

HOUSE BILL NO. 60
INTRODUCED BY HARRINGTON

IN THE HOUSE

DECEMBER 31, 1990 INTRODUCED AND REFERRED TO COMMITTEE
ON LABOR & EMPLOYMENT RELATIONS.

JANUARY 7, 1991 FIRST READING.

JANUARY 29, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 30, 1991 PRINTING REPORT.

JANUARY 31, 1991 SECOND READING, DO PASS.

FEBRUARY 1, 1991 ENGROSSING REPORT.

FEBRUARY 2, 1991 THIRD READING, PASSED.
AYES, 87; NOES, 8.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON LABOR & EMPLOYMENT RELATIONS.

FIRST READING.

MARCH 13, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 15, 1991 SECOND READING, CONCURRED IN.

MARCH 16, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 18, 1991 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE BILL NO. 60

INTRODUCED BY HARRINGTON

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE A MEAL ALLOWANCE FROM THE MINIMUM WAGE PAID TO MONTANA EMPLOYEES; AMENDING SECTION 39-3-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 39-3-402, MCA, is amended to read:

"39-3-402. Definitions. As used in this part, the following definitions apply:

(1) "Commissioner" means the commissioner of labor and industry.

(2) "Employ" means to suffer or permit to work.

(3) "Employee" ~~includes--any~~ means an individual employed by an employer.

(4) "Farm or ranch" ~~shall--mean~~ means any endeavor primarily engaged in cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, and poultry and fur-bearing animals and wildlife.

(5) "Farm worker" means any a person employed to do any service performed on a farm or ranch.

(6) "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

(7) "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such an allowance as may be permitted by regulations of the commissioner under 39-3-403. The term "wage" includes the reasonable cost to the employer of furnishing such the employee with board, lodging, or other ~~facilities~~, facility if ~~such--board, the~~ lodging, or other facilities--are facility is customarily furnished by such the employer to his employees; provided, however, ~~that--in--no--case--shall--such~~ the inclusion may not exceed an amount equal to 40% of the total wage paid by such the employer to such the employee. The term "wage" does not include the cost to the employer of providing meals or a meal allowance to the employee or the value of any tips received by an employee as a gratuity for service.

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

-End-



STATE OF MONTANA - FISCAL NOTE

Form BD-15


In compliance with a written request, there is hereby submitted a Fiscal Note for HB0060, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill to exclude a meal allowance from the definition of "wage" under the state minimum wage law.

FISCAL IMPACT:

No fiscal impact.



ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning 1-7-91



DAN HARRINGTON, PRIMARY SPONSOR DATE
1-8-91

Fiscal Note for HB0060, as introduced

HB 60

APPROVED BY COMMITTEE
ON LABOR & EMPLOYMENT
RELATIONS

HOUSE BILL NO. 60

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-End-

THIRD READING

-2-

HB 60

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