

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

February 5, 1983

The meeting of the Labor Committee was called to order by Chairman Gary C. Aklestad on February 5, 1983, at 1:30 p.m. in Room 404, State Capitol.

ROLL CALL: All members of the Committee were present.

ACTION ON SENATE BILL NO. 92:

The Committee considered a proposed amendment to Senate Bill No. 92 submitted by LeRoy Schramm. This amendment is attached. (Exhibit No. 1)

Senator Lynch moved that the Committee adopt the proposed amendment by Mr. Schramm, but Senator Lynch withdrew the motion.

Senator Keating made a substitute motion to amend the following in Senate Bill 92: adopt LeRoy Schramm's amendment and to, on page 3, line 5, add a period after "parties" and delete the rest of line 5 and all of line 6.

Senator Lynch moved to divide Senator Keating's two amendments on Senate Bill 92. The Committee voted unanimously by voice vote to divide the amendments.

The Committee then voted unanimously by voice vote to adopt the following amendment to Senate Bill No. 92: add "mandatorily negotiable" on page 3, line 4, following "unresolved".

On the second half of Senator Keating's amendment there was a voice vote to adopt it. Senator Keating voted "yes". The remainder of the committee voted "no". The motion failed.

Senator Goodover made a motion to amend the title by striking everything after "services" on line 9, to strike section 3 and the rest of the bill.

On a Roll Call Vote, this motion failed by a 5-3 vote. This Roll Call Vote is attached.

Senator Keating moved that Senate Bill 92 Do Pass as amended. On a Roll Call Vote the motion failed by a vote of 4-4. This Roll Call Vote is attached.

Senator Gage made a motion to change the severability clause to a non-severability clause. There was discussion on the motion, and Senator Gage withdrew his motion.

Senator Keating moved that the Committee Table Senate Bill 92 as amended. On a voice vote the Committee voted "yes" except for Senator Blaylock, who voted "no". Senator Bill 92 is tabled in Committee.

ACTION ON SENATE BILL NO. 154:

Senator Keating moved that the Committee take from the Table Senate Bill 154 for purposes of an amendment.

Senator Keating withdrew his amendment. Senator Keating requested a few minutes to study the amendment, and the committee agreed to this.

ACTION ON SENATE BILL NO. 213:

Senator Galt moved that Senate Bill No. 213 Do Pass. On a Roll Call Vote, the Committee voted 6-2 that SENATE BILL NO. 213 DO PASS. The Roll Call Vote is attached.

ACTION ON SENATE BILL NO. 215:

Senator Galt Moved that Senate Bill 215 Do Pass. On a Roll Call Vote, the Committee voted 4-4. The motion failed.

Senator Gage made a motion that during the one week which is required by federal law to wait between regular benefits and extended benefits that the unemployed person receive one-half of the benefits that he will be entitled to. Senator Gage withdrew his motion.

ACTION ON SENATE BILL NO. 273:

Senator Galt asked Mr. Hunter to explain the bill further to the Committee. Mr. Hunter proceeded to explain the bill to the Committee.

Senator Galt moved that Senate Bill No. 273 Do Pass. On a Roll Call Vote the Committee voted 5-3 that SENATE BILL NO. 273 DO PASS. The Roll Call Vote is attached.

CONTINUATION OF ACTION ON SENATE BILL NO. 154:

Senator Keating proposed two amendments.

The first amendment would change the title of the bill. The amendment would clarify the title of the bill.

Senator Keating moved that the Committee adopt the proposed amendment to Senate Bill 154.

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The Committee voted unanimously by voice vote to adopt the amendment to the title of Senate Bill 154.

Senator Keating submitted an amendment to the body of Senate Bill 154. It passed by unanimous vote.

Senator Keating then moved that Senate Bill 154 Do Pass as Amended. On a Roll Call Vote, the Committee voted 6-2 that SENATE BILL NO. 154 DO PASS AS AMENDED.

ACTION ON SENATE BILL NO. 136:

Senator Keating moved his proposed amendments to Senate Bill No. 136. On a Roll Call Vote, the Committee voted 5-3 to adopt the amendments. These amendments are attached. (Exhibit No. 2)

Senator Keating moved that Senate Bill No. 136 Do Pass as Amended. On a Roll Call Vote, the Committee voted 4-4 that Senate Bill No. 136 Do Pass as Amended. The motion failed.

ADJOURN: There being no further business before the Committee, the meeting was adjourned at 2:25 p.m.



