HOUSE BILL NO. 124

INTRODUCED BY ADDY, R. MANNING

IN THE HOUSE

January S	9, 1	.985		Introduced and referred to Committee on Business and Labor.
January 2	15,	1985		Committee recommend bill do pass. Report adopted.
				Bill printed and placed on members' desks.
January	16,	1985		Second reading, do pass.
				Considered correctly engrossed.
January 3	17,	1985		Third reading, passed. Transmitted to Senate.
			IN THI	E SENATE
January 3	18,	1985		Introduced and referred to Committee on Labor and Employment Relations.
January 3	30,	1985		Committee recommend bill be concurred in. Report adopted.
January 3	31,	1985		Second reading, concurred in.
February	2,	1985		Third reading, concurred in. Ayes, 29; Noes, 19.
				Returned to House.
			IN THE	E HOUSE
February	4,	1985		Received from Senate.
				Sent to enrolling.
				Reported correctly enrolled.

LC 0762/01

HOUSE BILL NO. 124 1 2 INTRODUCED BY 3 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LABOR OR 4 5 EMPLOYEE ORGANIZATION TO GUARANTEE CERTAIN RIGHTS AND SAFEGUARDS TO PUBLIC EMPLOYEES IN ORDER TO BE RECOGNIZED AS 6 7 THE EXCLUSIVE REPRESENTATIVE FOR COLLECTIVE BARGAINING 8 PURPOSES: GIVING THE BOARD OF PERSONNEL APPEALS JURISDICTION 9 TO HEAR AND DECIDE DISPUTES INVOLVING THESE RIGHTS AND 10 SAFEGUARDS: AMENDING SECTION 39-31-206, MCA; AND PROVIDING 11 AN IMMEDIATE EFFECTIVE DATE."

12

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 14 Section 1. Section 39-31-206, MCA, is amended to read: 15 *39-31-206. Labor organization to guarantee certain rights and safeguards prior to certification or recognition. 16 (1) Certification or recognition as an exclusive 17 representative shall be extended or continued, as the case 18 19 may be, only to a labor or employee organization the written 20 bylaws of which provide for and guarantee the following 21 rights and safequards and whose practices conform to such 22 rights and safequards as:

(1) provisions are made for democratic organization 23 24 and procedures;

25

f2f(b) elections are conducted pursuant to adequate

tana Legislative Council

standards and safeguards; 1

(3)(c) controls are provided for the regulation of 2 3 officers and agents having fiduciary responsibility to the 4 organization; and

(4)(d) requirements exist for maintenance of sound 5 accounting and fiscal controls, including annual audits. 6

7 (2) The board shall hear and decide all disputes

8 arising under subsection (1)."

9 NEW SECTION. Section 2. Effective date. This act is

10 effective on passage and approval.

-End-



LC 0762/01

INTRODUCED BILL HB 124 -2-

LC 0762/01

APPROVED BY COMM. ON BUSINESS AND LABOR

1 s. BILL NO. /2 2 INTRODUCED BY 3 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LABOR OR 4 EMPLOYEE ORGANIZATION TO GUARANTEE CERTAIN RIGHTS AND 5 SAFEGUARDS TO PUBLIC EMPLOYEES IN ORDER TO BE RECOGNIZED AS 6 EXCLUSIVE REPRESENTATIVE FOR COLLECTIVE BARGAINING 7 THE PURPOSES; GIVING THE BOARD OF PERSONNEL APPEALS JURISDICTION 8 TO HEAR AND DECIDE DISPUTES INVOLVING THESE RIGHTS AND 9 SAFEGUARDS; AMENDING SECTION 39-31-206, MCA; AND PROVIDING 10 AN IMMEDIATE EFFECTIVE DATE." 11

12

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13

Section 1. Section 39-31-206, MCA, is amended to read: 14 "39-31-206. Labor organization to guarantee certain 15 rights and safeguards prior to certification or recognition. 16 or recognition as an exclusive (1) Certification 17 representative shall be extended or continued, as the case 18 may be, only to a labor or employee organization the written 19 bylaws of which provide for and guarantee the following 20 rights and safeguards and whose practices conform to such 21 rights and safeguards as: 22

(1) provisions are made for democratic organization 23 24 and procedures;

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(2) (b) elections are conducted pursuant to adequate

Iontana Legislative Council

1 standards and safequards;

2 +3+(c) controls are provided for the regulation of 3. officers and agents having fiduciary responsibility to the 4 organization; and

(4)(d) requirements exist for maintenance of sound 5 6 accounting and fiscal controls, including annual audits.

