

SENATE BILL 276

Introduced by Van Valkenburg, et al.

1/29	Introduced
1/29	Referred to State Administration
1/29	First Reading
1/29	Fiscal Note Requested
2/04	Fiscal Note Received
2/04	Fiscal Note Printed
2/11	Hearing
2/15	Committee Report--Bill Passed
2/17	2nd Reading Passed
2/18	3rd Reading Passed
	Transmitted to House
2/23	Referred to State Administration
2/23	First Reading
3/16	Hearing
3/17	Committee Report--Bill Concurred as Amended
3/27	2nd Reading Concurred
3/30	3rd Reading Failed
3/31	Motion Failed to Reconsider Previous Action

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INTRODUCED BY *Senators* *Repinich* *Van Vleet* *Driscoll* *DeStefano* *Hamington* *Schye* *Yelloutail* *Wilson* *Barnes* *Kennedy* *Christians* *Weldon* *Smith* *Blaylock* *Forrester* *Mengahan* *Ward* *Parlow* *Quinn* *Calley* *John*

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PENALTY FOR AN EMPLOYER WHO ATTACHES POLITICAL INFORMATION TO PAYCHECKS; AND AMENDING SECTION 13-35-226, MCA."

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

Section 1. Section 13-35-226, MCA, is amended to read:

"13-35-226. Unlawful acts of employers and employees.

(1) (a) It is unlawful for any employer, in paying his employees the salary or wages due them, to include with their pay the name of any candidate or any political mottoes, devices, or arguments containing threats or promises (express or implied) calculated or intended to influence the political opinions or actions of the employees.

(b) It is unlawful for an employer to exhibit in a place where his the employer's workers or employees may be working any handbill or placard containing any threat, promise, notice, or information that in case any particular ticket or political party, organization, or candidate is elected, work in his that place or establishment will cease, in whole or in part, or will be continued or increased; his the place or establishment will be closed; the salaries or

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(2) No A person may not attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

(3) No A public employee may not solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue while on the job or at his the employee's place of employment. However, nothing in this section is intended to restrict the right of a public employee to express his personal political views.

(4) (a) Any Except as provided in subsection (4)(b), a person who violates the provisions of this section shall be fined not to exceed \$1,000, be imprisoned in the county jail for a term not to exceed 6 months, or both, for each separate offense.

(b) A person who violates the provisions of subsection (1)(a) shall be fined not to exceed \$50,000 and be imprisoned in the county jail for a term not to exceed 6

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1 months for each separate offense."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0276, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act revising the penalty for an employer who attaches political information to paychecks.

Assumptions:

1. The act would be administered by the Commissioner of Political Practices under 13-37-111, MCA.
2. There is no fiscal impact to the commissioner or any other state agencies.
3. There is no identifiable local impact.

FISCAL IMPACT:

None

Dave Lewis 2-4-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Fred Van Valkenburg 2-4-93
FRED VAN VALKENBURG, PRIMARY SPONSOR DATE

Fiscal Note for SB0276, as introduced

SB 276

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

BILL NO.

276

INTRODUCED BY

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FOR AN EMPLOYER WHO ATTACHES POLITICAL INFORMATION TO
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LC 1383/01

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1 *Sen. Bill No. 276*
 2 INTRODUCED BY *Van Tollenburg, Driscoll, McFaul,*
 3 *Hamington, Debye, J. Cook, Yellowtail, Wilson, Beards,*
 4 *Kearney, Christensen, Bostick,*
 5 *Walden, Sub, Shultz, Ferguson,*
 6 *Blaylock,*
 7 *Forrester, Mengler, Wadsworth, Farnsworth,*
 8 *Kuipers, Cady, J. T. J. J.*
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-End-

HOUSE STANDING COMMITTEE REPORT

March 17, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 276 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. S. Rice

1. Page 2, line 24.
Strike: "\$50,000"
Insert: "\$25,000"

-END-

Committee Vote:
Yes 11, No 5.

HOUSE
SB 276
601231SC.Hpf

SENATE BILL NO. 276

INTRODUCED BY VAN VALKENBURG, DRISCOLL, TOWE, QUILICI,
PIPINICH, HARRINGTON, SCHYE, STRIZICH, TOOLE, YELLOWTAIL,
WILSON, BIANCHI, KENNEDY, CHRISTIAENS, BARTLETT, WELDON,
FRITZ, DOHERTY, JACOBSON, JERGESON, BLAYLOCK, LYNCH,
FORRESTER, MENAHAN, WEEDING, PAVLOVICH, SQUIRES,
TUSS, GALVIN

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