

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS

Call to Order: By Chairman Russell, on April 11, 1989, at 4:10 p.m.

ROLL CALL

Members Present: Thirteen.

Members Excused: Three, Compton, O'Keefe and Simpkins.

Members Absent: None.

Staff Present: Eddy McClure, Staff Attorney.

Announcements/Discussion: None.

HEARING ON HJR 44

Presentation and Opening Statement by Sponsor:

REP. RUSSELL: This is a joint resolution of the state urging the National Park Service to require concessionaires within the national parks in Montana to pay their employees wages in accordance with the state minimum wage and overtime compensation laws.

Rep. Cohen was the individual who was really interested in our moving on a committee bill with this. He was going to come and explain all the details, but apparently he was unable to get here.

Testifying Proponents and Who They Represent:

DON JUDGE, Montana State AFL-CIO.

Proponent Testimony:

DON JUDGE, proponent. We do support the legislation. We think it is one way of guaranteeing at least some sort of minimum wage level for people in one of the fastest growing industries in the state of Montana, which is tourism. It will help promote economic development and keep the level of wages up where they minimally ought to be. We encourage you to give support to the legislation.

Submitted written testimony, attached hereto as Exhibit #1.

Testifying Opponents and Who They Represent:

None.

Opponent Testimony:

None.

Questions From Committee Members:

PAVLOVICH: Question for Mike Stump. You are from the Department of Labor, right? Do you have any problem with the concessionaires?

MIKE STUMP: Employment Relations Division. We have had over the years a number of complaints. I attempted to find some specific ones in our files. (somehow his microphone was turned off and this part could not be heard) ... require \$2.01 per hour for tipped employees and overtime over 56 hours in a work week. That part of the law is proper. We have no problem with this.

Closing by Sponsor:

RUSSELL: I believe you all know the intent of the bill, and I close.

DISPOSITION OF HJR 44

Motion:

DRISCOLL: Moved DO PASS

Discussion:

None.

Amendments, Discussion, and Votes:

None.

Recommendation and Vote:

Fifteen to one in favor of DO PASS HJR 44. Simpkins voted no.

RUSSELL: I spoke with Rep. O'Keefe and he expressed some interest in the bill. He said he would carry it if Rep. Cohen would like him to do so. We will advise Rep. Cohen of this and see what he wishes to do.

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RUSSELL: Rep. Rice, you have a question?

HOUSE COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS

April 11, 1989

Page 3 of 3

RICE: I would like to make a motion to the committee to allow me to change my vote on SB 165 which was brought up for reconsideration last week. I was excused from the last labor committee meeting and I had left my proxy so I could vote yes on the asbestos bill which was in the committee. I didn't know there was going to be a motion made to reconsider SB 165 which was the governor's appointment bill. I had opposed that bill from the very beginning and then found out that I had cast a yes vote, and I would like to change my vote on that.

RUSSELL: All those in favor of allowing Rep. Rice to change his vote on 165 so indicate.

Vote: Unanimous vote to allow Rep. Rice to change this vote.

ADJOURNMENT

Adjournment At: 4:23 p.m.



REP. ANGELA RUSSELL, Chairman

AR/mo

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DAILY ROLL CALL

LABOR AND EMPLOYMENT RELATIONS COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 4-11-89

NAME	PRESENT	ABSENT	EXCUSED
Rep. Angela Russell, Chairman	✓		
Rep. Lloyd "Mac" McCormick, VC	✓		
Rep. Vicki Cocchiarella	✓		
Rep. Duane Compton			✓
Rep. Jerry Driscoll	✓		
Rep. <i>Bob Paulovich</i> "Eck" Paulovich	✓		
Rep. Bill Glaser	✓		
Rep. Tom Kilpatrick	✓		
Rep. Thomas Lee	✓		
Rep. Mark O'Keefe			✓
Rep. Jim Rice	✓		
Rep. Richard Simpkins			✓
Rep. Clyde Smith	✓		
Rep. Carolyn Squires	✓		
Rep. Fred Thomas	✓		
Rep. Timothy Whalen	✓		

STANDING COMMITTEE REPORT

April 12, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Labor and Employment Relations report that HOUSE JOINT RESOLUTION 44 (first reading copy -- white) do pass.

Signed: Angela Russell
Angela Russell, Chairman

Rep. Mark O'Keefe will carry this on the House floor.

EXHIBIT 1DATE 4-11-89HB HJR 44

JAMES W. MURRY
EXECUTIVE SECRETARY

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TESTIMONY OF DON JUDGE ON HOUSE JOINT RESOLUTION 44 BEFORE THE HOUSE LABOR AND
EMPLOYMENT RELATIONS COMMITTEE, APRIL 11, 1989

Madam Chair and members of the Committee, for the record, I am Don Judge representing the Montana State AFL-CIO in support of HJR 44.

This resolution seeks to require employers to pay a decent minimum wage and provide overtime protections to employees of concessionaires in our National Parks. Many of these men and women are working in the National Park Service in order to earn the money necessary to receive a higher education. Even the ability to earn a minimum wage and overtime would help these future leaders of our state and their families afford the ever-increasing costs of higher education.

Further, the tourist dollars spent in Montana's national parks should not all go to better the profit margins of the concessionaires. A fair wage for these workers guarantees that more dollars are spent in Main Street businesses and to support the families of these workers. Tourism has been the fastest growing sector of our state's economy and many of these workers have entered the service industries because there are few alternatives. Not all of these workers are students; some have families and other responsibilities which they must support financially. Montana's minimum wage and overtime protections should be applied for these workers.

We believe that Montana state law should take precedence over federal law where possible. The needs and general well-being of our citizens are best determined by their representatives here in Montana. While these employees are working within the borders of our state, the concessionaires should abide by Montana laws.

We urge your support for HJR 44.

Thank you.

