

MINUTES OF THE MEETING
BUSINESS AND LABOR COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

March 20, 1985

The meeting of the Business and Labor Committee was called to order by Chairman Bob Pavlovich on March 20, 1985 at 7:30 a.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present with the exception of Representative Jerry Nisbet, who was excused by the chairman.

ACTION ON SENATE BILL 446: Representative Simon moved DO PASS on Senate Bill 446 and moved the amendments. The amendments did pass by unanimous vote. Senate Bill 446 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 357: Representative Brandewie moved DO PASS on Senate Bill 357. Second was received, Senate Bill 357 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 452: Chairman Pavlovich appointed a sub-committee to work on Senate Bill 452. Representative Kadas was appointed chairmen and Representatives Glaser, Hansen and Simon will serve.

ACTION ON SENATE BILL 74: Representative Pavlovich stated if the attorney general is left in the bill, he must be called to get anyone off the road. Representative Brandewie moved DO PASS on Senate Bill 74. Representative McCormick offered a substitute motion that Senate Bill 74 DO NOT PASS. Representative Kitselman explained that the governor can veto this bill and change the language. A roll call vote resulted in 10 members voting yes and 10 members voting no. Representative Driscoll moved the amendments. Representative Kadas added that the language "all offenses involving motor vehicles", opens the issue to more than what is intended to be addressed. The amendment received a 10 to 10 vote. Representative Kitselman suggested the bill be sent out WITHOUT RECOMMENDATION and explained that the possibility of loss of life exists. Representative Hart stated that there are adequate policemen and sheriff and that a few patrolmen will add nothing. Representative Glaser stated we are talking about existing law and the highway patrol already have control over everything stated in the bill. Representative Bachini suggested a fiscal note be requested and reviewed prior to further consideration. A fiscal note will be ordered and action will be delayed.

SENATE BILL 129: Hearing commenced on Senate Bill 129. Senator Paul Boylan, District #39, sponsor of the bill, stated this establishes a centralized filing system for security interest covering agricultural products and allowing computer data to be searched by private computers. Senator Boylan explained this bill has nothing to do with livestock.

Proponent Dennis DeVries, representing the Montana Bankers Association, supplied written testimony which is attached hereto as Exhibit 1.

Proponent Mike Cronin, Administrative Assistant, Montana Bankers Association, supplied written testimony which is attached hereto as Exhibit 2.

Proponent Kerry Schaefer, representing the Montana Grain Elevator Association, supplied written testimony which is attached hereto as Exhibit 3.

Proponent Randy Johnson, Executive Vice-President, Montana Grain Growers Association, supplied written testimony which is attached hereto as Exhibit 4.

Proponent Terry Murphy, President, Montana Farmers Union, offered his support of the bill.

Proponent Elroy Lecher, Executive Secretary, Montana Council of Cooperatives, explained their council adopted a resolution on January 15, 1985 which is attached hereto as Exhibit 5.

Proponents Bob Gill, representing the PCA's, Jim Drummond, representing 1st Security Bank in Bozeman and the Montana Independent Bankers and Larry Akey, Chief Deputy to the Secretary State, all offered their support of the bill.

Opponent Gary Peres, of Choteau County, stated by taking the filing of all agricultural liens to the secretary of states office will accomplish nothing. A \$12,000 per year loss will be suffered by the counties. Records have been kept at the county level since Montana became a state. The filing fees will double or triple and the secretary of state will set the cost to make this work. There are 4,100 agriculture related liens in Choteau County which must be released for a \$3 fee and then rerecorded with the secretary of state for another fee. This cost would exceed \$40,000 to release the liens from Choteau County alone. The present system is working and we should leave

the responsibility to the clerk and recorder, added Mr. Peres.

Opponent Joanne Peres, President, Montana Association of Clerk and Recorders, explained that after the senate amendments were placed on the bill, they said they could live with the bill, but the association disagreed. The association feels that more costs are necessary than what it shown, more time will be needed to spend on such a vast system and a loss of records could occur. It will be necessary for two places to be searched when conducting a title search and these cost of searches were not included in the fiscal note. The cost for this system will be returned back to the agriculturists. Senate Bill 129 could also cause a loss of employees at the county level.

Charles Gravely, representing the Montana County Assessor's Association, explained that he was present for informational purposes and the association remains neutral on this issue. If Senate Bill 129 does pass, the county assessor will miss some personal property that should be on the tax rolls and subject to tax billing. The filing system should be a dual one and filed in both the county and with the secretary of state.

Opponent Representative Bob Ellerd, District #77, Associate Manager, International Livestock Markets Association, stated the bill does effect livestock. There is no way of identifying sheep and hogs because they are not branded. This gives the secretary of state an open hand to charge whatever is necessary to make this system work. The farmer and rancher will pay for everything. The small provider can not afford to purchase a computer and the state should purchase this equipment for each individual if they are going to purchase for each county. An interim period of approximately 5 days is apparent before the filing of a lien. There are many unanswered questions that arise. There are many ways to get away with selling mortgaged livestock and this will not solve all of the problems. The agricultural business is hurting and this is throwing the burden on the industry. Senate Bill 129 will prove to be more beneficial to the lender than the buyer.

In closing, Senator Boylan, stated the bill does not cover livestock. The agricultural industry is in trouble and they need all the credit they can get. To protect the lending

institutions, fast and accurate service is needed and this will help to provide that. People are getting afraid of financing and the buyer will pay, but this is one of the costs of doing business.

Representative Schultz asked Larry Akey what the present system is for filing. Mr. Akey explained that it is the same as the filing for any commercial lien. A UCC must be filled out and sent in, it is then immediately recorded and under a central computer system both the borrower and lender will be protected.

Representative Brandewie asked Gary Peres if the raise in filing fees from \$3 to \$5 would have the counties fall short. Mr. Peres stated the counties get a \$3 fee for performing a search and a filing fee will then be paid to the secretary of state.

Representative Wallin asked Larry Akey if bank loans that cover cattle will be filed in the county and the secretary of states office. Mr. Akey stated there will be two filings, one with the Department of Livestock and the other with the secretary of state.

Representative Ellerd asked Larry Akey who will be responsible if a power shortage occurs or a breakdown in the equipment occurs. Mr. Akey explained that should there be a power outage in Helena, the system will not go down.

Representative Ellerd asked Larry Akey if a conflict will arise with federal law as they require a consignment to be paid within one working day. Mr. Akey stated there will not be a conflict, information will be put on the system in one day. There is not security interest until the lien appears on the secretary of states system and during any interim period, the lender is at risk.

Representative Simon asked Larry Akey if all who currently have a lien, must refile and who is responsible for notifying those that liens must be refiled. Mr. Akey stated all lienholders must refile and the secretary of states office will notify those that must refile.

Representative Schultz asked Larry Akey how this will affect the lien aspect of unbranded livestock. Mr. Akey stated they will continue to file with the Board of Livestock.

Representative Glaser asked Larry Akey how the cost will

be assessed to tie into the system. Mr. Akey explained that it will be part of the filing fee and that most currently have their own equipment. Once the equipment is purchased there will be no additional cost.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on Senate Bill 129 was closed.

SENATE BILL 333: Hearing commenced on Senate Bill 333. Senator Chris Christiaens, District #17, sponsor of the bill, stated this allows a creditor or secured party to record a lien or security interest and to transfer title if the owner has not done so within 20 days after the purchase of a vehicle.

Proponent John Cadby, representing the Montana Bankers Association, stated this will help the law enforcement. Change of ownership will be recorded and bank liens will be perfected.

