

## MINUTES

### MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LABOR & EMPLOYMENT RELATIONS

Call to Order: By Senator Richard Manning, on February 12, 1991,  
at 3:15 p.m.

#### ROLL CALL

##### Members Present:

Richard Manning, Chairman (D)  
Thomas Towe, Vice Chairman (D)  
Gary Aklestad (R)  
Chet Blaylock (D)  
Gerry Devlin (R)  
Thomas Keating (R)  
J.D. Lynch (D)  
Dennis Nathe (R)  
Bob Pipinich (D)

Members Excused: NONE.

Staff Present: Tom Gomez (Legislative Council).

Please Note: These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

Announcements/Discussion: Chairman Manning informed the  
Committee each of the three bill on the agenda today would  
receive 25 minutes for introduction and testimony in order  
to adjourn by 4:30 p.m.

#### HEARING ON HOUSE BILL 28

##### Presentation and Opening Statement by Sponsor:

Representative H.S. "Sonny" Hanson told the Committee that House Bill 28 was originally introduced to reduce costs to state, cities, counties and school districts by the elimination of the prevailing wage rate inclusion in the specifications. The concept of the bill was to establish a means of maintaining the prevailing wage requirements but not have them required to be included in the specifications. Rather the prevailing wage rates would be attached to the contract that the contractor entered into with the political subdivision. If the contractor did not agree to the prevailing wage rates and refused to sign the contract it could be awarded to the number two applicant. Representative Hanson explained that was the concept of the bill originally. He told the Committee that Lines 15-20 were added on page 3, changing the concept of the bill from being one to reduce

the cost to the political entity to one where the cost is shifted to the contractors submitting the weekly payrolls. He explained he was offering an amendment which would put the language in that section to what it was previously. (Exhibit #1)

Proponents' Testimony:

Gene Fenderson of the Montana State Building and Construction Trades Unions spoke in support of House Bill 28 as written without the amendments Representative Hanson has introduced. He explained workers were protected with the inclusion of the prevailing wage rates in the contracts. Mr. Fenderson said there are Davis-Bacon related bills now being considered dealing with certified payroll. He explained certified payroll language has been inserted in other bills. He told the Committee there is no cost factor to the letting agency, but is to the contractor. Mr. Fenderson pointed out that any work done on federal projects by a contractor, certified payrolls must be submitted to the letting agency on a weekly basis and not after the fact. He explained the Department of Labor asks for payroll records when a complaint is filed, often a year later. This gives the contractor an opportunity to change the payroll records. Mr. Fenderson told the Committee the bill is good legislation; it "cleans" up to law, and helps the Department of Labor enforce the law with less investigation time.

Mike Micone, Commissioner of the Department of Labor and Industry told the Committee the department originally supported House Bill 28 as proposed because it would make reporting easier and reduce paperwork. He explained the amendments create two problems; first a technical problem whereby the committee amended Section 18-2-422 and in Section 4 repealed that section. He also pointed out all reporting would go to the Department of Labor and would require a large amount of storage. He told the Committee the department would support House Bill 28 with or without the amendment.

Joanne Chance representing Montana Technical Council, an Association of Engineers, Architects, and Land Surveyors, spoke in support of House Bill 28 with the proposed amendments. (Exhibit #2)

Tom O'Connell, Administrator of the Architecture and Engineering Division spoke in support of House Bill 28. He told the Committee the bill has major implications for the division. He explained his concern over the inefficiency in which wage rates are currently distributed. He showed the Committee an example of a typical specification book distributed on projects. The wage rates which were specified far outweighed the size of the technical specifications or contract portion of the book. He explained there are around 200 projects issued each year with copying costs of the wage rates at approximately \$86,000. The wage rate portion has been reduced into districts, with the costs at approximately \$10,000 a year. All contractors requiring

specifications and plans receive the wage rates. House Bill 28 would only require the wage rates to be in the contract of the successful bidder reducing the paperwork and costs. He explained without the amendment proposed the paperwork would be increased again by collecting payroll records on a weekly basis from 200 projects, and he felt there would be concerns with effectively managing it. He told the Committee the Department of Labor had jurisdiction when a contractor is not complying with the wage rates, not his department.

Lars Ericson of the Montana State Council of Carpenters did not sign the Visitors' Register, but his support of House Bill 28 without the proposed amendment is entered into the record. He told the legislation would bring Montana law in line with the Federal law on federal contracts.

Christian MacKay of the Montana State AFL-CIO spoke in support of House Bill 28 in the position taken by the building trades.