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Senator Gary C. Aklestad, Chairman

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## ROLL CALL

## LABOR

## COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 2/5/8

STANDING COMMITTEE REPORT

February 5,

19 83

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

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

having had under consideration ..... SENATE ..... Bill No. 154 .....

Respectfully report as follows: That ..... SENATE ..... Bill No. 154 .....

Introduced bill be amended as follows:

1. Title, line 10.

Following: "SUPERVISORY"

Strike: "EMPLOYEES"

Insert: "POSITIONS"

2. Title, line 11.

Following: "MANAGEMENT"

Strike: "OFFICIALS"

Insert: "POSITIONS"

3. Title, line 11.

Following: "OTHER"

Strike: "EMPLOYEES"

Insert: "POSITIONS"

DO PASS

(Continued)

February 5, 1983  
Senate Bill No. 154

4. Title, line 12.

Following: "ONLY"

Strike: remainder of line 12 through "OCCUPIED" on line 13.

Insert: "IF THE POSITIONS EXISTED ON JULY 1, 1973, AND THE  
EMPLOYEES OCCUPYING THOSE POSITIONS ON OCTOBER 1, 1983,  
CONTINUE TO OCCUPY THOSE POSITIONS OR OCCUPY OTHER POSITIONS  
CONTAINED IN THE UNIT"

5. Page 2, line 5.

Following: "position"

Delete: remainder of line 5 through line 19

Insert: "that is currently occupied by an employee who is not a  
public employee as defined in 39-31-103, then that employee may,  
after October 1, 1983, elect to either remain in the bargaining  
unit in that same position or an equivalent position, or to be  
excluded from the bargaining unit. In all cases, future replacements  
made for such positions must be in accordance with subsection (2).  
This subsection does not apply to bargaining units that have private  
pension plans.

And, as so amended  
DO PASS

STANDING COMMITTEE REPORT

February 5, 1983

MR. PRESIDENT:

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

having had under consideration **SENATE** Bill No. **213**

Respectfully report as follows: That **SENATE** Bill No. **213**

DO PASS

STATE PUB. CO.  
Helena, Mont.

**GARY C. AKLESTAD,**

Chairman

*M.C.*

# STANDING COMMITTEE REPORT

February 5,

19 83

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

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

having had under consideration ..... **SENATE** ..... Bill No. .... **273** .....

Respectfully report as follows: That ..... **SENATE** ..... Bill No. .... **273** .....

DO PASS

**SENATE COMMITTEE ON LABOR**

Date Feb. 5, 1983 Senate Bill No. 92 Time 1:30

NAME	YES	NO
<u>TOM KEATING, VICE-CHAIRMAN</u>		✓
<u>JACK GALT</u>	✓	
<u>PAT GOODOVER</u>	✓	
<u>DELWYN GAGE</u>		✓
<u>CHESTER BLAYLOCK</u>		✓
<u>JOHN LYNCH</u>		✓
<u>DICK MANNING</u>		✓
<u>GARY AKLESTAD, CHAIRMAN</u>	✓	

Maryorie Nichols  
Secretary

Gary C. Akelstad  
Chairman

Motion: by Senator Goodwin to amend the title by  
striking everything after "services" on line 9, and  
to strike section 3 and the rest of the bill.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 92 Time 1:31

NAME	YES	NO
<u>TOM KEATING, VICE-CHAIRMAN</u>	✓	
<u>JACK GALT</u>	✓	
<u>PAT GOODOVER</u>	✓	
<u>DELWYN GAGE</u>		✓
<u>CHET BLAYLOCK</u>		✓
<u>JOHN LYNCH</u>		✓
<u>DICK MANNING</u>		✓
<u>GARY AKLESTAD, CHAIRMAN</u>	✓	

Marjorie Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: by Senator Keating that Senate Bill No. 92  
Do Pass as amended.Motion failed 4-4 vote.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 213 Time 1:45

NAME	YES	NO
TOM KEATING, VICE-CHAIRMAN	✓	
JACK GALT	✓	
PAT GOODOVER	✓	
DELWYN GAGE	✓	
CHEP BLAYLOCK	✓	
JOHN LYNCH		✓
DICK MANNING		✓
GARY AKLESTAD, CHAIRMAN	✓	

Maryne Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: Senator Hall moved that Senate Bill No. 213  
Do Pass.Motion passed 6-2