Proponent Larry Majerus, Administrator, Motor Vehicle Division, Department of Justice, offered his support of the bill.

Representative Wallin asked Senator Christiaens who pays after the 25 days. Senator Christiaens explained that the creditor or secured party must pay the fees which will be held by the county treasurer until the fees are paid, the secured party will then be reimbursed.

There being no further discussion by proponents and no opponents present, all were excused by the chairman and the hearing on Senate Bill 333 was closed.

SENATE BILL 363: Hearing commenced on Senate Bill 363. Senator Ed Smith, District #10, sponsor of the bill, stated this includes cancelled distribution contracts within the repurchase of inventory requirements of cancelled dealership contracts and defines terms relevant to the law. Problems have occurred with Teneco and their buyouts.

Proponent Jerry Young, representing Bran Industries in Billings offered his support and the support of Hugh Moore of Great Falls.

Proponent Dick Milligan, an employee of Billings Implement Company in Laurel, stated he is aware of cases where the

manufacturer has bypassed the wholesaler and gone directly to the dealer. The dealer has no recourse, added Mr. Milligan.

Proponent Dennis Holby, offered his support and stated this will not take anything away from the dealers.

There being no further discussion by proponents and no opponents present, all were excused by the chairman and the hearing on Senate Bill 363 was closed.

SENATE BILL 233: Hearing commenced on Senate Bill 233. Senator Pat Regan, District #47, sponsor of the bill, explained this bill resulted from an incident in Billings whereby a life insurance policy took eight months to pay off and no interest was assessed. There are currently only 13 states that do not protect this. Senate Bill 233 would require that interest be paid on life insurance death benefits if settlement is not made within 30 days of receipt of proof of death. Senator Regan presented Exhibit 6 which is attached hereto.

There being no further discussion by proponents and no opponents present, the senator was excused by the chairman and the hearing on Senate Bill 233 was closed.

ACTION ON SENATE BILL 233: Representative Kitselman moved DO PASS on Senate Bill 233 and moved the amendments proposed by Senator Regan. The amendments did receive a unanimous vote. Senate Bill 233 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 333: Representative Brandewie moved DO PASS on Senate Bill 333. Second was received, Senate Bill 333 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 363: Representative Brandewie moved DO PASS on Senate Bill 363. Second was received, Senate Bill 363 will BE CONCURRED IN by unanimous vote.

SENATE BILL 206: Hearing commenced on Senate Bill 206. Senator Jack Haffey, District #33, sponsor of the bill, at the request of the Department of Justice, stated this revises the methods for filing security interests on motor vehicles. This will simplify the filing system and one can find out easier who holds a security interest in a vehicle. This will help to alleviate some of the workload and relieve the burden at the Motor Vehicle Department.

Proponent Larry Majerus, Administrator, Motor Vehicle Division,

Department of Justice, stated this will bring the motor vehicle code into compliance with the UCC statute. Currently, the entire financial agreement must be filed and a source of conflict is apparent between the lending institutions, owner and motor vehicle clerks. Over 130,000 liens are filed each year and this will not prevent an individual from filing a lien.

Proponent John Cadby, representing the Montana Bankers Association, offered his support of the bill.

There being no further discussion by proponents and no opponents present, all were excused by the chairman and the hearing on Senate Bill 206 was closed.

SENATE BILL 362: Hearing commenced on Senate Bill 362. Senator Jack Haffey, District #33, sponsor of the bill, explained this raises the state minimum wage from \$2.75 to \$3.05 an hour after September 30, 1985, and to \$3.35 an hour after September 30, 1986. This will bring the state minimum wage to the federal minimum wage. July of 1982 was the last increase and the consumer price index has had an eleven percent increase since that time. Senate Bill 362 will increase the state minimum wage by 10.9%. Those that receive these wages are still under the generally acceptable minimum living wage.

Proponent Gail Kline, representing the Women's Lobbyist Fund, supplied written testimony which is attached hereto as Exhibit 7.

Proponent Kathleen Guehlstorff, an ex-waitress, supplied written testimony which is attached hereto as Exhibit 8.

Proponent Louise Kunz, representing the Montana Low Income Coalition, supplied written testimony which is attached hereto as Exhibit 9.

Proponent Kathy van Hook, supplied written testimony which is attached hereto as Exhibit 10.

Proponent Nancy Hart, representing the Montana Democratic Party, stated that part of the democratic platform was to support an increase in the state minimum wage to the federal minimum wage. Ms. Hart also explained that this will not create any fiscal impact.

Proponent Jim Murry, Executive Secretary, Montana State AFL-CIO, supplied written testimony which is attached hereto as Exhibit 11.

Proponent John Ortwein, representing the Montana Catholic Conference, supplied written testimony which is attached hereto as Exhibit 12.

Proponent Phil Campbell, representing the Montana Educational Association, offered his support on behalf of the teachers and other school employees.

Proponent Dave Wanzenried, Commissioner, Department of Labor and Industry, offered his support of the bill and distributed to committee members Exhibit 13 which is attached hereto.

George Allen, representing the Montana Retail Association, was not present, but wished to go on record as a proponent.

There being no further discussion by proponents and no opponents present, all were excused by the chairman and the hearing on Senate Bill 362 was closed.

ACTION ON SENATE BILL 206: Representative Kitselman moved DO PASS on Senate Bill 206. Second was received, Senate Bill 206 will BE CONCURRED IN by unanimous vote.

ACTION ON SENATE BILL 362: Representative Kitselman moved DO PASS on Senate Bill 362. Second was received, Senate Bill 362 will BE CONCURRED IN by unanimous vote.

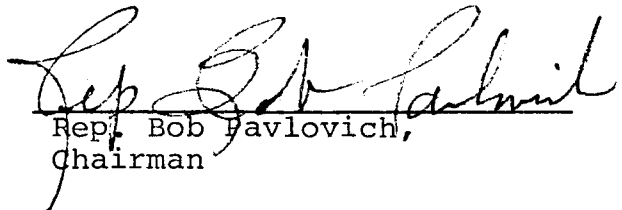
ACTION ON SENATE BILL 129: Representative Driscoll suggested Senate Bill 129 be placed in a sub-committee. Chairman Pavlovich appointed Representative Howe to chair the committee with Representatives Keller, Ellerd and Hart serving.

ACTION ON SENATE BILL 214: Representative Kitselman moved DO PASS on Senate Bill 214 and moved the Statement of Intent. The statement of intent did pass by unanimous vote. Representative Bachini offered a substitute motion that Senate Bill 214 DO NOT PASS and explained in his area there are not any dentists who favor this bill. Representative Kitselman stated this bill is permissive and is for administering a local anesthesia only. The hygienist must pass an examination and if the patient does not want the hygienist to administer this, they may ask for the dentist. Question being called, a roll call vote resulted in 5 members voting yes and 15 members voting no. The motion did fail. Representative Kitselmans DO PASS motion received a vote of 15 members voting yes and 5 members voting no. Senate Bill 214 will BE CONCURRED IN.

Business and Labor
March 20, 1985
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ACTION ON SENATE BILL 53: Representative Driscoll moved DO NOT PASS on Senate Bill 53. Second was received and a roll call vote resulted in 15 members voting yes and 5 members voting no. Senate Bill 53 will NOT BE CONCURRED IN.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 11:00 a.m.


