

STATE ADMINISTRATION
JANUARY 8, 1981
RM 436

The meeting of the House State Administration Committee was held January 8, 1981 at 8:00 a.m. in room 436. Chairman Jerry Feda called the meeting to order. All members were present except Representatives Dussault and O'Connell who were excused.

Chairman Feda opened the hearing on House Bill 3.

HB-3 SPONSOR REPRESENTATIVE BOBBY SPILKER introduced the bill to the committee. She stated that the bill had come out of an Interim Study Committee related to State Mandates. A brief summarization of the bill is attached. She also stated that this bill would give Local Government flexibility in providing insurance packages for employees. She said in the past many employers have dropped coverage because they had to pay 100%. Representative Spilker said she felt that this bill would give collective bargaining ability to the employees. Also, the bill would give back local government authority.

PROPOSERS

RICH BROWN, Mayor, city of Helena gave testimony in favor of HB-3. He said his concern was who should determine what coverage police officers and firefighters receive and who would pay for it. He felt the Legislature should provide the money for additional premium payments through collective bargaining or the same manner in which other taxes are levied.

CY JAMISON, City Councilmember from Billings, read a prepared statement in favor of HB-3. A copy of this statement is attached. EXHIBIT F.

DAN MIEZNER, Montana League of C.I.A. gave brief testimony in favor of HB-3. He said some cities do not have the budget to pay for group insurance required for the Police Dept.

Other Proponents present at the hearing are listed on the attached visitor register.

OPPOSERS

RAY BLEHM, Montana State Firemens Assoc. gave testimony against HB-3. He felt that this bill would not allow negotiation of benefits when one group does not want a particular coverage. He said he would prefer to see the bill left as currently written and recommended the committee give a DO NOT PASS to HB-3.

VERN ERICKSON, Montana State Firemen's Assoc. testified in opposition to HB-3. He said there could possibly be a problem in the section of the bill that states each firefighter's (or policemen's) insurance coverage for himself and his dependents. He said a single employee who later marries would not benefit from this bill.

NADIEAN JENSEN, Executive Director of Montana Council No.9 gave written testimony in opposition to HB-3. Statement is attached. EXHIBIT 2.

Other opponents present at the hearing are listed on the attached visitor register.

Chairman Feda opened the hearing for questions from the Committee.

Representative Pistoria to Spilker: Instead of eliminating the 100% why don't we change the percentage?

Spilker: If you put a percentage in you are mandating something to local government. We want to leave that up to local government.

Pistoria: What about families, would cities negotiate for wives and children?

Spilker: This is something I want to persue further. I had not realized that they would pay premiums for entire families. I want to find out more about this.

Sales: You mentioned there being two alternative bills with the study committee.

Spilker: The other would take out the 100% and not have anything about dollar amount payed.

Other discussion concerning employee dependents followed.

Representative Spilker gave a closing statement on House Bill 3. She said most importantly this bill would return a function of local government back to local government. Also it is a way to help local government do our finance planning and does not cost us a dime. She added, "I think it does something for collective bargaining system and both sides have something to talk about." She said this bill would give employees the option for a better insurance package.

Chairman Feda closed the hearing on HB-3.

Chairman Feda opened the hearing on House Bill 25.

HB-25 SPONSOR-REPRESENTATIVE THOMAS CONROY introduced the bill to the committee. He said that this bill was a result of four years of legislation dealing with Indian related problems. A brief summarization of the bill is attached.

PROPOSERS

MERLE LUCAS DCA/Indian Affairs gave testimony in support of HB-25. He explained that each tribe has their own problems and situations vary in different areas. He felt the bill provided the opportunity for states and tribes to enter into agreements that would be advantageous for both. He said that this bill would be especially good in areas of hunting and fishing regulations. He said this bill is not binding legislation but would provide means for tribes and states to work out really important local issues.

MIKE STEPHEN Montana Assoc. of Counties gave testimony in support of HB-25. He said they had been working with the Select Committee on Indian Affairs for two years. He felt this bill would allow flexibility needed to work out many personality and prejudicial problems among Indians and non-Indians.

