

MINUTES OF THE MEETING
FINANCE AND CLAIMS COMMITTEE
MONTANA STATE SENATE

March 10, 1981

The 19th meeting of the Senate Finance and Claims Committee met on the above date in room 108 of the State Capitol Building. Senator Hims1, Chairman called the meeting to order at 9:27 a.m. for the purpose of working on three bills. Roll call was taken and is attached.

DISPOSITION OF HOUSE BILL 808: Senator Hims1 said this was the after-the-fact payroll which developed a few years ago as a result of "micky mouse" actions on the payrolls.

MOTION by Senator Aklestad that House Bill 808 be not concurred in.

Senator Haffey asked the Chairman for an example of what he meant by "micky mouse" action. Senator Hims1 said maybe they sent in on a Monday or a Wednesday for time with the week worked at 8 hours per day through Friday, then got sick, or something else happened and did not work the full 40 hour week. The following week it had to be adjusted, and adjusted on the payroll for the next period so that there was always an incomplete payroll and always with "adjustments" that made it impossible to follow an audit trail. Senator Haffey: Did they sometimes not adjust? Hims1: They were supposed to deduct it from the payroll, but given the "frailties" of human nature it sometimes wasn't done. This new method has worked out well and there was no testimony given that indicated it did not.

Senator Keating: Wasn't it just that their check didn't arrive when they thought it should? Senator Hims1: Some are sensitive and think they are loaning the state that money for 10 days or so with no interest.

Senator Boylan: When it was first switched over it was a temporary problem, but it has all worked out now.

Question was called, the motion was voted, the vote was unanimous for the motion with the exception of Senator Van Valkenburg who voted no, and Senators Etchart, Dover, Johnson, Thomas and Stimatz who were absent. Senator Hims1 to carry it.

CONSIDERATION OF HOUSE BILL 751: Senator Hims1 said the problem as he saw it was that they could make adjustments, but this bill makes the work period an item of collective bargaining. I wonder if that doesn't imply that the union could bargain so that the employee could have the option of a 10 hour, 4 day week and perhaps the manager could not control it.

Senator Smith: I would like to ask Judy if this isn't the same thing as the Game Wardens had? Senator Jacobson: Yes. They are only getting comp time now and they want time and one half. They bargain for comp time and lose their over time.

Senator Himsl: If this goes on the comp time is quite an opportunity for abuse. I don't know how carefully their time is kept, but I can suspect their comp time can be a lot of problems.

Senator Boylan: It would save the state some money wouldn't it? Senator Himsl: It provides that it is established by collective bargaining. If a number of employees make this agreement, I see nothing wrong with it, but if it is forced it is trouble.

Senator Smith: There is one thing that could cause a problem. If one agency gets it through, what happens to the other agencies. It could be all messed up.

Senator Keating: On page 2, section 2, non-exempt -- they are non-bargaining. That is the part that is really subsequent so far as the law is concerned. It would allow non-bargaining people to make their agreement with the employers. The bargaining bill can give them 100 hours, this one makes it only 80 hours, and as Senator Boylan says, in some cases if the non-bargaining employee wishes to take time off instead of getting overtime, it will save the state some money.

Senator Himsl: The exempt employees at the present time do make arrangements for comp time don't they? Keating: Yes. As the lady from the state said, they can do their audit tracks and take their time off. It does decrease the amount of control from the bargaining people and the non bargaining people must ask for time off, etc. It should make it a little harder to control.

DISPOSITION OF HOUSE BILL 751: MOTION by Senator Keating that we DO NOT CONCUR. Second by Senator Regan, voted, unanimous of those present, Senators Etchart, Dover, Johnson, Thomas and Stimatz absent. Senator Keating will carry the bill.

CONSIDERATION OF HOUSE BILL 88: Senator Himsl said this is the bill that makes the codes available to the lawmakers, and there is probably some justification and merit to the bill.

Discussion was held on the merit of making a token charge, how much, whether it would make people pause to consider when it cost a token amount rather than be free, etc.