Rep. Bob Pavlovich,
Chairman

DAILY ROLL CALL
BUSINESS AND LABOR COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date March 20, 1985

NAME	PRESENT	ABSENT	EXCUSED
Bob Pavlovich	✓		
Les Kitselman	✓		
Bob Bachini	✓		
Ray Brandewie	✓		
Jan Brown	✓		
Jerry Driscoll	✓		
Robert Ellerd	✓		
William Glaser	✓		
Stella Jean Hansen	✓		
Marjorie Hart	✓		
Ramona Howe	✓		
Tom Jones	✓		
Mike Kadas	✓		
Vernon Keller	✓		
Lloyd McCormick	✓		
Jerry Nisbet			✓
James Schultz	✓		
Bruce Simon	✓		
Fred Thomas	✓		
Norm Wallin	✓		

STANDING COMMITTEE REPORT

March 20

19 85

page 1 of 2

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 214

third reading copy (blue)
color

REVISING LAWS ON LICENSURE OF DENTAL HYGIENISTS

Respectfully report as follows: That SENATE Bill No. 214

~~DO PASS~~
BE CONCURRED IN
STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT

The legislature believes that a statement of intent is necessary because this bill authorizes the board of dentistry to make rules to implement the provisions permitting a licensed dental hygienist to administer local anesthetic agents under the direct supervision and authorization of a licensed dentist. The legislature intends that, as a prerequisite to issuance of a certificate to administer local anesthetic agents to a dental hygienist, the board, in addition to other criteria prescribed by 37-4-402, shall determine that the applicant is qualified to administer local anesthetic agents and holds a currently valid certificate to perform cardiopulmonary resuscitation from an agency recognized as qualified to make such certification. The board's rules for license renewal pursuant to 37-4-406 shall also recognize these criteria.

STANDING COMMITTEE REPORT

March 20

65

19

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

446

having had under consideration Bill No.

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PROVIDES FOR THE OFFENSE OF UNLAWFUL APPROPRIATION OF RETAILER PROPERTY

SENATE

446

Respectfully report as follows: That Bill No.

BE AMENDED AS FOLLOWS:

1. Page 3, line 7

Following: "carts"

Insert: -- application for registration and renewal"

Following: "."

Insert: "(1)"

2. Page 3, line 17

Following: line 16

Insert: "(2) The secretary of state shall receive applications for the purpose of registering a name or mark as provided for in subsection (1). Such applications for registration must be submitted on a form to be prescribed by the secretary of state and must be accompanied by a filing fee in an amount commensurate with the actual cost of registration. The registration of a name or mark under this section is effective for a term of 10 years from the date of registration, and upon application filed within 6 months prior to the expiration of such term, the registration may be renewed for another 10 years."

XXXXXX
DO PASS

BE CONCURRED IN
AS AMENDED

STANDING COMMITTEE REPORT

March 20

85

19.....

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

having had under consideration Bill No. 233

third

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color

**PROVIDE 30-DAY LIFE INSURANCE SETTLEMENT PERIOD OR INTEREST
WILL ACCRUE**

SENATE

233

Respectfully report as follows: That Bill No.
BE AMENDED AS FOLLOWS:

1. Page 1, line 13
Following: "provision"
Insert: ", which may be made by endorsement,"
2. Page 1, line 21
Following: "provision"
Insert: ", which may be made by endorsement,"

XXXXXX
DO PASS
BE CONCURRED IN
AS AMENDED

STANDING COMMITTEE REPORT

March 20

19 85

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

having had under consideration Bill No. **206**

third

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color

REVISION OF FILING SECURITY INTEREST IN MOTOR VEHICLES

SENATE

Respectfully report as follows: That Bill No. **206**

**DO PASS
BE CONCURRED IN**

STANDING COMMITTEE REPORT

March 20

19 85

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration senate Bill No. 363

third reading copy (blue)
color

REPURCHASE OF INVENTORY - CANCELLED DISTRIBUTION CONTRACTS

SENATE

363

Respectfully report as follows: That..... Bill No.....

~~DO PASS~~
BE CONCURRED IN

STANDING COMMITTEE REPORT

March 20

85

..... 19

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

having had under consideration Bill No. **333**

third reading copy (blue)
color

**SECURED PARTY OR CREDITOR MAY TRANSFER TITLE AND RECORD
LIEN AFTER 20-DAYS**

SENATE

Respectfully report as follows: That Bill No. **333**

~~DO-PASS~~

BE CONCURRED IN

STANDING COMMITTEE REPORT

March 20 19 85

MR. speaker

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 362

third reading copy (blue)
color

RAISE MINIMUM WAGE TO \$3.05 10-1-85, TO FEDERAL MINIMUM RATE
ON 10-1-86

Respectfully report as follows: That SENATE Bill No. 362

DO PASS:
BE CONCURRED IN

STANDING COMMITTEE REPORT

March 20

85

19

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

357

having had under consideration Bill No.

third

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color

PORTION OF BUSINESS SELLING BEER NEED NOT BE CLOSED OFF
DURING CLOSING HOURS

SENATE

357

Respectfully report as follows: That Bill No.

XXXXXX
DO PASS
RE CONCURRED IN

STANDING COMMITTEE REPORT

March 20

35

19.....

SPEAKER

MR.

BUSINESS AND LABOR

We, your committee on

SENATE

53

having had under consideration Bill No.

third

reading copy (blue)
color

**WAIVER OF CATERING ENDORSEMENT AND SPECIAL PERMIT FILING
REQUIREMENTS**

SENATE

53

Respectfully report as follows: That..... Bill No.

~~DO PASS~~

BE NOT CONCURRED IN

ROLL CALL VOTE

HOUSE COMMITTEE BUSINESS AND LABOR

DATE March 20, 1985 BILL NO. 53 TIME _____

NAME	AYE	NAY
Bob Pavlovich	✓	
Les Kitselman		✓
Bob Bachini	✓	
Ray Brandewie		✓
Jan Brown	✓	
Jerry Driscoll	✓	
Robert Ellerd		✓
William Glaser	✓	
Stella Jean Hansen	✓	
Marjorie Hart	✓	
Ramona Howe	✓	
Tom Jones	✓	
Mike Kadas	✓	
Vernon Keller	✓	
Lloyd McCormick	✓	
Jerry Nisbet	✓	
James Schultz	✓	
Bruce Simon		✓
Fred Thomas		✓
Norm Wallin	✓	

Secretary Debbie Aqui

Chairman Bob Pavlovich

Motion: DO NOT PASS 15-5

ROLL CALL VOTE

HOUSE COMMITTEE BUSINESS AND LABOR

DATE March 20, 1985 BILL NO. 214 TIME _____

NAME	AYE	NAY
Bob Pavlovich	✓	
Les Kitselman		✓
Bob Bachini	✓	
Ray Brandewie		✓
Jan Brown		✓
Jerry Driscoll		✓
Robert Ellerd		✓
William Glaser	✓	
Stella Jean Hansen		
Marjorie Hart		✓
Ramona Howe		✓
Tom Jones		✓
Mike Kadas		✓
Vernon Keller		✓
Lloyd McCormick		✓
Jerry Nisbet		✓
James Schultz		✓
Bruce Simon		✓
Fred Thomas		✓
Norm Wallin	✓	

Secretary Debbie Aquil

Chairman Bob Pavlovich

Motion: 5-15 Do Not Pass

ROLL CALL VOTE

HOUSE COMMITTEE BUSINESS AND LABOR

DATE March 20, 1985 BILL NO. 74 TIME _____

NAME	AYE	NAY
Bob Pavlovich	✓	
Les Kitselman		✓
Bob Bachini	✓	
Ray Brandewie		✓
Jan Brown	✓	
Jerry Driscoll	✓	
Robert Ellerd		✓
William Glaser		✓
Stella Jean Hansen	✓	
Marjorie Hart	✓	
Ramona Howe	✓	
Tom Jones		✓
Mike Kadas	✓	
Vernon Keller		✓
Lloyd McCormick	✓	
Jerry Nisbet	✓	
James Schultz		✓
Bruce Simon		✓
Fred Thomas		✓
Norm Wallin		✓

Secretary Debbie Aquil

Chairman Bob Pavlovich

Motion: Do Not Pass 10-10

Mr. Chairman and members of the committee. SB 129 creates a centralized agricultural lien filing system at the secretary of state's office. This is a good bill because it makes filing of UCC liens on ag products of all types including equipment, livestock and grain, but not on a real property, easier to file and makes lien searches easier as well. It will make it easier because lien filers and searchers would have only one place to look instead of in several counties.

