

SENATE BILL 321

IN THE SENATE

January 31, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 17, 1979	Committee recommend bill, do pass.
February 19, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed.
February 22, 1979	Third reading, passed.

IN THE HOUSE

February 23, 1979	Introduced and referred to Committee on Labor and Employment Relations.
March 8, 1979	Committee recommend bill, concurred.
March 12, 1979	Second reading, concurred.
March 15, 1979	Third reading, concurred.

IN THE SENATE

March 16, 1979	Returned from House, concurred.
March 16, 1979	Sent to enrolling.
March 20, 1979	Correctly enrolled. Signed by President.

GOVERNOR

March 22, 1979	Delivered to Governor
March 27, 1979	Veto.

IN THE SENATE

April 2, 1979	Sustained veto (28A-21N)
April 10, 1979	Sustained veto (29A-17N)

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INTRODUCED BY *Anna Roskie Roomer Ryan Nealy* BILL NO. *321*

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE RELATIONSHIP BETWEEN THE BOARD OF PERSONNEL APPEALS AND THE DEPARTMENT OF LABOR AND INDUSTRY; AMENDING SECTION 2-15-1705, MCA."

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

Section 1. Section 2-15-1705, MCA, is amended to read:

"2-15-1705. Board of personnel appeals -- allocation -- composition -- quasi-judicial. (1) There is a board of personnel appeals.

(2) The board is allocated to the department of labor and industry for administrative purposes only as prescribed in 2-15-121, ~~except that the board shall hire its own personnel, may seek and receive private or federal funds in its own name, and shall determine all matters of policy concerning the use of its budget. Subsection (2)(d) of 2-15-121 does not apply for the purposes of this section.~~

(3) The board consists of five members appointed by the governor. Two members shall represent management, two members shall represent employees or employee organizations of the state, and one member shall represent a neutral position.

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(4) The board is designated a quasi-judicial board for purposes of 2-15-124."

-End-

1 *Agua* BILL NO. *321*  
 2 INTRODUCED BY *Leslie Rasmussen Ryan Healy*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE  
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 12 -- composition -- quasi-judicial. (1) There is a board of  
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 15 and industry for administrative purposes only as prescribed  
 16 in 2-15-121, except that the board shall hire its own  
 17 personnel, may seek and receive private or federal funds in  
 18 its own name, and shall determine all matters of policy  
 19 concerning the use of its budget. Subsection (2)(d) of  
 20 2-15-121 does not apply for the purposes of this section.

21 (3) The board consists of five members appointed by  
 22 the governor. Two members shall represent management, two  
 23 members shall represent employees or employee organizations  
 24 of the state, and one member shall represent a neutral  
 25 position.

1 (4) The board is designated a quasi-judicial board for  
 2 purposes of 2-15-124."

-End-

SB 321  
 THIRD READING

1 SENATE BILL NO. 321

2 INTRODUCED BY ROSKIE, RASMUSSEN, RYAN, HEALY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE  
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25 position.

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2 purposes of 2-15-124."

-End-



State of Montana  
Office of The Governor  
Helena, 59601

THOMAS L. JUDGE  
GOVERNOR

March 27, 1979

The Honorable William Mathers  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable Harold Gerke  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, do hereby veto Senate Bill 321, "AN ACT CLARIFYING THE RELATIONSHIP BETWEEN THE BOARD OF PERSONNEL APPEALS AND THE DEPARTMENT OF LABOR AND INDUSTRY; AMENDING SECTION 2-15-1705, MCA".

This bill proposes to remove the staff now utilized in the Department for classification appeals, mediation, and unfair labor practice determinations from the Department, and transfer them to the Board. It is my belief that this transfer is inappropriate.

The Executive Reorganization Act, first adopted as a constitutional amendment by 70 per cent of the votes of Montana, mandated no more than twenty separate departments and direct accountability of staff to administration. This bill violates that basic concept by making the Board of Personnel Appeals and its staff an independent entity.

Earlier this session I supported Senate Bill 110 which would have placed the staff of the Human Rights Commission under the Department of Labor and Industry. It was my belief then, and it remains my belief now, that no entity of state government should be autonomous from the rest.

For these reasons, I veto Senate Bill 321.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas L. Judge".

THOMAS L. JUDGE  
Governor

cc: The Honorable Frank Murray



State of Montana  
Office of The Governor  
Helena 59601

THOMAS L. JUDGE  
GOVERNOR

April 2, 1979

The Honorable William Mathers  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable Harold Gerke  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

I, Thomas L. Judge, in accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, do hereby veto Senate Bill No. 280, "AN ACT TO CLARIFY AND REVISE HOLIDAY AND LEAVE TIME FOR EMPLOYEES OF PUBLIC HOSPITAL DISTRICTS."

Under existing law, employees of public hospital districts, like all other public employees of the state or its political subdivisions, enjoy ten holidays each year, eleven when there is a general election. Senate Bill 280 would reduce the number of holidays for employees of public hospital districts to six with additional holidays subject to negotiation.

The hospitals who would be affected by this bill are primarily small, rural hospitals who are struggling to survive. Since they are a vital part of many Montana communities, it is imperative that they do.

However, I cannot agree with legislation which would place the burden of insuring the future financial stability of public hospital districts on their employees. Inflation, increased operational costs, and federal regulations all conspire to raise hospital costs. The employee alone should not be singled out simply because he or she is the most accessible.

Recruitment and retention of personnel has been a problem for some small hospitals in the past. Certainly reduction of fringe benefits below that of all other public employees of the state for a job which is one of the most demanding in public service would only exacerbate that problem.

Senate Bill 280 is both unfair and discriminatory. For these reasons I hereby veto Senate Bill 280.

Sincerely,

A handwritten signature in cursive script that reads "Thomas L. Judge".

THOMAS L. JUDGE  
Governor

cc: The Honorable Frank Murray