

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE
47th SPECIAL SESSION (II)

June 22, 1982

Senator Hazelbaker called the meeting to order of the Senate Business and Industry Committee at 10:09 on the above date.

ROLL CALL: All members present with Kolstad and Lee absent, therefore, a quorum being present.

CONSIDERATION OF SENATE BILL NO. 1: Senator Hazelbaker opened the meeting to remarks from Jim Murry, Executive Secretary, Montana State AFL-CIO. Mr. Murry was not at the meeting on Monday and therefore, the Chairman felt that the Committee should hear from him. He also gave copies of Exhibits 1 and 2 to Mr. Murry for his perusal.

Mr. Murry was very appreciative of the Committee allowing him to come before them today. The Committee had just adjourned on Monday when he appeared. He stated that he had had a lengthy discussion with Senator Turnage, sponsor of the bill, about the definition of "personal property" as it was not clear in his mind as he read the bill. The AFL-CIO is not opposed to training programs and prison industries as they are very deeply concerned about the prison inmates. The union had been very cooperative in the past working with a certified teacher and a training instructor. Harry Erickson, now with the public school system in Belgrade, was the teacher at the time and they worked very closely with him. The unions are not taking the position that the inmates should not be trained or allowed to work but with the possibility of exploiting cheap labor.

He stated that the average education level is about nine years. Most of these people could not pass the apprenticeship test as they are sorely lacking in the basic reading, writing and English skills. These are skills they must have to be able to enter into the apprenticeship program. Mr. Murry stated that they would like to see some type of pre-apprenticeship program implemented. The trade union movement is very supportive of that. There is a problem with what is called "chain gang mentality" and they shouldn't be put to work just to see them work.

Senator Dover asked if these skills, reading, writing and math, are required for the apprenticeship tests rather than work skills. Mr. Murry replied that this is pretty much what the tests consist of.

Senator Regan asked what was wrong with giving these men some basic skills so that they could at least be a "handyman". These are jobs that they could do and the union men aren't interested in these jobs anyway. Mr. Murry said they would have no problem with that.

Senator Blaylock brought it out that some businessmen might have trouble with some of the programs, such as maintaining school buses, printing, etc., as these contracts are held by local businessmen and they could possibly lose this work to the prison.

June 22, 1982

There was discussion about the inmates taking care of some of the grounds at the prison and being taught landscaping and gardening. Mr. Murry stated that they did not have the contract for this. That contract is with the MPEA. Senator Goodover stated that the work is not being done now and saw nothing wrong in having the inmates take care of it.

Senator Boylan felt that there would not be the type of mass production that would interfere with any private enterprise. He was not in favor of automated production where the inmates would sit back and do nothing. If this sort of thing happened then the union should come in and put a stop to it.

Mr. Murry stated that there were some programs that he could not speak to because he didn't have firsthand knowledge of them but that the butcher program was set up with the help of the union. The mechanic program was also begun with the help of the union, as was the culinary arts program which was one of the best programs ever implemented.

Senator Dover asked if there was a way that these men could be trained to be a helper. There are some areas in carpentering, electricity and plumbing where you really need a handyman type person. The contractor just doesn't have the time to do these simple jobs. Would there be a possibility of setting up a program for some type of thing like this? Mr. Murry replied that the union would be happy to be asked and would be glad to help.

Further discussion was held on various jobs that perhaps the inmates could do, holding these jobs out of the contracts, such as painting the guard tower and the chapel. Mr. Murry felt that this could probably be done even at the present time during the collective bargaining period.

There being no further questions from the Committee members, the Committee went into executive session.

Senator Goodover moved, seconded by Senator Dover, that SB 1 DO PASS.

Senator Blaylock felt that this is a whole lot to be dumped on the Director of the Department of Institutions, whoever that person might be. He also said that David Hunter, Commissioner of the Department of Labor, felt there was a problem in the bill, page 4, line 19 that would have to be taken care of during the regular session if this bill should pass. There is no time now to take care of it. He is going to talk to Senator Turnage about this particular subsection.

Senator Goodover moved, seconded by Senator Dover, that the Statement of Intent DO PASS. MOTION PASSED UNANIMOUSLY.

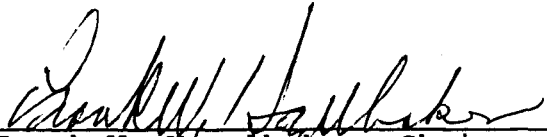
Business and Industry Committee

-3-

June 22, 1982

Senator Goodover moved, seconded by Senator Dover, that SB 1
DO PASS. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 11:05 a.m.



Frank W. Hazelbaker, Chairman

47th SPECIAL SESSION II

ROLL CALLBUSINESS & INDUSTRY

COMMITTEE

47th LEGISLATIVE SESSION -- 1981

Date 6/22/82

NAME	PRESENT	ABSENT	EXCUSED
BLAYLOCK, CHET	X		
BOYLAN, PAUL	X		
DOVER, HAROLD	X		
KOLSTAD, ALLEN			X
LEE, GARY			X
REGAN, PAT	X		
GOODOVER, PAT, VICE-CHRM.	X		
HAZELBAKER, FRANK, CHAIRMAN	X		

Each day attach to minutes.

SENATE COMMITTEE BUSINESS & INDUSTRY

Date 6/22/82 Bill No. 1 Time 11:04

NAME	YES	NO
BLAYLOCK, Chet	X	
BOYLAN, Paul	X	
DOVER, Harold	X	
KOLSTAD, Allen		
LEE, Gary		
REGAN, Pat	X	
GOODOVER, Pat	X	
HAZELBAKER, Frank, Chairman	X	

Louise Sullivan
Secretary

Frank W. Hazelbaker
Chairman

Motion: Senate Bill 1, Do Pass with Statement of Intent
attached.

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

June 22

82

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PRESIDENT

MR.

BUSINESS & INDUSTRY

We, your committee on

SENATE

1

having had under consideration Bill No.

SENATE

1

Respectfully report as follows: That Bill No.

DO PASS

Statement of Intent attached.

Frank W. Hazelbaker

Chairman.

L.C.

June 22

19 82

PRESIDENT

MR.

BUSINESS & INDUSTRY

We, your committee on

having had under consideration **Statement of Intent, SENATE** Bill No. **1**.....

Statement of Intent, Senate

Respectfully report as follows: That..... Bill No. **1**.....

STATEMENT OF INTENT RE: SB 1

A statement of intent is required for this bill in that it delegates authority to the department of administration to adopt rules in subsection (7) (a) of section 1, In adopting rules implementing the prison vocational industries program the department should include:

- (1) guidelines and procedures for contracting with vocational education entities;
- (2) rules governing inmate participation;

(CONTINUED)

DO PASS

W.C.

June 22 19 82

(3) rules governing the calculation and payment of inmate wages, including maintaining savings accounts for inmates to be released to them upon release from the institution;

(4) price lists for the cost of products and services;

(5) rules outlining criteria for developing a vocational industry program.

DO PASS

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