Other proponents present at the hearing but not testifying are listed on the visitor register.

OPPOSERS

WAYNE BUCHANAN, Montana School Board gave testimony against HB-25. He said in some ways they felt the bill was good but that it should be amended so that school districts were not included. He said that even though this bill was not binding legislation, the school board would feel obligated to bargain with special interest groups. An example of this would be special Indian courses etc. in the school system.

There were no other opponents testifying on HB 25.

Questions from the committee followed.

Mueller: How many tribes are in favor of this bill?

Lucas: As of yesterday five out of seven tribes are in favor of the bill and we have not had much success in contacting the other tribe heads.

Mueller: In the latter part of the bill it talks about the hunting situation. Have the Kootenai and Salish Indians agree to the bill.

Lucus: Yes, to my knowledge.

Mueller: Has the Fish & Game Dept. agreed to this?

Lucus: Mr. F. W. Wright might want to answer that.

Mr. Wright, Dept. Fish & Wildlife: Each state does vary.

Further discussion was held on HB-25. The main concern was about the school district being affected by this legislation. The possibility of amending the bill was discussed. It was decided by the committee that Mr. Buchanan's concerns did not warrant amendments to the bill since it is not binding.

Representative Conroy gave a closing statement on HB-25. He said that he felt Mr. Buchanan's fears were unfounded. He also said that this was a low budget piece of legislation compared to other bills that could come up.

EXECUTIVE SESSION:

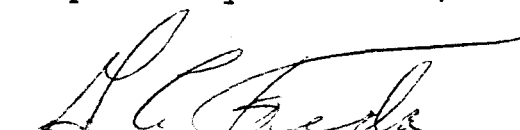
Representative Spilker requested that House Bill 3 be held in committee until she could get additional information on the employee dependents coverage & cost. This was agreed to by the committee.

Representative Pistoria made a motion that House Bill 25 receive a DO PASS. Representative Sales seconded the motion.

Question being called, a vote was taken and was unanimous that House Bill 25 DO PASS.

A motion was made to adjourn. The next meeting will be on January 9, 1981 at 8:00 a.m.

Respectfully Submitted,



G.C. JERRY FEDA, Chairman

Cathy Martin, Secretary

HOUSE STATE ADMINISTRATION

BILL SUMMARIES

January 8, 1981

- HB 3 (SPILKER): Currently, a city must pay 100% of the premiums for insurance coverage for police officers and firefighters. This bill, requested by the Interim Study Committee on State Mandates and the Effects of State-owned Property on Local Governments, reduces a city's obligation by freezing its contribution at no less than the premium amount paid as of July 1, 1980. Additional premium payments beyond this amount may be negotiated through collective bargaining or other agreement processes.
- HB 25 (CONROY): This bill, requested by the Select Committee on Indian Affairs, is patterned after a U. S. Senate bill, the Tribal-State Compact Act of 1980. This bill authorizes public agencies to enter into cooperative agreements with Montana Indian tribes without federal intervention. Agreements must be submitted for approval to the Attorney General, and in some cases, to the Governor. Provisions in the bill describe the contents of the agreements, filing and revocation procedures, appropriations of funds, and specific limitations on agreements. Also, two statutes are amended to conform with the provisions of the act.

STATEMENT PRESENTED BY CY JAMISON, CITY COUNCILMEMBER FROM BILLINGS, MONTANA
TO THE STATE LEGISLATIVE COMMITTEE.

My name is Cy Jamison. I am a City Councilmember from Billings, Montana, and I appear before you today on behalf of the City Council of Billings.

I urge your favorable consideration of House Bill No. 3 because it will require the bargaining between City Officials and their Police and Fire Unions to take place at the local level. When the Legislature initially mandated these benefits for Police and Firemen, the City of Billings provided the same benefits to all of its employees in an attempt to treat the employees the same.