SB 129 is a good bill because it will benefit individual ranchers and farmers implement dealers, financial institutions, grain growers, grain dealers, grain elevators, and others involved in agri-business.

Briefly the bill does three things: 1) it moves all ag lien filings from the county level to a central system so that filers and searchers have only one place to look instead of several, 2) it puts all this public information data on a central computer that can be accessed by private computers in the offices of attorneys, financial institutions, grain dealers, grain elevators and others, and 3) it also provides for computer equipment for each county clerk and recorder's office to allow individuals to do the same work at the clerk and recorder's office by computer that they previously did by hand.

The bill does not have an appropriation, the county computers and the set up costs in the secretary of state's office is paid out of a special revolving fund which gets its money by requiring all lien holders of record to refile their liens and pay a refiling fee of about \$7.50 per lien. This refiling does not alter the priority or maturity dates of these liens.

This bill has the backing of virtually every industry involved in agriculture and we urge that you would give it a "do

TESTIMONY FOR SB 129

By Mike Cronin

Mr. Chairman and members of the committee. My name is Mike Cronin, I'm the administrative assistant for the Montana Bankers Association. The MBA is one of many groups who helped write and sponsor SB 129, and on behalf of the MBA we urge you to give the bill a "do pass" recommendation.

I wish to make two points today, very briefly: 1) SB 129 does not affect who can file or what filings are made, nor does it affect the priority or maturity dates of those filings. It only changes the place where ag liens are filed and searched. 2) It is funded by user fees and does not require an appropriation from the general fund. Lien holders will pay a refiling fee to set the system up. Fees for new filings will maintain the system.

Again, the MBA requests a "do Pass" recommendation.

Thank you.

Mr. Chairman, Members of the Committee, my name is Kerry Schaefer and I am here to testify on behalf of the Montana Grain Elevator Association. Our association is comprised of grain companies throughout the State of Montana both large and small, public and private and we are testifying as proponents for Senate Bill 129. Throughout the years we have encountered great difficulty researching agricultural leins; in many cases we have found that leins are recorded improperly, in the wrong county or possibly not recorded at all. Each county has a different method for researching and dispensing leins, with many counties refusing to divulge lein records over the phone or prior to receiving financial compensation and in all cases no counties are responsible for errors. S.B. 129 strives to centralize lein filing so we will have one central agency to search that is responsible for its records and required to provide timely service.

In recent years unit train facilities have broadened marketing areas across many county lines and in light of the current agricultural environment it is imperative that we pass this bill. At anytime when we issue payment to a producer without properly protecting the lender we find ourselves in court where the cost of this problem escalates dramatically. S.B. 129 will alleviate our concerns with leins and will protect the lender before the improper payment occurs. We feel this is a very fair bill and one that is long overdue; we encourage your do-pass recommendation.



Exhibit 4

3/20/85

SB129

Submitted by: Randy
Johnson

P.O. Box 1165 • 750 6th Street S.W. • Great Falls, Montana 59403 • 406/761-4596

TESTIMONY BEFORE THE HOUSE BUSINESS AND LABOR COMMITTEE ON SB 129

MARCH 20, 1985

Mr. Chairman, Members of the Committee:

For the record, my name is Randy Johnson. I am the Executive Vice President of the Montana Grain Growers Association. I would like to testify in support of SB-129, "AN ACT TO ESTABLISH A CENTRALIZED LIEN FILING SYSTEM."

Agriculture is a highly capitalized industry. Large sums of money change hands several times in the production of food and fiber. In order for this highly leveraged system to survive, each individual or business involved must be able to keep track of this complex system of financing.

The current system of filing crop liens in county courthouses is cumbersome and inadequate, leaving elevators and commodity dealers unsure as to the title of the grain they are purchasing. Producers market grain differently today than when our current lien filing system was set up. The first point of sale is often many miles away from the county in which the grain was produced. The grain buyer cannot be certain that he has checked with the appropriate courthouse, nor can the lien holder be assured he has notified all potential buyers of his lien.

In the interest of streamlining the lien filing system, and making it more compatible with today's grain trading system, the Montana Grain Growers Association urges you to support SB 129.

MARK RASMUSSEN
President
Hogeland

ROSS FITZGERALD
Vice President
Power

HOWARD HAMMOND
Secretary
Malta

GREGG HOLT
Treasurer
Great Falls

We reaffirm our belief that the benefits derived from investments of the Submitted by:
people's money in multi-purpose resource developments should belong to the Elroy
people and to this end we strongly support the anti-monopoly or preference Lecher
clause and urge Congress and administrative agencies to adhere to the purpose of
the laws.

Annual Resolution 85-6 "Central Filing of Agricultural Liens"

SB-129
Whereas, Agricultural production is now a credit intensive industry, and
Whereas, Markets for agricultural products are now longer located next door to
the producer, and in many cases are not even located within the
county of the producer, and
Whereas, Those acting as creditor to the agricultural producer are entitled
to the protections provided in existing law, and
Whereas, Current electronic technology makes it possible to centralize the
system of filing of agricultural liens,
Now Therefore Be It Resolved, the Montana Council of Cooperatives support
legislation to provide for the central filing of agricultural liens with the
Secretary of States Office, so long as access is available to all providing credit
to agricultural producers.

Annual Resolution 85-7 "Imputed Interest"

Whereas, Current Tax Code provides for minimum interest charges on sales
via Contracts for Deed, and
Whereas, This method of sales provides a means for transfer of ownership of
agricultural land, within families, and
Whereas, To set a minimum interest rate that must be charged on sales of this
time removes the opportunity for one generation to assist another in
making entry into production agriculture, and
Whereas, To set a minimum rate of interest in the Tax Codes increases the
cost of credit to an already burdened industry "agriculture".
Now Therefore Be It Resolved, The Montana Council of Cooperatives oppose the
implementation of those sections of the Tax Code dealing with "Imputed Interest"
and,
Be It Further Resolved, The Montana Council of Cooperatives support Senator
John Meicher in his efforts to repeal those sections of the Tax Code dealing with
"Imputed Interest".

Preserve the present REA loan guarantee program in its present form, including continued access to the Federal Financing Bank for the funding of these loans; and

Enable the refinancing of loan guarantees and CBOs when interest rates drop at least one percentage point.

We strongly urge immediate passage by the U.S. Senate of this critically important legislation and that it be signed into law by the President.

Annual Resolution 85-4 "Rural Telecommunications Service"

Given the recent deregulation of the telephone industry and the efforts of the federal government to revise domestic telecommunications policy in a manner designed to accommodate the introduction of competitive services and supplies, we urge the government and telecommunications industry to recognize the need to preserve the continued availability of essential telecommunications services at reasonable costs through all rural areas of this nation.

We believe in the free enterprise system of providing goods and services. However, we also believe that some statutory requirements are needed to assure that low-density rural areas are afforded the same basic telecommunications service and technologies at the same affordable and reasonable prices as are offered the higher-density urban areas.