Opponents' Testimony:

NONE.

Questions From Committee Members:

Senator Towe asked the difference between the proposed amendment and the 'blue' copy of House Bill 28. Representative Hanson explained the initial language said, if a complaint is filed with the DOLI alleging non-compliance the department may require the project to submit certified copies of the payroll records. He said the change would require all contractors, sub-contractors and sub-sub-contracts to submit certified payrolls.

Senator Towe asked Gene Fenderson why all contractors should submit certified payrolls, instead of those with a complaint filed against them. Mr. Fenderson told the Committee a certified payroll obligates the contractor to sign a weekly certification of wages. If it is discovered he did not, the certification can be used in the prosecution of the contractor.

Mr. Fenderson told the Committee the Department of Architecture is not being asked to enforce prevailing rates. He explained the federal government has had this requirement of submitting certified payrolls for 65 years for every project if there is federal monies involved.

Senator Towe asked how voluminous a certified payroll would be; if it were a list a each employee and the amount of payroll for the week. Mr. Fenderson said that was correct, and the list is signed by the employer.

Senator Towe asked Tom O'Connell if there would be a problem if the contractor were only submitting such a list. Mr.

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O'Connell told the Committee it would be, because there are 350 to 400 construction projects at any one time. Each project may have numerous subs which would be required to submit to his department which would have to store them, because any complaint must be enforced by the Department of Labor and Industry. He explained in the existing system the DOLI gets information from the A&E Division certifying the contracts, and showing the requirement of prevailing wage, as well as other information. The DOLI then gets the information from the contractor.

Senator Towe asked Mr. O'Connell about the fact that the Federal government already requires this. Mr. O'Connell explained they had not had to collect that on any of their projects.

Senator Pipinich asked Gene Fenderson if this were not present law. Mr. Fenderson said that was not so. He explained the federal government since 1929 has required certified payrolls on any project they are involved in. He pointed out the department apparently has not been holding up their part of the federal law if they have not been requesting this. The federal law clearly is if public works monies are used, certified payrolls are required.

Senator Aklestad asked Representative Hanson asked if the amendment was striking the language on Line 15 through 20; with the language in Exhibit #1 inserted. Representative Hanson said that was the case.

Closing by Sponsor:

Representative Hanson told the Committee the bill would save the political sub-divisions \$40,000 to \$50,000 per year, and would not change existing rates. Representative Hanson explained it would cost more if the Committee does not add the amendments, He requests the bill be given a DO NOT PASS.

HEARING ON HOUSE BILL 60

Presentation and Opening Statement by Sponsor:

Representative Dan Harrington told the Committee after the minimum wage was passed in the 1989 session it was discovered some businesses were not paying the minimum wage by deducting an hourly amount for meals served to the employee. The amount was from 12 cents to 50 cents per hour. He explained some restaurants do provide meals at no charge, some do charge for the meal. Representative Harrington told the Committee he would oppose any amendment to the bill which would have the restaurant provide the meal at a reduced charge. He commented the new minimum wage bill will fit with House Bill 60.

Proponents' Testimony:

Kate Cholena of the Montana Women's Lobby spoke in favor of House Bill 60. She explained that 1/3 of those working at minimum wage jobs are women with children. Women working at minimum wage and supporting children is an at-risk population.

Bob Heiser of the United Food and Commercial Workers spoke in support of House Bill 60. He told the Committee the bill would not prohibit the employer from providing a lunch to the employee, but does prohibit the employer from counting it towards their wages. He explained most restaurant jobs are not that well paid anyway, and the amount deducted varies in extremes.

Christian MacKay of the Montana State AFL-CIO read from prepared testimony in support of House Bill 60. (Exhibit #3)

Lars Ericson of the Montana State Council of Carpenters told the Committee he was surprised that such a practice was taking place. He explained the members represented did not work, even near, minimum wage. He urged the Committee's support of House Bill 60.

#### Opponents' Testimony:

Leon Stalcup representing the Montana Restaurant Association told the Committee there are very few states (North Dakota, Rhode Island, Washington, and Delaware) that have a statute similar to House Bill 60. He explained Montana uses the term "reasonable cost of furnishing a meal to determine a credit". He said many states set a dollar amount, some with daily allowances, some a price for each meal, a employee signs a statement allowing a credit and the meal is consumed. He recommended if the employee so desires they be able to consume the meal and the meal credit be defined in state law by a maximum of \$1 per day and credit of no larger than 12 1/2 cents per hour. An alternative would be to allow the employee to consume what they wish as long as they pay for it. (Exhibit #4)

#### Questions From Committee Members:

Senator Keating asked Representative Harrington would the employer have to pay unemployment and workers' compensation premiums on the amount of the meal that is not a part of the minimum wage. Representative Harrington explained it is not paid now.