7 (2) The board shall hear and decide all disputes 8 arising under subsection (1)."

9 NEW SECTION. Section 2. Effective date. This act is 10 effective on passage and approval.

-End-

-2-

LC 0762/01

1 HOUSE FILL NO. 12.4 2 INTRODUCED BY

. 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LABOR OR 5 EMPLOYEE ORGANIZATION TO GUARANTEE CERTAIN RIGHTS AND 6 SAFEGUARDS TO PUBLIC EMPLOYEES IN ORDER TO BE RECOGNIZED AS 7 THE EXCLUSIVE REPRESENTATIVE FOR COLLECTIVE BARGAINING 8 PURPOSES: GIVING THE BOARD OF PERSONNEL APPEALS JURISDICTION 9 TO HEAR AND DECIDE DISPUTES INVOLVING THESE RIGHTS AND 10 SAFEGUARDS: AMENDING SECTION 39-31-206, MCA; AND PROVIDING 11 AN IMMEDIATE EFFECTIVE DATE."

12

25

3

49th Legislature

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

14 Section 1. Section 39-31-206, MCA, is amended to read: 15 "39-31-206. Labor organization to guarantee certain 16 rights and safeguards prior to certification or recognition. 17 (1) Certification or recognition as an exclusive 18 representative shall be extended or continued, as the case 19 may be, only to a labor or employee organization the written 20 bylaws of which provide for and guarantee the following 21 rights and safequards and whose practices conform to such 22 rights and safequards as:

23 (1) provisions are made for democratic organization 24 and procedures;

(2)(b) elections are conducted pursuant to adequate



standards and safequards; 1

4

(3)(c) controls are provided for the regulation of 2 officers and agents having fiduciary responsibility to the 3 organization; and

(4)(d) requirements exist for maintenance of sound S 6 accounting and fiscal controls, including annual audits.

(2) The board shall hear and decide all disputes 7 arising under subsection (1)." A

NEW SECTION. Section 2. Effective date. This act is 9 10 effective on passage and approval.

-End-

-2-



THIRD READING

HB 124

HB 0124/02

1	HOUSE BILL NO. 124
2	INTRODUCED BY ADDY, R. MANNING
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LABOR OR
5	EMPLOYEE ORGANIZATION TO GUARANTEE CERTAIN RIGHTS AND
6	SAFEGUARDS TO PUBLIC EMPLOYEES IN ORDER TO BE RECOGNIZED AS
7	THE EXCLUSIVE REPRESENTATIVE FOR COLLECTIVE BARGAINING
8	PURPOSES; GIVING THE BOARD OF PERSONNEL APPEALS JURISDICTION
9	TO HEAR AND DECIDE DISPUTES INVOLVING THESE RIGHTS AND
10	SAFEGUARDS; AMENDING SECTION 39-31-206, MCA; AND PROVIDING
11	AN IMMEDIATE EFFECTIVE DATE."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 39-31-206, MCA, is amended to read: 15 "39-31-206. Labor organization to guarantee certain 16 rights and safeguards prior to certification or recognition. or recognition as an exclusive 17 (1) Certification 18 representative shall be extended or continued, as the case 19 may be, only to a labor or employee organization the written 20 bylaws of which provide for and guarantee the following 21 rights and safeguards and whose practices conform to such 22 rights and safeguards as:

23 (1)(a) provisions are made for democratic organization
 24 and procedures;

25 (2)(b) elections are conducted pursuant to adequate

Montana Legislative Council

standards and safeguards;

2 (3)(c) controls are provided for the regulation of
3 officers and agents having fiduciary responsibility to the
4 organization; and

5 (4)(d) requirements exist for maintenance of sound
6 accounting and fiscal controls, including annual audits.

7 (2) The board shall hear and decide all disputes
8 arising under subsection (1):"

9 <u>NEW SECTION.</u> Section 2. Effective date. This act is

10 effective on passage and approval.

-End-

REFERENCE BILL

-2-

HB 124