We urge the government and the telecommunications industry to assure that:

All long-distance services pay a fair share for their use of local exchange distribution facilities;

All essential long-distance services are priced on the basis of a uniform toll rate schedule to avoid severe price discrimination in high-cost rural areas; and

Rural telephone systems are permitted to offer their subscribers the full range of broadband telecommunications services, including cable television.

Annual Resolution 85-5 "Understanding & Support of the Anti-Monopoly Preference Principle"

In recent months there have been serious attempts to weaken the "preference" principle. Every Montana Electric Cooperative and more than 600 rural electric systems nationally depend on at least part of their power supply from the federal power marketing agencies. These agencies are authorized by the preference principle provisions contained in well-established and litigated doctrines of federal law and public policy.

There has not been a major fight in two decades involving "preference" and therefore a whole generation of Americans and national leaders are not well acquainted with the origins and benefits of preference. Indeed, many rural Americans are not fully informed of the direct benefits to millions of rural electric consumers and, indirectly, to all rural electric consumers.

NRECA should research and make available to member systems, and other cooperative leaders material on the value of "preference" to the cooperatives to

Exhibit 6
3/20/85
SB233
Submitted by:
Senator Regan

LAW OFFICES OF

JAMES, GRAY & McCAFFERTY

TELEPHONE 727-2311

AREA CODE 406

TED JAMES
ORVILLE GRAY
DENNIS C. MC CAFFERTY
ROBERT F. JAMES
RANDALL H. GRAY
LARRY E. JOHNSON
BRIAN BULGER

P. O. BOX 2885
WENDT BUILDING
615 SECOND AVENUE NORTH
GREAT FALLS, MONTANA 59403
February 22, 1985

Senator Pat Regan
Capitol Station
Montana State Capitol Building
Helena, Montana 59620

*My Bill
will check
amendment*

RE: SB 233 - Interest on Life Insurance Policies

Dear Senator Regan:

As you may recall, I testified on behalf of State Farm in the Senate Business and Industry Committee in support of SB 233. I understand the bill has passed the senate and has been transmitted to the House. I would like to bring a proposed amendment to your attention at the request of State Farm.

On the third reading copy of the bill, page one, line 13 after the word "provision", we would like to insert "which may be by endorsement". On page one, line 21 after the word "provision" we likewise would like to insert "which may be by endorsement".

These amendments in no way affect the substance of the bill nor do they indicate that State Farm is in any way changing its support for the bill. The purpose for the proposed amendments is to allow State Farm and other companies to continue to use their standardized life insurance policy forms in Montana. To print out a separate specialized form for Montana with language on the face of the policy in compliance with SB 233 is an expensive process. Instead, we would like to be able to comply with SB 233 through a separate page endorsement which can then be attached to all policies sold in Montana.

Thanking you for your consideration, I am

Yours very truly,

JAMES, GRAY & McCAFFERTY

Randall H. Gray
Randall H. Gray

*1/20/85
R.H.G.*
RHG/ct

Exhibit 7
3/20/85
SB362
Submitted by:
Gail Kline

WOMEN'S LOBBYIST FUND

Box 1099
Helena, MT 59624
449-7917

March 20, 1985

Testimony of the Women's Lobbyist Fund by Gail Kline, before the House Business and Labor Committee in support of SB 362

Mr. Chairman and other members of the Business and Labor Committee.

For the record, my name is Gail Kline, representing the Women's Lobbyist Fund (WLF), speaking in favor of SB 362.

The passage of SB 362 is a major issue for the WLF because poverty is a major issue for women.

A 1979 study shows that nationally, one out of every three families headed by women lives in poverty, compared to one out of nine households headed by men. ("Women Who Head Families: Employment Problems and Perspectives," Employment and Training Report of the President 1979, p. 95). In Montana, over 30% of households headed by females have an income below poverty level. Over 38,000 Montana women over 16 years old earn an income below poverty level.

In Fiscal year 1983, the Montana Job Service placed 1,317 women at jobs that pay less than federal minimum wage. That same year, twenty-six per cent more women than men were placed in jobs paying less than \$3.35 per hour.

Minimum wage in Montana is currently \$2.75/hour. This rate has been in effect since July 1982. The inflation rate since 1982 has totaled more than 12%. The gross annual income for a full-time worker at \$2.75 an hour is \$5,720 per year, \$2,760 below the Federal poverty level for a family of three. SB 362 proposes a two step increase: \$3.05 the first year and \$3.35 the second year. This amounts to a gross annual increase of \$624 each year. This is not very much money but it would mean an extra \$1.70 per day for food, rent power bills and medical care, and \$3.40 per day the second year.

We all know that the cost of living in Montana is not low. We are very close to, and in several areas above, the national average. An index report of the American Chamber of Commerce Researchers Association for the third quarter of 1984 shows, with the national average being considered at 100, that Billings was rated at 105.7; Great Falls, 94.3; Havre, 97.1; Missoula, 95.6; Kalispell, 103.7; Helena, 101.2. We cannot continue to expect workers to earn \$.60 less an hour than the Federal minimum wage in a state where the cost of economic survival rivals costs nationwide. In 1984 in Montana, there were more than 800 single working women with families required to supplement their income with Aid to Families with Dependent Children..

All taxpayers are being required to subsidize employers who do not pay their employees enough to feed their families.

"To ignore these implications is unconscionable negligence. The bodies, minds, spirits of millions of women and children are being inevitably affected by the dispiriting hand of poverty." (A Growing Crisis: Disadvantaged Women and their Children. U.S. Commission on Civil Rights, May 1983.)

TESTIMONY BY KATHLEEN GUEHLSTORFF
BEFORE THE HOUSE BUSINESS AND
LABOR COMMITTEE ON SENATE BILL 362

Exhibit 8
3/20/85
SB362
Submitted by:
Kathleen
Guehlstorff

MARCH 20, 1985

Mr. Chairman and Members of the Committee:

I am testifying in favor of Senate Bill 362, to raise the state minimum wage. I have worked as a waitress off and on since 1971. Most recently I worked from September, 1984 to February, 1985. It is this last work experience that I will be referring to in my testimony. Before I proceed, I would like to absolve my former employer. The paying system is typical of restaurants in Montana and in no way reflects particularly bad management on the part of my former employer.

The base rate of pay was \$ 3.10 an hour for waitresses. We paid for our own meals. Tips were arbitrarily assumed to be 8% of the total food bill for each of our customers and it was upon this that we were taxed. Our total tax was based, therefore, upon the sum of our hourly wage and the food bill percentage. For a gross amount of \$288.15, for instance, earned over a two week pay period, I would actually take home a \$85.94 paycheck. It was common for the waitresses to "live off their tips". However, these in -hand tips did not always equal the 8% of the food bill. Generally speaking, people tip the easiest amount possible. The average tip is "a Buck". So for a meal costing anywhere from \$8-\$30 , we would usually receive \$1. There were many times when people left nothing at all even though we were being taxed upon their food Bill. We called this "being stiffed". At the end of the day, we had to give 10% of our day's in - hand tips to the kitchen staff. That meant we were the only ones being taxed for tips even though we were giving 10% away.

At my former place of employment, lunch hours were the best times to make tips. Many times we made enough to get by, but quite often we made less than \$5 for the lunch hour shift tips. This was very hard on the single mothers who used their tips to pay for child care. They claimed that on days like that it did not pay them to come to work. From the hours of 3:pm to 5:00pm business was very slow. More often than not the waitress working that shift made no tips at all during those hours.