Senator Towe asked Mr. Stalcup if he suggested a maximum of \$1 per day for meals. Mr. Stalcup explained that would include any set of meals it was determined to be. Some states set if an employee works 8 hours it could be as many as two. The would have to work 3 hours to be eligible for one with the credit being no more than 12 1/2 cents per hour.

#### Closing by Sponsor:

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Representative Harrington explained restaurants can charge \$1 a day now. He told the Committee many have the new employee sign a release saying they will have the money deducted. The decision should be up to the employee, not the restaurant.

HEARING ON HOUSE BILL 256

Presentation and Opening Statement by Sponsor:

Representative Jerry Driscoll told the Committee House Bill 256 would change the monetary calculations on determining eligibility for unemployment insurance. He explained there are two tests that must be passed to draw unemployment, first the eligibility for the reason the employee left work, and second, the qualifying wages. Under the current system an employee must work 20 weeks in the base year to qualify for benefits. House Bill 256 would repeal that, changing it to earning being 1 1/2 times the wages in calendar quarters, or 50% of the state's average weekly wage. It would allow for two calculations, one percent of total wages in the base period, or 1.9% in the highest two quarters.

Proponents' Testimony:

Rusty Harper of the Unemployment Insurance Division of the Montana Department of Labor and Industry told the Committee House Bill 256 addresses the main problem in the unemployment system. He explained nearly one out of every three claims paid are paid in error (29% of all claims). The errors are caused unintentionally by employers because the law is complex. The problem lies in the reporting of time worked. He cited an example of an individual working 80 or 90 hours from Sunday through Saturday, they have worked one week; but a person working from 11 p.m. Saturday night until 1 a.m. on Sunday morning (two hours of work), they have worked two weeks. If a person works only five minutes in a week, that is considered a week of work. He told the Committee it is very understandable that employers have difficulty in recording the weeks worked properly. The result being that some unemployment compensation recipients are overpaid while some are underpaid. Mr. Harper explained there are only eight states using weeks worked, three of which are trying to change. He told the Committee there are two proposal for determining eligibility; a percentage of the high quarter, and meet a minimum amount (7% of the state average annual wage) or if meeting half of the state average annual wage. The purpose for this eligibility is to determine if the individual is attached to the labor market. He explained the manner in which the benefit amount is calculated would also be changed. This allows for fairness to seasonable employees. The highest two quarters in the base year at 1.9% would be the benefit amount or 1% of the entire base year wages. He explained there would be an effect on the trust fund for FY 92 would be \$832,000 or 1.9% of the benefits.

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Laurie Shadoan of the Bozeman Chamber of Commerce told the Committee House Bill 256 will cut down on payroll weeks worked tracking problems. She explained weeks worked is not part of computer system. It is necessary to physically count weeks for each employee using time cards. She suggested that HB 256 should be but is not revenue neutral by taking 1.9% to 1.85%.

Chad Smith representing the Unemployment Compensation Advisors spoke in support of the general purpose of House Bill 256 in making mechanical changes in the determination of benefit. He told the Committee he had concerns with the Fiscal Note which shows the annual cost of operation will be \$800,000 more per year. He asked the department about the additional cost. He was told by Mr. Connor the provision on Page 2, Line 22, regarding the manner of computation is determined. He suggested that 1.9% be made 1.85%. He suggested an amendment to change the percentage.

Gene Fenderson of the Montana Building and Construction Trades Union spoke in support of House Bill 256 in the present form. He told the Committee the legislation is very important to the construction business. Under the current system these individuals are penalized, and House Bill 256 will correct that problem.

Forrest H. Boles of the Montana Chamber of Commerce spoke in support of the concept of House Bill 256. He told the Committee two years ago this problem was considered. He explained an agreement could not be reached because of the computation percentage. He expressed his support for the amendment proposed by Ms. Shadoan and Mr. Smith.

Bob Heiser of the United Food and Commercial Workers International Union spoke in support of House Bill 256 in its present form.

Riley Johnson representing the National Federation of Independent Business spoke in support of House Bill 256 but recommended the proposed amendment. He explained "we are possibly heading into, or are into" a recession which will have an impact on the unemployment fund. Spending an additional \$800,000 would put the state back in the hole.