DISPOSITION OF HOUSE BILL 88: MOTION by Senator Keating to amend title, line 17 and 24 to make a charge of \$25.

SUBSTITUTE MOTION by Senator Jacobson to make this \$10. She explained that this would a little more than cover the UPS fee for delivery.

More discussion was held on whether or not many of the lawmakers really used them, did they really get calls,

etc., and members said they never tried to interpret the law, but could give them the section, etc. and show them what it said and they could take it from there.

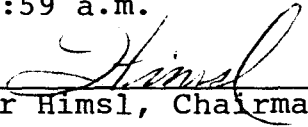
Question was called on the motion and Senator Van Valkenburg said he would refrain from voting since being a lawyer he had a conflict of interest.

The substitute motion was voted and passed, Senators Aklestad, Boylan and Smith voting no, Senator Van Valkenburg abstaining and Senators Etchart, Dover, Johnson, Thomas and Stimatz were absent.

MOTION by Senator Keating moved to delete on page 1, lines 18 through 25. Voted, unanimous of those present, Senator Van Valkenburg abstaining, same members absent as previous motion.

MOTION by Senator Haffey DO CONCUR IN AS AMENDED. Voted, All members present except Senator Aklestad who voted no and Senator Van Valkenburg who abstained, voted yes. Motion passed, Senator Jacobson to carry the bill.

The meeting was adjourned at 10:59 a.m.



Senator Himsel, Chairman

ROLL CALL

FINANCE AND CLAIMS COMMITTEE

47th LEGISLATIVE SESSION - - 1981 Date 3/10/81

NAME	PRESENT	ABSENT	EXCUSED
Senator Etchart			
Senator Story	✓		
Senator Aklestad	✓		
Senator Nelson	✓		
Senator Smith	✓		
Senator Dover			
Senator Johnson			
Senator Keating	✓		
Senator Boylan	✓		
Senator Regan	✓		
Senator Thomas			
Senator Stimatz			
Senator Van Valkenburg	✓		
Senator Haffey	✓		
Senator Jacobson	✓		
Senator Himsl	✓		

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BILL NO.

$$\begin{array}{r} 88 \\ 751 \\ \hline 808 \end{array}$$

VISITOR'S REGISTER

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STANDING COMMITTEE REPORT

March 10

81

10

MR. **President**

We, your committee on **Finance and Claims**

having had under consideration **House** Bill No. **88**

(Johnson)

Respectfully report as follows: That **House** Bill No. **88**
blue copy bill, be amended as follows:

1. Title, line 7.
Strike: "NO CHARGE"
Insert: "A CHARGE OF \$10"
2. Page 1, line 17.
Strike: "FREE OF CHARGE"
Insert: "at a charge of \$10"
3. Page 1, lines 18 through 25.
Strike: Lines 18 through 25 in their entirety.
Renumber: all subsequent subsections

And, as so amended,
BE CONCURRED IN

~~DO NOT~~

STANDING COMMITTEE REPORT

March 10

19 81

MR. **President**

We, your committee on **Senate Finance and Claims**

having had under consideration **House** Bill No. **808**

(Himsel)

Respectfully report as follows: That **House** Bill No. **808**

BE NOT CONCURRED IN

~~DO NOT~~

Pa.

STANDING COMMITTEE REPORT

March 10

19 21

MR. **President**

We, your committee on **Senate Finance and Claims**

having had under consideration **House** Bill No. **808**

(Hinsl)

Respectfully report as follows: That **House** Bill No. **808**

BE NOT CONCURRED IN

~~DO CASE~~

P.A.

STANDING COMMITTEE REPORT

March 10 19 81

MR. President

We, your committee on Finance and Claims

having had under consideration House Bill 751 Bill No.

(Keating)

Respectfully report as follows: That House Bill No. 751

BE NOT CONCURRED IN

~~EXAMINED~~

~~DEPASS~~

G.A.