

MINUTES OF THE MEETING
LABOR & EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

March 17, 1981

The meeting of the Labor & Employment Relations Committee was called to order by Chairman Harold Nelson on March 17, 1981, in Room 404 of the State Capitol at 1:00 p.m.

ROLL CALL: All members of the Committee were present.

ACTION ON HOUSE BILL 430:

Senator Aklestad moved that House Bill 430 Be Concurred In. On a Roll Call Vote, the Committee voted 4-3 that HOUSE BILL 430 BE CONCURRED IN. Senator Goodover was not present for this vote. The Roll Call Vote is attached.

ACTION ON HOUSE BILL 557:

Staff Attorney, Katherine Orr, explained the amendments offered by Phil Strobe to the Committee.

Senator Ryan moved that House Bill 557 Be Concurred In "as is".

There was discussion by the Committee on the "tipping of waitresses" at banquets.

Senator Keating asked about the impact of HB 557 on jobs other than waitressing which might be affected.

Ms. Orr stated that there were many other jobs which would be affected.

Senator Keating stated that this might eliminate some jobs for some people.

Senator Ryan stated that he couldn't conceive of any job being worth less than \$2.75 per hour.

Senator Goodover made a substitute motion that the Committee adopt the amendments offered by Phil Strobe. There was agreement that the amendments should be severed.

Senator Keating questioned the language in the amendments.

As to section 2 in the bill, Senator Goodover stated that the bill regulates private enterprise and he didn't believe this was right.

Senator Goodover further stated that we are forcing businesses to do things that may or may not be in the best interests of the business, and he does not feel a person should be told how to run his business.

Ms. Orr stated that she had talked with Mr. Strobe about the amendments, and the amendments as he has written them don't exactly do what he intends them to do.

Senator Goodover asked what Mr. Strobe's amendments mean in application to the bill.

Ms. Orr stated that Mr. Strobe wants to exclude employers and employees who are subject to the federal Fair Labor Standards Act from coverage of the bill. He wants to remove the ability of employers, etc. to pick and choose between the federal or state act.

Senator Nelson stated that the farm workers were excluded.

Senator Anderson stated that the tips waitresses receive would be a portion of their wages.

Senator Goodover moved that Amendment #3 offered by Phil Strobe Be Concurred In. The amendment is as follows:

3. Page 3, lines 19 through 23.
Strike: Section (b) in its entirety as set forth on lines 19 through 23.

The motion failed by a 4-4 vote. This Roll Call Vote is attached.

Senator Goodover then moved that the Committee delay action on HB 557 until Thursday, March 19. The Committee agreed.

ACTION ON HJR 25:

Senator Aklestad moved that HJR 25 Not Be Concurred In.

Senator Anderson made a substitute motion that the amendment offered by Representative Harper Be Concurred In.

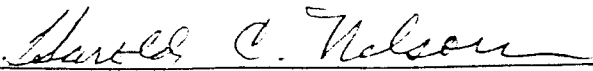
On a voice vote, the Committee voted unanimously to Concur In the amendment offered by Representative Harper.

There was a discussion of the Child Labor Law studies.

Ms. Orr stated that a study was requested two years ago, and Representative Harper did see this study. He thought another study was needed.

Senator Anderson moved that we table any action on HJR 25 until the next meeting. The Committee agreed to this.

ADJOURN: There being no further business, the meeting adjourned
at 1:50 p.m.



Senator Harold C. Nelson, Chairman

mln

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date Mar. 17

NAME	PRESENT	ABSENT	EXCUSED
GARY C. AKLESTAD, VICE-CH.	✓		
MIKE ANDERSON	✓		
PAT M. GOODOVER	✓		
WILLIAM HAFFERMAN	✓		
THOMAS F. KEATING	✓		
BILL NORMAN	✓		
PATRICK L. RYAN	✓		
HAROLD C. NELSON, CHAIRMAN	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

March 17, 1981

MR. PRESIDENT

We, your committee on LABOR & EMPLOYMENT RELATIONS

having had under consideration HOUSE Bill No. 430

Underdal (Aklestad)

Respectfully report as follows: That HOUSE Bill No. 430

BE CONCURRED IN
DUPASS

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date March 17, 1981 House Bill No. 430 Time 1:10

NAME	YES	NO
GARY C. AKLESTAD, VICE-CHAIRMAN	✓	
MIKE ANDERSON	✓	
PAT M. GOODOVER	absent from vote	
WILLIAM HAFFERMAN		✓
THOMAS F. KEATING	✓	
BILL NORMAN		✓
PATRICK L. RYAN		✓
HAROLD C. NELSON, CHAIRMAN	✓	

Margie Nichols
Secretary

Harold C. Nelson
Chairman

Motion: by Senator Aklestad that HB 430
Be Concurred In.

Motion passed 4-3.

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date Mar. 17, 1981

House

Bill No. 557

Time 1:35

NAME	YES	NO
GARY C. AKLESTAD, VICE-CHAIRMAN	✓	
MIKE ANDERSON	✓	
PAT M. GOODOVER	✓	
WILLIAM HAFFERMAN		✓
THOMAS F. KEATING		✓
BILL NORMAN		✓
PATRICK L. RYAN		✓
HAROLD C. NELSON, CHAIRMAN	✓	

Margie Nichols
Secretary

Harold C. Nelson
Chairman

Motion: by Senator Goodover that amendment #3
offered by Phil Stropi Be Concurred In.

Motion failed by a 4-4 vote.

(include enough information on motion—put with yellow copy of committee report.)