

*Handwritten initials*

*House* BILL NO. 167  
*Lucy Quilley*  
*Doreen Kelly*

*Handwritten signatures and initials*

INTRODUCED BY  
A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE EMPLOYMENT OF PROFESSIONAL STRIKEBREAKERS IN A LABOR DISPUTE AND TO LIMIT THE RIGHT TO RECRUIT EMPLOYEES TO REPLACE EMPLOYEES INVOLVED IN A LABOR DISPUTE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Recruitment by third parties. No person, partnership, firm, or officer or agent thereof, may recruit, procure, supply, or refer a person for employment in place of an employee involved in a labor dispute when such person, partnership, or firm is not a party to the dispute.

Section 2. Profesional strikebreakers prohibited. (1) An employer involved in a labor dispute may not employ in the place of an employee involved in such dispute a person who customarily and repeatedly offers himself for employment in the place of employees involved in labor disputes.

(2) A person who customarily and repeatedly offers himself for employment in place of employees involved in labor disputes may not take or offer to take the place in employment of an employee involved in a labor dispute within the state of Montana.

Section 3. Agreements to procure strikebreakers

prohibited. No employer involved in a labor dispute may contract or arrange with any other person, partnership, or firm for the latter to recruit, procure, supply, or refer persons for employment in place of employees involved in the dispute.

Section 4. Advertising for strikebreakers restricted. No person, partnership, or firm may recruit, solicit, or advertise for employees, or refer persons to employment, in place of employees involved in a labor dispute, without adequate notice in such advertisement or reference that there is a labor dispute at the place at which employment is offered and that the employment offered is in the place of employees involved in such dispute.

Section 5. Penalties. A person violating sections 1, 2, or 3 is guilty of a felony and shall be punished by fine of not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) or by imprisonment for not less than one (1) nor more than two (2) years. A person violating section 4 is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or imprisonment for not more than thirty (30) days.

Section 6. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in

1 effect. If a part of this act is invalid in one (1) or more  
2 of its applications, the part remains in effect in all valid  
3 applications that are severable from the invalid  
4 applications.

-End-

Approved by Committee  
on Labor & Employment  
Relations

*Hayden  
Kinn*

*House* BILL NO. *167*  
*Senate* *Lucy* *Quinn* *Member*  
*Nancy* *Hunsicker* *Kelly* *MUIAR*  
*Heuback*

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*HB 167*

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*Hayden  
Kinn*

*House* BILL NO. 167 *Luebeck*  
*Lucas* *Quilley* *Meyers*  
*Duswell* *Nelson* *Hennings* *Kelly* *MUTAR*  
*Hennings*

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-End-

February 18, 1975

SENATE COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS

AMENDMENTS TO HOUSE BILL NO. 167

That House Bill No. 167, third reading, be amended as follows:

1. Amend page 1, section 1, line 12.  
Following: "refer a"  
Strike: "person"  
Insert: "professional strikebreaker"
2. Amend page 1, section 2, line 17.  
Following: "dispute a"  
Strike: "person"  
Insert: "professional strikebreaker"
3. Amend page 1, section 2, line 20.  
Following: "A"  
Strike: "person"  
Insert: "professional strikebreaker"
4. Amend page 2, section 3, line 4.  
Strike: "persons"  
Insert: "professional strikebreakers"
5. Amend page 2, section 5, line 14.  
Following: "person"  
Insert: "convicted of"
6. Amend page 2, section 5, line 15.  
Following: "3"  
Strike: "is guilty of a felony and"
7. Amend page 2, section 5, line 15.  
Following: "by"  
Insert: "a"
8. Amend page 2, section 5, line 18.  
Following: "person"  
Insert: "convicted of"
9. Amend page 2, section 5, line 19.  
Following: "4"  
Strike: "is guilty of a misdemeanor and"

1 HOUSE BILL NO. 167

2 INTRODUCED BY LYNCH, QUILICI, MENAHAN, HARPER,  
3 KIMBLE, DRISCOLL, MELOY, HUENNEKENS, KELLY, MULAR,  
4 LUEBECK, MCKITTRICK, HELMBRECHT

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REFERENCE BILL



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