Christian MacKay of the Montana State AFL-CIO spoke in support of House Bill 256.

Lars Ericson of the Montana State Council of Carpenters told the Committee it was a pleasure to stand in support of House Bill 256 along with management and labor.

Opponents' Testimony:

NONE.

LA021291.SM1

Questions From Committee Members:

Senator Pipinich asked Representative Driscoll how he felt about changing the percentage. Representative Driscoll told the Committee a person making \$500 a week now works exactly 20 weeks under the present law would receive \$193 a week in benefits. Under the proposed formula it would be \$185 a week and "they call it revenue neutral". He explained if it were changed it should be 1.93%; then it would be revenue neutral.

Senator Towe asked Representative Driscoll if 1.85% would simply make the dollars come out. Representative Driscoll explained that is estimated by running the computer at 1.85% the same dollars would be paid out. He cited a situation in which a worker worked 19 weeks at \$500 a week (\$9500) and got nothing. Under HB 256 that individual would have received unemployment benefits.

Senator Towe asked Rusty Harper if the Fiscal Note was based on the basis of economic conditions. Mr. Harper they have to based on the basis of economic conditions because that is the overwhelming factor in unemployment insurance. Senator Towe pointed out the assumption should be used by both current and proposed law. Mr. Harper explained the assumption being that \$42 million will paid out. He told the Committee this is their best guess as to what would happen based on the guess of the recession for next year, and is the base line for both. It is also based on the mix of claimants in the computer this year.

Senator Towe asked Mr. Harper if \$830,000 would have an effect on the fund. Mr. Harper explained \$830,000 add up, but it is minuscule compared to the fluctuations in the economy.

Senator Devlin asked if Representative Driscoll would have any problem attempting to make it revenue neutral. Representative Driscoll told the Committee it was as close as possible now.

Closing by Sponsor:

Representative Driscoll closed on House Bill 256. He told the Committee there is \$90 million in the fund. The \$30 million debt to the federal government has been paid. Prior to the change every employer paid 4.5% tax. He told the Committee in 6 or 8 years Montana has gone from Schedule 10 to Schedule 1. Montana is now in Schedule 1 (the lowest possible schedule under law). When the system was first started Montana was in Schedule 10. If the 1.9% is changed to 1.85% seasonal workers will be hurt.

ADJOURNMENT

Adjournment At: 4:28 p.m.

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*Sen: Richard E. Manning*  
RICHARD E. MANNING, Chairman

*Linda Casey*  
LINDA CASEY, Secretary

REM/llc

ROLL CALL

SENATE LABOR AND EMPLOYMENT RELATIONS COMMITTEE

DATE 2/12/91

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR AKLESTAD	P		
SENATOR BLAYLOCK	P 3:25		
SENATOR DEVLIN	P		
SENATOR KEATING	P		
SENATOR LYNCH	P		temporarily 3:20 pm
SENATOR MANNING	P		
SENATOR NATHE	P 3:30		
SENATOR PIPINICH	P		
SENATOR TOWE	P		

Each day attach to minutes.

Lynch is present - I am  
presenting a bill in Local Gov-

JH

AMENDMENT TO HB 28 AS PROPOSED TO SENATE LABOR & EMPLOYMENT  
RELATIONS

Section 3: lines 15 through lines 20;

Submission of payroll records. If a complaint is filed with the  
department alleging noncompliance with 18-2-422, the department  
shall require the contractor to submit to it certified copies of  
the payroll records for workers employed on that project.

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 1

DATE 2/12/91

BILL NO. HB 28

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 12 day of Feb, 1991.

Name: Joanne C. Chanco, PE

Address: 6574 Canyon Ferry Rd, Helena, MT

Telephone Number: 442-1494

Representing whom?

Montana Technical Council an Assoc. of Engineers  
Architects, and Land Surveyors

Appearing on which proposal?

HB28

Do you: Support? ☒ Amend? ☐ Oppose? ☐

Comments:

- Cost savings to governmental & private entities
- reduces unwieldy size of bid documents  
that results on even small projects due  
to reprinting/inclusion of <sup>prevailing wage rates</sup> bid documents
- labor's concerns should be addressed by  
amendments ~~of the~~ which require  
that prevailing wage rates be included  
in contracts <sup>documents</sup> for public projects and that  
employer on public project <sup>continue to</sup> keep records  
to demonstrate payment of prevailing  
wage rates if a complaint is filed  
and provide such to regulatory agency only

PLEASE LEAVE ~~SENATE~~ ~~LEGISLATIVE~~ EMPLOYMENT WITH THE COMMITTEE SECRETARY

EXHIBIT NO. 2

DATE 2/12/91

BILL NO. HB28



DONALD R. JUDGE  
EXECUTIVE SECRETARY

110 WEST 13TH STREET  
P.O. BOX 1176  
HELENA, MONTANA 59624

(406) 442-1708

Testimony of Don Judge on HB 60, Senate Labor and Employment  
Relations Committee, Tuesday, February 12, 1991, Room 413/415,  
3:00 p.m.

