

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

February 10, 1981

The meeting of the Labor & Employment Relations Committee was called to order by Chairman Harold Nelson on February 10, 1981, in Room 404 of the State Capitol at 1:15 p.m.

ROLL CALL: All members of the Committee were present with the exception of Senator Ryan who was excused.

CONSIDERATION OF HOUSE BILL 118: Chairman Nelson introduced Representative Robert Anderson, sponsor of HB 118, to the Committee, and Rep. Anderson explained the bill to the Committee. This bill is an act providing for replacement of a neutral member on the Board of Personnel Appeals; and providing an immediate effective date. Rep. Anderson stated that this bill adds a fifth member to the Board of Personnel Appeals on an ad hoc basis--in addition to two members representing labor and two members representing management. They feel that by adding a fifth and neutral member to the Board it would move the process a little faster.

PROPOSERS OF HOUSE BILL 118: Mr. Gregg Groepper, representing the Department of Labor and Industry, stated they are in support of HB 118 and they feel it would help them in dealing with the backlog of cases before the Board. He stated that the problem comes in when the neutral member is unable to attend the meeting due to a conflict, etc., and they need five members present.

There were no other proposers present at the hearing.

OPPOSERS OF HOUSE BILL 118: Mr. Thomas Schneider, representing Montana Public Employees Assoc., stated they supported the bill in the House, but the bill has been changed and they cannot support this bill. They object to the new section 4--the Board appointed by the Governor. They feel a very dangerous precedent is being created. Mr. Schneider stated they would like to have Section 5 amended back in the bill.

QUESTIONS ON HOUSE BILL 118: Senator Goodover asked where the Board members were from. Mr. Groepper stated they try to get people from the Helena area, but this is not always the case.

Mr. Schneider stated that the new appointments on the Board were from Billings, Great Falls, and Kalispell.

Senator Goodover asked if the Board members could not attend meetings if they can't be replaced. He also asked if the Board

members were paid. Mr. Groepper stated they get per diem, but it is difficult to get five people together at the same time.

Senator Goodover asked how you could have a neutral member when they have to be appointed by the Governor. Mr. Groepper stated their intent is to have two members representing labor and two members representing management, and a neutral member with no position concerning labor or management.

Senator Keating wanted to know if three people could do the job as well as five. Mr. Schneider stated that he thought they could.

Senator Anderson stated that he had heard the Board had never made a favorable appeal for management. Mr. Groepper stated that he thought they were referring to the Board of Labor Appeals--not the Board of Personnel Appeals.

Senator Norman asked how often the Board has meetings. Mr. Schneider stated that they meet once a month.

Senator Nelson wondered how we know a neutral member will be appointed. Rep. Anderson stated they would choose an ad hoc member right away and they would be on a substitute basis immediately. This substitute member is appointed by the members of the Board.

Chairman Nelson called the hearing closed on House Bill 118.

ACTION ON HOUSE BILL 118: Senator Anderson moved that the stricken language be reinserted in HB 118. Senator Keating seconded the motion.

Senator Goodover made a substitute motion that HB 118 Be Concurred In "as is". Senator Anderson seconded the substitute motion.

On a Roll Call Vote the Committee voted 6-1 that HOUSE BILL 118 BE CONCURRED IN. Senator Hafferman was the only "no" vote. Senator Ryan was absent.

ACTION ON SENATE BILL 226: The Committee discussed the proposed amendment to SB 226 by Senator Healy, sponsor of the bill.

This amendment is as follows:

1. Page 4, line 18.

Following: "performed,"

Insert: "requires coverage under The Worker's Compensation Act under said contract,"

Senator Goodover moved that the proposed amendment to SB 226 be adopted. The Committee voted unanimously that the amendment be adopted. Senator Ryan was absent.

Senator Goodover moved that Senate Bill 226 Do Pass As Amended. The Committee voted unanimously (except for Sen. Ryan who was absent) that SENATE BILL 226 DO PASS AS AMENDED.

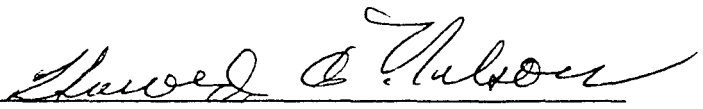
ACTION ON SENATE BILL 64: Senator Keating moved that Senate Bill 64 Do Pass. On a Roll Call Vote, the Committee voted 5-1 that SENATE BILL 64 DO PASS. Senator Norman was the only "no" vote. Senator Hafferman passed on the vote and Senator Ryan was absent.

ACTION ON HOUSE BILL 124: Senator Goodover moved that on page 4, line 16--the penalty be moved back to \$25 rather than increased to \$75. The proposed amendment failed 5-2 on a Roll Call Vote.

