

HOUSE BILL NO. 37

1/07 Introduced
1/07 Referred to State Administration
1/10 Hearing
Died in Committee

1 HOUSE BILL NO. 37
 2 INTRODUCED BY HARRINGTON
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE FREE
 5 PUBLIC EMPLOYMENT OFFICES OPERATED BY THE DEPARTMENT OF
 6 LABOR MAY NOT GIVE PREFERENCE IN INTERVIEWS, MATCHING
 7 POSITIONS TO APPLICANTS, REFERRALS TO EMPLOYERS, OR ANY
 8 OTHER MATTER TO PERSONS RECEIVING UNEMPLOYMENT COMPENSATION,
 9 TO THE DISADVANTAGE OF PERSONS NOT RECEIVING UNEMPLOYMENT
 10 COMPENSATION; AMENDING SECTION 39-51-307, MCA."
 11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 39-51-307, MCA, is amended to read:
 14 "39-51-307. Department to create employment service.
 15 (1) The department shall establish and maintain free public
 16 employment offices in such number and in such places as may
 17 be necessary for the proper administration of this chapter
 18 and for the purpose of performing such duties as are within
 19 the purview of the act of congress entitled, "An act to
 20 provide for the establishment of a national employment
 21 system and for cooperation with the states in the promotion
 22 of such system, and for other purposes", approved June 6,
 23 1933 (48 Stat. 113; U.S.C. Title 29, Sec. 49 (c)), as
 24 amended.
 25 (2) The department shall be charged with the duty to

1 cooperate with any official or agency of the United States
 2 having power or duties under the provisions of the act of
 3 congress, as amended, and to do and perform all things
 4 necessary to secure to this state the benefits of the act of
 5 congress, as amended, in the promotion and maintenance of a
 6 system of public employment offices.
 7 (3) The provisions of the act of congress, as amended,
 8 are hereby accepted by this state in conformity with section
 9 4 of said act, and this state will observe and comply with
 10 the requirements thereof. The department is hereby
 11 designated and constituted the agency of this state for the
 12 purpose of said act.
 13 (4) For the purpose of establishing and maintaining
 14 free public employment offices, the department is authorized
 15 to enter into agreements with any political subdivisions of
 16 this state or with any private, nonprofit organization and
 17 as a part of any such agreement the department may accept
 18 money, services, or quarters as a contribution to the
 19 employment service account.
 20 (5) All unemployed persons are entitled to the
 21 services provided by the free public employment offices,
 22 whether or not they are receiving benefit payments under
 23 this chapter. Unemployed persons not receiving benefit
 24 payments because their payment period has ended or for any
 25 other reason may not in any way be treated or classified to

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1 their disadvantage differently from persons receiving
2 benefit payments; and no preference in interviewing,
3 matching positions open with unemployed persons, referrals
4 to employers, or any other matter may be given to unemployed
5 persons receiving benefit payments."

6 NEW SECTION. Section 2. Extension of authority. Any
7 existing authority of the department of labor and industry
8 to make rules on the subject of the provisions of this act
9 is extended to the provisions of this act.

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