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Mr. Chairman and members of the committee, I'm Don Judge of the Montana State AFL-CIO, and I'm here to support House Bill 60 by Rep. Harrington.

This is a good bill that will separate meal allowances and the cost of meals from an employer's calculation of the minimum wage.

Under current law, employers are forbidden from counting tips as part of the minimum wage. Tips are extra -- they're gratuities from grateful customers, and they're not part of the base wage. That's the way it should be.

However, employers are not forbidden from counting the cost of meals or a meal allowance as part of the worker's minimum wage. That's NOT as it should be.

Just as with tips, any employer-provided meal should be considered extra, not part of the base wage.

Employees who work at the minimum wage need to be able to plan their budgets on reasonable expectations of their income. They need scheduled hours with planned rates of pay for those hours. They can't plan on anything more than their base wage -- or anything less.

If a minimum wage worker gets a tip, that's great. They can use it to help make ends meet or perhaps for a little something extra. Likewise, if an employee gets a free meal from the boss, that's great and that's appreciated. But, it's extra.

Minimum wage workers are working for poverty wages to start with. Employers shouldn't deduct anything extra from those already too-small paychecks.

We urge the committee to stand up for low-paid workers and approve House Bill 60.

Thank you.

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 3

DATE 2/12/91

BILL NO. HB60

AMENDMENTS TO HB 60

PAGE 1

LINE 4 ~~EXCLUDE~~ DEFINE

LINE 5 ~~FROM~~ WITHIN

PAGE 2

LINE 11 BOARD

LINE 12 FACILITIES FACILITY ~~SUCH BOARD THE~~

LINE 13 FACILITIES ARE FACILITY IS

LINE 19 A MEAL CREDIT IS ALLOWED, NOT TO EXCEED \$1.00 PER DAY

LINE 20 AND NOT TO EXCEED A RATE OF \$0.125 PER HOUR. THE CREDIT

CAN ONLY BE

LINE 21 TAKEN IF THE EMPLOYEE IS INFORMED OF THE PRICE OF THE

~~PRICE OF THE MEAL~~ THE MEAL, THE AMOUNT

LINE 22 OF THE CREDIT TO BE TAKEN, AND SIGNS A STATEMENT WHICH

ACKNOWLEDGES THE

LINE 23 MEALS WERE RECEIVED.

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 4

DATE 2/12/91

BILL NO. HB60

# STATE CREDIT

FED	YES	REASONABLE COST, NO PROFIT
AL		NO LAWS
AK	YES	REASONABLE COST
AZ		NO LAWS
ARK	YES	\$.30 PER HR, \$1.00 PER MEAL
CA	YES	\$1.50-2.10-2.80 WITH CONSENT
CO	YES	REASONABLE COST, NO PROFIT, MUST BE TAKEN
CON	YES	\$.45 LIGHT MEAL, \$.85 FULL MEAL
DE	NO	MAY CHARGE FOR MEAL EATEN
DC	YES	NOT MORE THAN \$2.06 PER MEAL, 1 MEAL 4 HRS OR LESS, 2 MEALS MORE THAN 4 HRS
FL		NO LAWS
GEO		NO LAWS
HA		DON'T KNOW
ID	YES	\$1.50 PER MEAL, \$9.00-10.50 PER WEEK
IL	YES	\$.15 PER HR, MEAL MUST BE TAKEN
IN		NO LAWS
IA		NO LAWS
KA	YES	REASONABLE COST
KT	YES	REASONABLE COST
LA		NO LAWS
ME	YES	\$1.20-1.20-2.00
MD	YES	\$.60 , OR REASONABLE COST, NO PROFIT
MA	YES	\$1.00-1.25-1.25, ONE FOR 3 HRS OR MORE 2 FOR 8 HRS
MI	YES	25%, MUST BE INFORMED AND RECEIVE THE MEALS
MN	YES	60%, EMPLOYEE MUST WANT THE MEALS
MS		NO LAWS
MO		NO LAWS
MT	YES	REASONABLE COST, ROOM AND BOARD NO MORE THAN 40%
NE	YES	ACTUAL COST
NEV	YES	IF AGREED TO, \$.35-.45-.75 OR \$1.50 PER DAY
NH	YES	\$1.50 PER MEAL OR \$45.00 PER WEEK
NJ	YES	FAIR VALUE, NO PROFIT
NM	YES	COST, IF AGREED TO BY EMPLOYEE
NY	YES	\$1.15 PER MEAL, ONE FOR LESS THAN 5 HRS, 2 FOR 8 HRS
NC	YES	50% OF RETAIL COST
ND	NO	
OH	YES	AMOUNT SET BY WAGE BOARD