■

Another aspect of the pay situation for waitresses is the inconsistency of scheduled hours to work. Even though our bills were due at set times and in fixed amounts, we were scheduled for different numbers of hours each week and for different shifts. Again, this put a real strain on the waitresses who were trying to arrange for child care.

Most people are under the assumption that waitresses make a lot of money in tips. That is certainly not the case for most waitresses in Montana. At the time I was hired, I was living on unemployment. It surprised me to learn that I brought home less than half of what I was making on unemployment as a waitress. Another misconception that people have is that if the cost of living is increased, for instance, a menu increase or a wage increase, the amount customers tip will be increased as well. I worked through a period of time at my last place of employment in which the cost of the food items was increased. I found there to be no concomitant increase in tipping. The average tip was still "a buck".

I believe that it would really help if the base rate of pay were increased because it would be a reliable source of income and not dependent on the whim of the customers.

K. Guehlstorff
February 11, 1985

3/20/85

Exhibit 9

3/20/85
SB362

Submitted by: Louise

SB. 362^{Kunz}

LOUISE KUNZ

107 LAWRENCE

MT. LOW INCOME COALITION

THE MLC SUPPORTS SB362. MINIMUM WAGE IS CERTAINLY A LOW INCOME ISSUE. IT ALSO IS A FACTOR IN THE SEMINIZATION OF POVERTY. WHILE BOTH MEN & WOMEN ARE EFFECTED BY MINIMUM WAGE MORE JOBS HELD BY WOMEN FALL IN THIS CATEGORY.

TWO OF EVERY THREE ADULTS IN POVERTY ARE WOMEN.

75% OF THE POOR ARE WOMEN & CHILDREN.

MANY WORKING WOMEN ARE UNABLE TO SUPPORT THEIR FAMILIES ON WHAT THEY EARN.

IT IS TIME FOR MT. TO ADDRESS THIS PROBLEM AND INCREASE MINIMUM WAGE. WE URGE THAT YOU PASS THIS BILL.

LAST CHANCE SURPLUS

Army-Navy Store

Submitted by:

Kathy von Hook

426 N. LAST CHANCE GULCH

HELENA, MT 59601

406 443-6408

March 20, 1985

Testimony of Kathy van Hook before the House Business and Labor Committee
in support of SB 362

Mr. Chairman and other members of the Business and Labor Committee:

For the record, my name is Kathy van Hook.

This is a bill I strongly support and feel it is important for you to hear from business people who favor increasing the state minimum wage. I am an owner and co-manager of a family-run business in Helena that grosses less than \$362,500 per year. We are not required to pay federal minimum wage, but we start new employees in excess of \$3.35 per hour.

Every day, I face the need to keep our business expenses down, but I do not believe that over the long haul, employers save money by paying employees \$2.75 an hour. The rate of pay a person receives is an indication to that person of their value to their employer. Equal only to an employer's working relationship with employees, pay is critical to employee economic well-being, morale, productivity, longevity, commitment and attitude.

We have been in business for over five years and attribute a significant part of our success to low turnover, good morale, low absenteeism and people who have a commitment to working with us to make our business successful.

Another Montana small business person, Gene Herndon of the Double Front cafes in Missoula and Bozeman, shares my feelings and agreed to let me quote from a recent interview with him in Western Business.

"Most of Mr. Herndon's 16 employees in Missoula are long-term. He has had one cook for 20 years. The daytime cook and waitress have both been there for 10 years. His bookkeeper has been with him for nine years (before that he did his own books).

'You pay a person what they're worth and they'll stay. You pay them minimum wage, and they'll be gone soon, and you won't have good help.'"

The cost of basic necessities is no less for employees in small businesses or small towns and \$2.75 an hour will not buy the basic necessities.



Testimony by Kathy van Hook
Page 2

Many full-time workers earning \$2.75 an hour have, in the past, been eligible for federal assistance programs. With the recent cuts in many of these programs, we cannot count on their incomes being supplemented to help feed their families.

I urge you to give serious consideration to passage of SB 362.



Exhibit 11
3/20/85
SB362
Submitted by:
Jim Murry

JAMES W. MURRY
EXECUTIVE SECRETARY

Box 1176, Helena, Montana

ZIP CODE 59624
406/442-1708

TESTIMONY OF JIM MURRY ON SENATE BILL 362, HEARINGS OF THE HOUSE BUSINESS AND LABOR COMMITTEE, MARCH 20, 1985

Mr. Chairman and members of the committee, for the record, I am Jim Murry representing the Montana State AFL-CIO. We are here to wholeheartedly support passage of Senate Bill 362.

This proposal tackles an issue of basic equity. Minimum wage standards were originally enacted into law in order to provide an economic stabilization measure to lower income workers. These standards were enacted as much to protect the American economy from the extreme "lows" of economic recession as to help raise the living standards of those referred to as the "working poor".

The AFL-CIO has traditionally supported increasing minimum wage rates, not because our members are directly affected, but because we are deeply concerned about the working conditions and wage rates of all American workers. We also, as citizens of this country, benefit from the economic stabilization which occurs when people have money to put back into the economy, money earned from gainful employment.

A blue ribbon commission established by the U.S. Congress in 1977 spent three years studying minimum wage issues. According to the Minimum Wage Study Commission, it is a popular misconception that most workers receiving minimum wage are teenagers.

In 1980, 10.6 million workers held jobs at or below federal minimum wage and 69% of them were not teenagers. What was true then is even more likely now, with the economy in dire straits and unemployment remaining at persistently high rates. Neither the Montana economy nor the national economy is producing jobs that can replace the wages that have been lost over the past few years because of plant closures and layoffs.

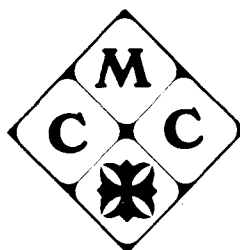
Laid off workers, who have families to support, are being forced more and more into those jobs that only pay federal or state minimum wage rates. Our entire economy, from the local main street merchant to the national banker, will suffer in the future from this basic transition.

The \$3.35 minimum wage proposed by this bill for 1986 would still only provide \$134 for a 40-hour week. That may mean a total of \$6,985 for a year, before taxes from which to pay rent, utilities, food, clothing and other necessities. These workers' earnings go directly into paying for daily survival. Therefore, any increase in the minimum wage rate will go directly into the Montana economy, stimulating other businesses while helping to create more employment.

Very often, those who work for minimum wage are workers with few skills who end up in dead-end jobs with little chance for advancement. More and more Montana family breadwinners are dependent on the incremental increases granted by this legislative body raising the minimum wage as their only weapon against economic devastation.

Minimum wage workers bear a disproportionate share of the burden of economic hard times. Please vote to grant this critically necessary increase of the state minimum wage rate.

Thank you.



Montana Catholic Conference

March 19, 1985

CHAIRMAN PAVLOVICH AND MEMBERS OF THE HOUSE BUSINESS AND
LABOR COMMITTEE:

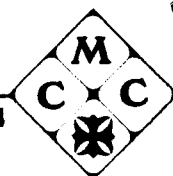
I am John Ortwein representing the Montana Catholic
Conference.

I am here today as a supporter of Senate Bill 362.

The first draft of the Bishops' Pastoral on the
economy begins with this quote: "The dignity of the
human person, realized in community with others, is the
criterion against which all aspects of economic life
must be measured."

A study by the Federal Reserve Board, Division of
Research and Statistics, entitled, "Survey of Consumer
Finances, 1983" which was completed in September of
1984, gave the following information. The poorest
fifth of the U.S. population received only 4% of the
total personal income in the country in 1982, and the
poorest two-fifths got only 13%. The richest fifth
got 49% of the total income that year. It also noted
that disproportionate numbers of the poor are women
and minorities.

