahl cited an incident where a State employee terminated his employment with the State and after his termination signed a personal services contract with the State for \$400,000. He explained that this bill would make this type of hiring in State Government illegal.

Chairman Lowe then asked if there were any opponents to House Bill #642 to which there were none.

The Committee asked Mr. Harper if he would agree to an amendment changing the language on page 1, line 21, in order to make it read clearer to which Mr. Harper agreed. Chairman Lowe then asked Mr. Oppedahl, Legislative Council Attorney, to work on this amendment to which MR. Oppedahl offered the following to the Committee:

Page 1, line 21.

Strike: "a contractor"

Insert: "an employer who contracts"

Senator Dover then moved the amendment proposed by Mr. Oppedahl which carried unanimously. Senator Dover then moved the bill as amended which also carried unanimously. Senator Dover also agreed to carry the bill on the floor.

Chairman Lowe then asked the Committee to take executive action on the bills still remaining in the Committee.

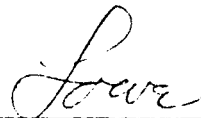
House Bill #378, Enforcement of Maternity Leave, was then discussed by the Committee. Senator Palmer moved to pass and a roll call vote was taken which is attached hereto. The bill passed 6 - 2 with Senator Smith's vote having been left before the meeting. Senator Dover agreed to carry this bill on the floor.

House Bill #302, Binding Arbitration for Firefighters, was then taken under consideration. Mr. Ray Blehm, Jr., representing the Montana State Firemen's Association, had previously proposed some amendments to this bill. The Committee discussed the amendments and Senator Dover moved the amendments which carried unanimously. Senator Palmer moved the bill and a roll call vote was taken and the bill passed as amended 7 - 2 with Senators Smith and Mehrens' votes received prior to the taking of the vote. The amendments on House Bill #302 are attached in the Standing Committee Report. Senator Blaylock will carry House Bill #302.

House Bill #349, Final Orders Concerning Unfair Labor Complaints be Issued within 6 Months, was then discussed by the Committee. Representative Anderson submitted an amendment which he had asked Mr. Oppedahl to present to the Committee changing the 6 months time limit to 5 months. Senator Severson moved the amendment which carried unanimously. Senator Nelson moved the bill as amended which carried unanimously. Senator Palmer agreed to carry this bill on the floor.

House Joint Resolution #24 was then taken into consideration by the Committee. Senator Palmer asked the Committee to postpone taking action on this resolution until he had a chance to study it further since he was absent during the testimony. The Committee agreed not to take executive action on this resolution at this time.

There being no further business, the meeting was adjourned at 2:15 p.m.



Senator William R. Lowe, Chairman

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

46TH LEGISLATIVE SESSION - - 1979

Date March 8, 1979

| NAME                            | PRESENT | ABSENT | EXCUSED |
|---------------------------------|---------|--------|---------|
| HAROLD C. NELSON, VICE CHAIRMAN | ✓       |        |         |
| GARY AKLESTAD                   | ✓       |        |         |
| HAROLD L. DOVER                 | ✓       |        |         |
| WILLIAM F. HAFFERMAN            | ✓       |        |         |
| JOHN (SANDY) MEHRENS            |         |        | ✓       |
| BOB PALMER                      | ✓       |        |         |
| ELMER D. SEVERSON               | ✓       |        |         |
| RICHARD G. SMITH                |         |        | ✓       |
| BILL R. LOWE, CHAIRMAN          | ✓       |        |         |



3/6/79

LABOR & EMPLOYMENT RELATIONS COM.  
H.B. 362 yes

HB 349 yes

HB 378 yes

Senator Richard Smith

# STANDING COMMITTEE REPORT

March 8

19 79

MR. PRESIDENT:

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration HOUSE Bill No. 302

Quilici (Blaylock)

Respectfully report as follows: That HOUSE Bill No. 302  
third reading bill, be amended as follows:

1. Page 2.

Following: line 11

Insert: "(3) At the conclusion of the hearings the arbitrator shall require the parties to submit their respective final position on matters in dispute."