OK	YES	SAME AS FEDERAL
OR	YES	FAIR MARKET VALUE
PEN	YES	ACTUAL COST, NO PROFIT
RI	NO	
SC	YES	SAME AS FEDERAL, WITH WRITTEN NOTIFICATION
SD		-----NO LAWS-----
TN		-----NO LAWS-----
TH	YES	COST OF MEAL, SHOW IN EARNING STATEMENT
UT	YES	50% OF LIST PRICE, MEAL MUST BE TAKEN
UT	YES	\$1.50-1.75-2.00, MUST BE TAKEN
UIR	YES	REASONABLE COST, MUST BE TAKEN AND AUTHORIZED BY EMPLOYEE
WA	NO	
WU	YES	\$1.00 PER DAY
WI	YES	\$1.85 PER MEAL, EMPLOYEE MAY REFUSE
WYO	YES	ACTUAL COST OF MEAL, MUST BE TAKEN AND ACKNOWLEDGED BY EMPLOYEE IN WRITING



# MONTANA FARM BUREAU FEDERATION

502 South 19th • Bozeman, Montana 59715  
Phone: (406) 587-3153

BILL # HB60; TESTIMONY BY: Lorraine Gillies  
DATE 2/12/91; SUPPORT \_\_\_\_\_; OPPOSE Oppose

Mr. Chairman, members of the committee:

For the record, I am Lorraine Gillies, speaking on behalf of the Montana Farm Bureau.

Traditionally agriculture has provided either room or board, or both as a portion of the wage paid to employees. Those who wish to avail themselves of such services are generally better provided for than the amount which goes toward the total wage would possibly afford. The arrangement has benefitted both labor and management, because the ag work place is often remote from housing and eating facilities. Only the employer who can actually document such amenities may deduct his cost as a portion of wages paid. When room and board is in fact provided by the employer why deny him the fair amount toward the total wage as provided in current law?

If an ag employee working in a remote area is forced to seek nourishment elsewhere or eat a cold, lonely meal from a sack, he will lose considerably more than the amount that has previously been allowed as a portion of his wage. This amendment to existing law moves Montana closer to the extinction of traditions that are working. The next step will be to deny the room provision, thereby effecting the loss of more jobs to automation. Many of those now employed in rural Montana do not have the job skills required in the urban work place.

HB60 is but one more nail in the coffin closing on Montana's family farm. We urge this committee to give this bill a do-not-pass.

Thank you.

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 5

DATE 2/12/91

BILL NO. HB60

SIGNED: Lorraine Gillies

2/12/91

DATE \_\_\_\_\_  
Senate Labor

# VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Joanne Chene, PE	MT Technical Council	HB 200	✓	
Rusty Harper, UI	UI Division	HB 256	✓	
Ken Olson	DOL. - UI. Division	HB-256	✓	
F.H. Buck Boles	MT CHAMBER	HB 256		✓
Tom Kennell	Age Division	HB 20	✓	
Leah Stalcup	MT Restaurant Assoc	HB 60		✓
CHAD SMITH	unemp Comp Division	HB 256	with amendment	
CHRISTIAN MALKAY <sup>absent</sup>	AFL-CIO	HB 28	✓	
		HB 60	✓	
EUGENE FENDERSIN	MT ST BLS TRADES	HB 25	✓	
" "	" "	HB 256	✓	
Mike McNamee	DLI	HB 28	✓	
Bob Heiser	UFCW	HB 60	✓	
John Manzer	Teamsters Union	HB 256	✓	
Horraine Gillies	Montana Farm Bureau	HB 60	with amendment	
Kate Cholera	MT Womens Lobby	HB 60	✓	
Laurie Shotton	Bozeman Chamber	HB 256	with amendment	
Leah Stalcup	MT Restaurant Assoc	HB 256	✓	

(Please leave prepared statement with Secretary)