Passage of Senate Bill 362 is a step in helping
women, minorities, and others to a self-realization
of their dignity as persons. I urge your support.



Handy Reference Guide to the Fair Labor Standards Act

Exhibit 13

3/20/85

SB362

Submitted by:

Dave Wanzenried



U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

WH Publication 1282
Revised January 1981



The Fair Labor Standards Act establishes minimum wage, overtime pay, record-keeping and child labor standards affecting more than 50 million full-time and part-time workers.

Basic Wage Standards

Covered non-exempt workers are entitled to a minimum wage of not less than \$3.35 an hour beginning January 1, 1981 and should receive overtime pay at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek.

Wages required by the Act are due on the regular pay day for the pay period covered. Deductions made from wages for such items as cash shortages, merchandise shortages, etc., are not legal to the extent they reduce the wages of employees below the minimum rate required by the Act or reduce the amount of overtime compensation due under the Act.

Hospitals and residential care establishments may adopt, by agreement with the employees, a 14-day overtime period in lieu of the usual 7-day workweek, if the employees are paid at least time and a half their regular rates for hours worked over 8 in a day or 80 in a 14-day work period, whichever is the greater number of overtime hours.

The Act contains some exemptions from these basic standards. Some apply to

specific types of business; others apply to specific kinds of work.

While the FLSA does set basic minimum wage and overtime pay standards and regulates the employment of minors, there are a number of employment practices which the Act does not regulate. For example, the FLSA does not require:

- vacation, holiday, severance or sick pay
- rest periods, holidays off, or vacations
- premium pay for weekend or holiday work
- pay raises or fringe benefits
- a discharge notice, reason for discharge, or immediate payment of final wages to terminated employees

These and similar matters are for agreement between the employer and the employees or their authorized representatives.

Who Is Covered?

All employees of certain enterprises having workers engaged in interstate commerce, producing goods for interstate commerce, or handling, selling, or otherwise working on goods or materials that have been moved in or produced for such commerce by any person are covered by the Act.

A covered enterprise is the related activities performed through unified operation or common control by any per-

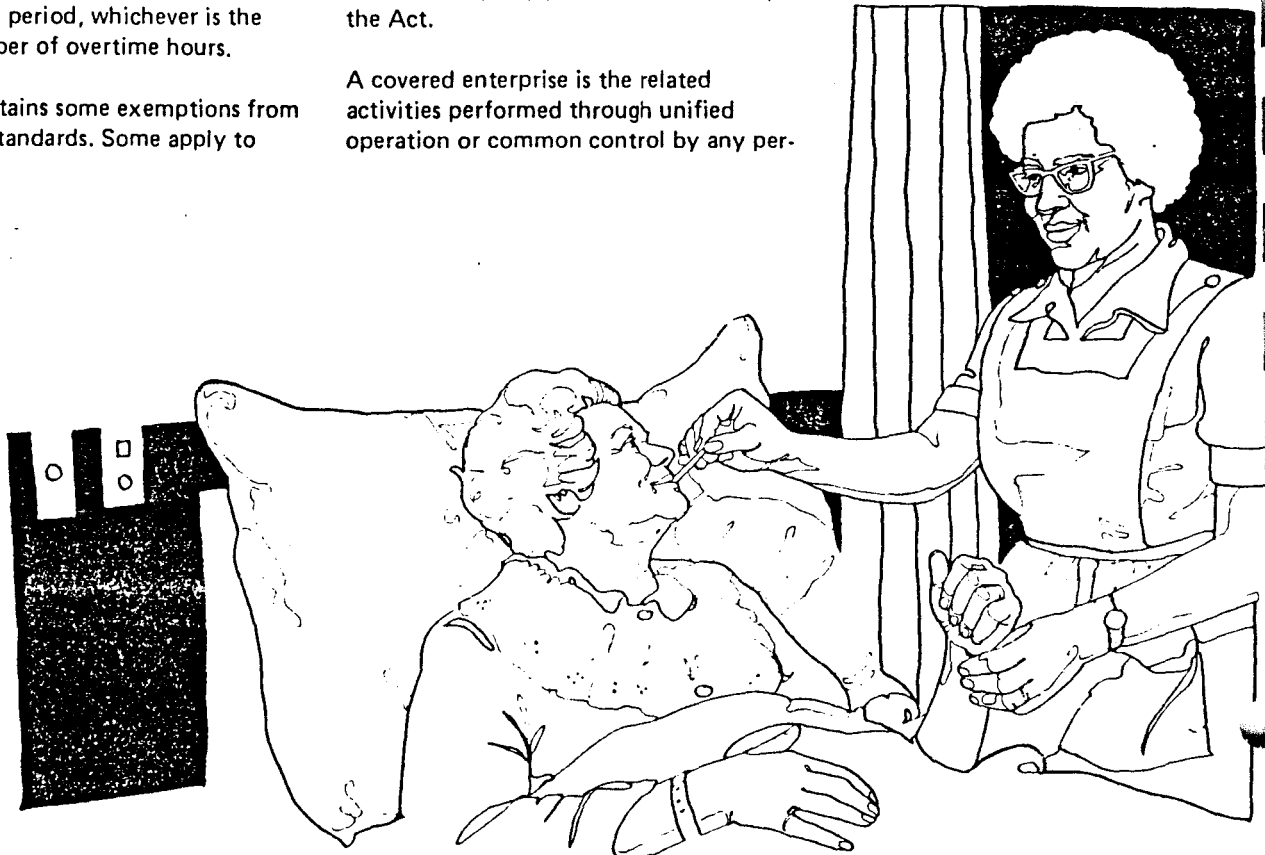
son or persons for a common business purpose and is—

- (1) engaged in laundering or cleaning of clothing or fabrics; or
- (2) engaged in the business of construction or reconstruction; or
- (3) engaged in the operation of a hospital; an institution primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises; a school for mentally or physically handicapped or gifted children; a pre-school, an elementary or secondary school; or an institution of higher education (regardless of whether or not such hospital, institution or school is public or private or operated for profit or not for profit); or
- (4) comprised exclusively of one or more retail or service establishments (as defined in the Act) whose annual gross volume of sales or business done is not less than—

Beginning July 1, 1978
\$275,000

Beginning July 1, 1980
\$325,000

Beginning January 1, 1982
\$362,500



(Any retail or service enterprise which had an annual gross volume of not less than \$250,000 on June 30, 1978 and which later ceases to be a covered enterprise as a result of increases in this dollar volume test must continue to pay its employees at least the minimum wage in effect at the time of the enterprise's removal from coverage, as well as overtime in accordance with the Act.)

or
(5) any other type of enterprise having an annual gross volume of sales or business done of not less than \$250,000

The dollar volume standard mentioned above in (4) and (5) excludes excise taxes at the retail level which are separately stated.

Federal employees are subject to the minimum wage, overtime, and child labor provisions of the Act. Employees of State and local governments are subject to the same provisions, unless they are engaged in traditional governmental activities. The Supreme Court has indicated that such traditional governmental activities include schools, hospitals, fire prevention, police protection, public health, parks and recreation.

Employees who are not employed in a covered enterprise may still be entitled to the Act's minimum wage, overtime pay, and child labor protections if they are

individually engaged in interstate commerce. These include—

- (a) communication and transportation workers;
- (b) employees who handle, ship, or receive goods moving in interstate commerce;
- (c) clerical or other workers who regularly use the mails, telephone, or telegraph for interstate communication or who keep records on interstate transactions;
- (d) employees who regularly cross State lines in the course of their work; and
- (e) employees of independent employers who perform clerical, custodial, maintenance, or other work for firms engaged in commerce or in the production of goods for commerce.