Since that time, several of our employee groups, other than Police and Firemen, have wanted to negotiate for additional insurance coverage including a dental plan, and extended life insurance benefits. While they have been willing to recognize these as part of a total benefits package, the Police and Firemen in our City have not been willing to negotiate for these items. If the City negotiates these items with the other employees, then we must, by this State Law, provide the same package to the Police and Firemen and they do not have to negotiate for these benefits.

This law would require that the City pay no less than the premium cost of insurance as of July 1, 1980, and we think this is a fair provision, and at the same time, will allow us to negotiate different benefit packages with the different employee groups, depending on their needs. In other words, it will allow the collective process to work the way it was designed. I urge you to favorably consider this legislation. Thank you.

January 8, 1981

MONTANA STATE COUNCIL No. 9

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES

Affiliated With A.F.L.-C.I.O.



Jerry Wurf
International President

William E. Lucy
International Secretary-Treasurer

TESTIMONY ON HOUSE BILL 3

COMMITTEE ON STATE ADMINISTRATION

January 8, 1981

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

FOR THE RECORD, MY NAME IS NADIEAN JENSEN AND I AM THE EXECUTIVE DIRECTOR OF MONTANA COUNCIL NO. 9 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES UNION, AFL-CIO. I AM APPEARING HERE TODAY IN OPPOSITION TO HOUSE BILL 3.

HOUSE BILL 3, IF PASSED, WILL ELIMINATE A BENEFIT WHICH HAS HELPED TO SUPPLEMENT THE LOW WAGES RECEIVED BY MANY POLICEMEN IN THE STATE OF MONTANA.

I COULD ARGUE THAT POLICEMEN FACE MANY DANGERS IN THEIR CHOSEN PROFESSION AND BE TOLD THAT WORK RELATED INJURIES ARE COVERED BY "WORKER'S COMENSATION: BUT THEIR FAMILIES ARE NOT COVERED BY SAID COMPENSATION.

POLICEMEN AS A WHOLE ARE YOUNG IN YEARS AND IN THE PROCESS OF RAISING FAMILIES. ARE THEY TO BE ASKED TO FOREGO BUYING MANY NECESSITIES FOR THEIR CHILDRED BY HAVING TO ALSO BEGIN SHARING THE COSTS OF THEIR HEALTH INSURANCE PREMIUMS THROUGH THE PASSAGE OF THIS BILL.

I WOULD ASK YOUR CONSIDERATION IN GIVING THIS BILL A "DO NOT PASS" RECOMMENDATION. THANK YOU FOR YOUR TIME AND I WILL BE WILLING TO ANSWER ANY QUESTIONS.

RESPECTFULLY SUBMITTED BY,

R. Nadiean Jensen
R. NADIEAN JENSEN, EXECUTIVE DIRECTOR
Montana State Council #9, AFSCME, AFL-CIO

COUNCIL OFFICERS

John P. Walsh, President
1215 West Gold
Butte, MT 59701
Phone 242-4816

Frank A. Rovee III
401 Washington
Miles City, MT 59301
Phone 252-4793

George E. McCammon, Treasurer
Rte 1, Box 144
Townsend, MT 59644
Phone 265-3592

VICE-PRESIDENTS

William Anderson
940 South Jordan
Miles City, MT 59301
Phone 252-3404

James Cook
R17 3rd Avenue
Havre, MT 59501
Phone 265-4489

William Mc Mullin
620 Anchor Street
Billings, MT 59101
Phone 252-4093

Alta Davis
218 Higgins
Deer Lodge, MT 59722
Phone 846-3308

Joe Geraghty
1250 Waterline Road
Butte, MT 59701
Phone 494-4720

COUNCIL STAFF

Headquarters
c/o R. T. Cooke
Butte, MT 59601
Phone 242-1192

Nadine Jensen
Exec. Director

F. Hagerman
Representative

R. T. Cook
Representative

Sec.
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VISITORS' REGISTER

HOUSE

COMMITTEE

TLL

SPONSOR

Date _____

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE State Claims COMMITTEE

COMMITTEE

Date 1-8-81

CALL HB 3
SPONSOR _____

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.