Senator Keating moved that House Bill 124 Be Concurred In. Senator Anderson seconded the motion. The Committee voted 6-1 that HOUSE BILL 124 BE CONCURRED IN. Senator Hafferman passed on the vote, and Senator Ryan was absent.

ACTION ON SENATE BILL 318: Senator Anderson moved that SB 318 Do Not Pass. The Committee voted 6-1 that SENATE BILL 318 DO NOT PASS. Senator Hafferman was the only dissenting vote. Senator Ryan was absent.

ADJOURN: There being no further business, the meeting adjourned at 2:20 p.m.



Senator Harold C. Nelson, Chairman

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ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

47 th LEGISLATIVE SESSION - - 1981

Date Feb. 10

NAME	PRESENT	ABSENT	EXCUSED
GARY C. AKLESTAD, VICE-CH.	✓		
MIKE ANDERSON	✓		
PAT M. GOODOVER	✓		
WILLIAM HAFFERMAN	✓		
THOMAS F. KEATING	✓		
BILL NORMAN	✓		
PATRICK L. RYAN			✓
HAROLD C. NELSON, CHAIRMAN	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

February 10, 19 81

MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration SENATE Bill No. 64

Respectfully report as follows: That SENATE Bill No. 64

DO PASS *SC*

STANDING COMMITTEE REPORT

February 10, 1921

MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration HOUSE Bill No. 119

Respectfully report as follows: That HOUSE Bill No. 119

BE CONCURRED IN
DO PASS

JK

STANDING COMMITTEE REPORT

February 10, 19 81

MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration HOUSE Bill No. 124

Respectfully report as follows: That HOUSE Bill No. 124

BE CONCURRED IN
DO-PASS

LC.

STANDING COMMITTEE REPORT

February 10, 1921

MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration SENATE Bill No. 226

Respectfully report as follows: That SENATE Bill No. 226
be amended as follows:

1. Page 4, line 18.

Following: "performed"

Insert: "requires coverage under The Worker's Compensation Act
under said contract,"

Jrf

And, as so amended,
DO PASS

STANDING COMMITTEE REPORT

February 10,

81

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MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration SENATE

Bill No. 318

Respectfully report as follows: That SENATE

Bill No. 318

DO NOT PASS

~~DO PASS~~

NAME: Gregg Anderson DATE: 2/10/81

ADDRESS: ESD Building Rm 412

PHONE: 449-3799

REPRESENTING WHOM? DEPT OF LABOR AND INDUSTRY

APPEARING ON WHICH PROPOSAL: KB-118

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Helps get the business of the Division done
by eliminating backlog

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Thomas F. Schneider DATE: 2/10/81

ADDRESS: Box 216

PHONE: 1 442 - 4600

REPRESENTING WHCM? MPEA

APPEARING ON WHICH PROPOSAL: HB 118

DO YOU: SUPPORT? _____ AMEND? X OPPOSE? _____

COMMENTS: Re-insert - (5) page 2

Delete - (4) -

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 2/10/81 House Bill No. 118 Time 1:55

NAME	YES	NO
GARY C. AKLESTAD, VICE-CHAIRMAN	✓	
MIKE ANDERSON	✓	
PAT M. GOODOVER	✓	
WILLIAM HAFFERMAN		✓
THOMAS F. KEATING	✓	
BILL NORMAN	✓	
PATRICK L. RYAN	absent	
HAROLD C. NELSON, CHAIRMAN	✓	

Margaret Nichols
Secretary

Harold C. Nelson
Chairman

Motion: by Senator Goodover that HB 118 Be Concurred in.
Passed 6-1.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 2/10/81 Senate Bill No. 68 Time 2:09

NAME	YES	NO
GARY C. AKLESTAD, VICE-CHAIRMAN	✓	
MIKE ANDERSON	✓	
PAT M. GOODOVER	✓	
WILLIAM HARTFERNAN	<i>Pass</i>	
THOMAS F. KEATING	✓	
BILL NORMAN		✓
PATRICK L. RYAN	<i>absent</i>	—
HAROLD C. NELSON, CHAIRMAN	✓	

Margaret Nichols
Secretary

Harold C. Nelson
Chairman

Motion: by Senator Keating that AB 64 Do Pass.
Passed 5-1.

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

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date 2/10/81 House Bill No. 124 Time 2:12

NAME	YES	NO
GARY C. AKLESTAD, VICE-CHAIRMAN		✓
MIKE ANDERSON		✓
PAT M. GOODOVER	✓	
WILLIAM HAFFERMAN	✓	
THOMAS F. KEATING		✓
BILL NORMAN		✓
PATRICK L. RYAN	absent	
HAROLD C. NELSON, CHAIRMAN		✓

Margaret Nichols
Secretary

Harold C. Nelson
Chairman

Motion: by Senator Goodover -- proposed amendment
p. 4, line 16 -- that the penalty be moved back to \$25
rather than \$75.

Amendment failed 5-2.

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