Domestic service workers such as maids, day workers, housekeepers, chauffeurs, cooks, or full-time baby sitters are covered if they (1) receive at least \$50 in cash wages in a calendar quarter from their employer or (2) work a total of

more than 8 hours a week for one or more employers.

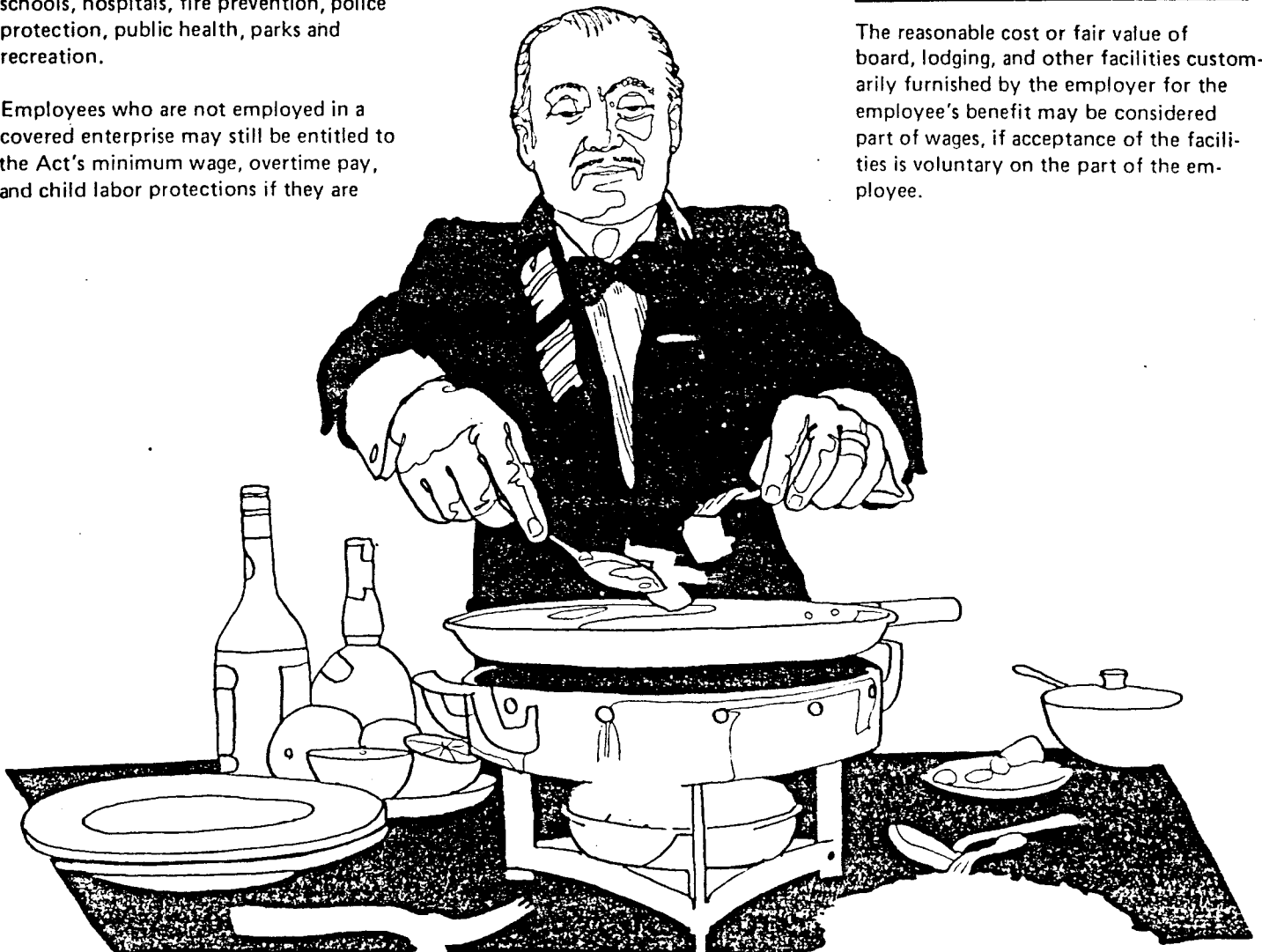
Tipped Employees

Tipped employees are those who customarily and regularly receive more than \$30 a month in tips. The employer may consider tips as part of wages, but such a wage credit must not exceed 40 percent of the minimum wage.

The employer who elects to use the tip credit provision must inform the employee in advance and must be able to show that the employee receives at least the minimum wage when direct wages and the tip credit allowance are combined. Also, employees must retain all of their tips, except to the extent that they participate in a valid tip pooling or sharing arrangement.

Employer-Furnished Facilities

The reasonable cost or fair value of board, lodging, and other facilities customarily furnished by the employer for the employee's benefit may be considered part of wages, if acceptance of the facilities is voluntary on the part of the employee.





Executive Office
P.O. Box 440
34 West Sixth
Helena, MT 59624
Phone (406) 442-3388

March 12, 1985

Representative Bob Pavlovich, Chairman
House Business and Labor Committee
Capitol Station
Helena, Montana 59620

Dear Chairman Pavlovich,

Due to a conflict of time schedule I will be unable to attend your hearing on SB 362 which raises the state minimum wage to correspond with the federal minimum wage.

The Montana Retail Association would like to go on record as supporting SB 362.

Respectfully,

A handwritten signature in black ink, appearing to read "George Allen". The signature is written in a cursive, flowing style.

George Allen
Executive Vice President
Montana Retail Association

VISITORS' REGISTER

Business and Labor

COMMITTEE

BILL NO. Senate Bill 129DATE March 20, 1985SPONSOR Senator Boylan

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
FRANK HAZELBAKER	POLSON MT	✓	
JOANNE PERES	MACR - Ft. Benton		✓
P. E. Peres	Ft. Benton		✓
Tom Murphy	Big Falls	✓	
Mike Cronin	Helena	✓	
Murray M. M. M. M.	Great Falls	✓	
Jim Drummond	Bozeman	✓	
ELROY LETCHER	Montana Corp. Hl	✓	
Tim Gill	Helena MT	✓	
KERRY SCHAEFER	Montana Grain Elev. Assoc.	✓	
Larry Mayne	MT Vehicle Div.		
Don Wilson	Polson MT	✓	
BOB JOHNSON	MONTANA GRAIN GROWERS ASS.	✓	
Samy Abraham	MT Agri Business Ass.	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Business and Labor

COMMITTEE

BILL NO. Senate Bill 233

DATE March 20, 1985

SPONSOR Senator Regan

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Business and Labor

COMMITTEE

BILL NO. SenateBill 333DATE March 20, 1985SPONSOR Senator Christiaens

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Larry Maguire	Dept. of Justice	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Business and Labor

COMMITTEE

BILL NO. Senate Bill 362DATE March 20, 1985SPONSOR Senator Haffey

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
JOHN DUTWEN	429 S. CALIFORNIA - HELENA	✓	
Nancy J. Harte	MT. Democratic Party	✓	
Louise KUNZ	MT-Low Income Coalition	✓	
Gail Kline (WLF)	GT. Falls	362 ✓	
Kathy A VAN Hook	HELENA	✓	
Kathy Guehlstorff	HELENA	✓	
Anne Brodsky	WLF	✓	
Lynne M. Minor	MT	✓	
Phil Campbell	MEA	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Business and Labor

COMMITTEE

BILL NO. Senate Bill 363

DATE March 20, 1985

SPONSOR Senator Smith

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.