Renumber: subsequent subsections

2. Page 2, line 13.

Following: "determination of"

Strike: "the matters in dispute"

Insert: "which final position on matters in dispute will be adopted"

3. Page 2, line 17 through line 19.

Following: "arbitrator"

Strike: the remainder of line 17 through "and" on line 19

And, as so amended

BE CONCURRED IN

DOFFASSKY

From the desk of . . . . . Sen. "SANDY" MEHRENS  
District 45

I note you are  
H.B. 302

Mehrens

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3-8-79 Bill No. 302 Time 2:00

| NAME                            | YES | NO |
|---------------------------------|-----|----|
| HAROLD C. NELSON, VICE CHAIRMAN |     | ✓  |
| GARY AKLESTAD                   |     | ✓  |
| HAROLD L. DOVER                 | ✓   |    |
| WILLIAM F. HAFFERMAN            | ✓   |    |
| JOHN (SANDY) MEHRENS            | ✓   |    |
| BOB PALMER                      | ✓   |    |
| ELMER D. SEVERSON               | ✓   |    |
| RICHARD G. SMITH                | ✓   |    |
| BILL R. LOWE, CHAIRMAN          | ✓   |    |
|                                 |     |    |
|                                 |     |    |
|                                 |     |    |

L. V. Lubane  
Secretary

Lowe  
Chairman

Motion: To Pass, As Amended

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



# STANDING COMMITTEE REPORT

March 3

19 79

MR. **PRESIDENT:**.....

We, your committee on **LABOR & EMPLOYMENT RELATIONS**.....

having had under consideration **HOUSE**..... Bill No. **349**

**Anderson (Palmer)**

Respectfully report as follows: That **HOUSE**..... Bill No. **349**  
**third reading bill, be amended as follows:**

1. Title, line 6.  
Following: **"WITHIN"**  
Strike: **"6"**  
Insert: **"5"**

2. Page 3, line 5.  
Following: **"within"**  
Strike: **"6"**  
Insert: **"5"**

And, as so amended  
**BE CONCURRED IN**

**DO-PASS**

# STANDING COMMITTEE REPORT

March 3 19 79

MR. ....PRESIDENT:.....

We, your committee on .....LABOR & EMPLOYMENT RELATIONS.....

having had under consideration .....HOUSE..... Bill No. 378

Manning (Dover)

Respectfully report as follows: That.....HOUSE..... Bill No. 378

BE CONCURRED IN  
DO-PASS

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 3-8-79

Bill No. 378

Time 1:15

| NAME                            | YES | NO |
|---------------------------------|-----|----|
| HAROLD C. NELSON, VICE CHAIRMAN |     | ✓  |
| GARY AKLESTAD                   |     | ✓  |
| HAROLD L. DOVER                 | ✓   |    |
| WILLIAM F. HAFFERMAN            | ✓   |    |
| JOHN (SANDY) MEHRENS            |     |    |
| BOB PALMER                      | ✓   |    |
| ELMER D. SEVERSON               | ✓   |    |
| RICHARD G. SMITH                | ✓   |    |
| BILL R. LOWE, CHAIRMAN          | ✓   |    |
|                                 |     |    |
|                                 |     |    |
|                                 |     |    |

J. V. Labaree  
Secretary

Four  
Chairman

Motion: Do Pass

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

# STANDING COMMITTEE REPORT

March 8 19 79

MR. PRESIDENT:

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration HOUSE Bill No. 642

Harper (Dover)

Respectfully report as follows: That HOUSE Bill No. 642  
third reading bill, be amended as follows:

1. Page 1, line 21.  
Following: "by"  
Strike: "a contractor"  
Insert: "an employer who contracts"

And, as so amended  
BE CONCURRED IN

~~DO PASS~~

W.C.