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

SENATE COMMITTEE LABOR

Date 2/5/83      Senate      Bill No. 215      Time 1:50

NAME	YES	NO
<u>TOM KEATING, VICE-CHAIRMAN</u>	✓	
<u>JACK GALT</u>	✓	
<u>PAT GOODOVER</u>	✓	
<u>DELWYN GAGE</u>		✓
<u>CHESTER BLAYLOCK</u>		✓
<u>JOHN LYNCH</u>		✓
<u>DICK MANNING</u>		✓
<u>GARY AKLESTAD, CHAIRMAN</u>	✓	

Marjorie Nichols  
Secretary

Gary C. Aklestad  
Chairman

Motion: Senator Galt moved that Senate Bill  
No. 215 Do Pass.

4-4 vote. Motion failed.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 273 Time 2:00

NAME	YES	NO
<u>TOM KEATING, VICE-CHAIRMAN</u>	✓	
<u>JACK GALT</u>	✓	
<u>PAT GOODOVER</u>	✓	
<u>DELWYN GAGE</u>	✓	
<u>CHEP BLAYLOCK</u>		✓
<u>JOHN LYNCH</u>		✓
<u>DICK MANNING</u>		✓
<u>GARY AKLESTAD, CHAIRMAN</u>	✓	

Marjorie Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: Senator Galt moved that Senate Bill # 273  
Do Pass.Motion passed 5-3.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 154 Time 2:02

NAME	YES	NO
TOM KEATING, VICE-CHAIRMAN	✓	
JACK GALT	✓	
PAT GOODOVER	✓	
DELWYN GAGE	✓	
CHET BLAYLOCK	✓	
JOHN LYNCH		✓
DICK MANNING		✓
GARY AKLESTAD, CHAIRMAN	✓	

Marjorie Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: Senator Keating moved that Senate Bill No. 154  
Do Pass as Amended.Panel 6-2.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 136 Time 2:20

NAME	YES	NO
<u>TOM KEATING, VICE-CHAIRMAN</u>	✓	
<u>JACK GALT</u>	✓	
<u>PAT GOODOVER</u>	✓	
<u>DELWYN GAGE</u>	✓	
<u>CHEP BLAYLOCK</u>		✓
<u>JOHN LYNCH</u>		✓
<u>DICK MANNING</u>		✓
<u>GARY AKLESTAD, CHAIRMAN</u>	✓	

Marjorie Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: Senator Keating moved to adopt his proposed amendment on AB 136.Passed 5-3.

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

SENATE COMMITTEE LABORDate 2/5/83 Senate Bill No. 136 Time 2:21

NAME	YES	NO
TOM KEATING, VICE-CHAIRMAN	✓	
JACK GALT	✓	
PAT GOODOVER	✓	
DELWYN GAGE		✓
CHET BLAYLOCK		✓
JOHN LYNCH		✓
DICK MANNING		✓
GARY AKLESTAD, CHAIRMAN	✓	

Mayrene Nichols  
SecretaryGary C. Aklestad  
ChairmanMotion: Senator Keating moved that Senate Bill No. 136  
Do Pass as amended.Motion failed 4-4 vote.

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

February 5, 1983  
Exhibit 1

Proposed amendment to Senate Bill 92 submitted by LeRoy Schramm.

1. Page 3, line 4.

Following: "unresolved"

Insert: "mandatorily negotiable"

Proposed Amendments to SB 136

1. Title, line 6.

Following: "LABOR DISPUTE"

Insert: "ONLY"

Following: "THE DISPUTE"

Insert: "DOES NOT RESULT IN A WORK STOPPAGE AND"

2. Title, line 7.

Following: "WEEKS"

Insert: "OR THE DISPUTE RESULTS IN A WORK STOPPAGE THAT THE CLAIMANTS ARE NOT DIRECTLY INVOLVED IN"

3. Page 1, line 18.

Following: "dispute"

Insert: "that does not result in a work stoppage"

4. Page 1, lines 19 and 20.

Following: "employed"

Strike: ","

Insert: ":"

Strike: remainder of line 19 through "if" on line 20

Insert: "(2) An individual shall be disqualified for benefits for any week of unemployment that is due to a labor dispute that results in a work stoppage at the factory, establishment, or other premises at which he is or was last employed unless"

Renumber: subsequent subsections

5. Page 2, line 2

Following: "stoppage"

Strike: "labor dispute"

Insert: "stoppage"

6. Page 2, line 3.

Following: "stoppage"

Strike: "labor dispute"

Insert: "stoppage"