abuni "AN ACT A SILL FOR AN ENTIPLED: AMENDING 41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR THE STATE OF MONTANA." Ke! BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 41-2303, R.C.M. 1947, is amended to ą Menako Propier Links Ð read as follows: "41-2303. Compensation. (a) Except as may otherwise be/ 11 provided pursuant to this act, every employer shall pay to Menles ĩ4 each of his employees wages at a rate not less than one 13 dollar-sixty-cents-(\$1.60) two dollars (\$2.00) an hour, save 14 and except for farm workers as herein defined. and --students 15 employed--at-an-amasement-or-recreational-establishment-that 15 operates-on-u-seasonal-basisy-who-shall-be--compensated--at 17 not--less-than-the-following-rates,-exclusive-of-gratuities; 13 19 (1)-one-doilar-twenty-cents-(61+20)--an-hour--for--the first-year-from-the-offective-date-of-this-act. 23 (2)--one--dollar--forty--cents--(61:40)-an-hour-for-the 21 second-year-from-the-effective-date-of-this-actr 22 (3)-one-dollar-sixty-cents--(61+60)--an-hour--for--the 23 third---year--from--the--effective--date--of--this--act--and 24 2.5 thereafters

INTRODUCED BILL

1 (b) No employer shall employ any of his employees for a 2 work week longer than forty (40) hours, unless such employee receives compensation for his employment in excess of forty 3 4 (40) hours in a work week at a rate of not less than one and ā one-half (1-1/2) times the hourly wave rate at which he is б employed. No overtime provision shall apply for farm 7 workers. Employers of students at an amusement or 8 recreational area that operates on a seasonal basis who 9 furnisa said students with board, lodging or other 10 facilicies shall not employ said students for a work week longer than forty-eight (43) hours, unless such students 11 12 receive compensation for their employment in excess of 13 forty-eight (48) hours in a work week at a rate of not less 1.4 than one and one-nalf (1-1/2) times the hourly wage rate at 15 which they are employed.

16 (c) In the case of a farm worker employed for a part of 17 a calendar year which includes periods requiring working 18 hours in excess of eight hours per day and other seasonal 19 periods requiring working hours substantially less than 20 eight hours per day the employer may pay the worker at a 21 fixed rate of compensation during the term of employment. 22 The employer may elect to: (1) keep a record of the total number of hours worked by the worker during the part of the 23 24 year during which the worker was employed by him. The total 25 wages paid by such employer to such employee for that part

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of the year during which said employee was employed by him 1 2 shall not be less than the applicable minimum wage rate 3 multiplied by the total number of hours so worked, or (2) in lieu of the minimum wage set forth merein, pay the farm 4 worker a wage as herein defined on a monthly basis. This 5 monthly compensation shall constitute a minimum wage and 6 7 shall not be less than the following rates: four hundred 8 sixty dollars (\$460) a month. 9 (a)-two-hundred-eighty-dollars-(\$288)-a-month--for--the 10 first-year-from-the-effective-date-of-this-acty 11 (b)--three--hundred--twenty-five-dollars-(6325)-a-month 12 for-the-second-year-from-the-effective-date-of-this-acty 13 (c)-three-nundrea-seventy-five-dollars-(6375)--a--monta 14 for-the-third-year-from-the-effective-date-of-this-act."

-Ená-

LC 0761

STATE OF MONTANA

REQUEST NO. ___105-75.___

FISCAL NOTE

Form BD-15

In compliance with a written request received <u>1-28</u>, 19 <u>75</u>, there is hereby submitted a Fiscal Note for <u>House Bill 274</u> pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to increase the minimum wage paid to all employees except farm workers to \$2.00 per hour and to increase the minimum wage for farm workers to \$460 a month.

FISCAL IMPACT:

As there will be no state employees earning less than \$2.00 per hour in FY 76 and FY 77, no increase in state expenditures is expected under the proposed amendments. No data can be compiled in the time allowed for a fiscal note with respect to local government employee earnings; however, it is assumed that the number earning less than \$2.00 per hour is minimal. The greatest impact of HB 274 would appear to be on employers of farm workers in the private sector.

BUDGET DIRECTOR Office of Budget and Program Planning Date: 2/1/75

HB 0274/02

H3 0274/02

HB 274

44th Legislature

Approved by Committee on Labor & Employment Relations

1	HOUSE BILL NO. 274
2	INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY,
3	KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON,
4	MCKITTRICK, SCULLY, FLEMING, LUEBECK, LYNCH, JOHNSON,
5	HELMBRECHT, BRAND, SHELDEN, TROPILA, QUILICI, MULAR,
6	MENAHAN, KANDUCH, HERLEVI, VINCENT, HARPER
7	
8	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
9	41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR
10	EMPLOYEES IN THE STATE OF MONTANA."
11	×
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 41-2303, R.C.M. 1947, is amended to
14	read as follows:
15	*41-2303. Compensation. (a) Except as may otherwise be
16	provided pursuant to this act, every employer shall pay to
17	each of his employees wages at a rate not less than one
18	dollar-sixty-cents-(\$1.60) twodollars(\$2.00) anhour;
19	PROVIDED IN SUBSECTIONS (1) AND (2) save and except for farm
20	workers as herein defined. andstudentsemployed-at-an
21	amusement-or-recreational-establishment-that-operatesona
22	seasonalbasis;whoshall-be-compensated-at-not-less-than
23	the-following-rates,-exclusive-of-gratuities:
24	{1}-one-dollar-twenty-cents-{61.20}anhourforthe
25	first-year-from-the-effective-date-of-this-act:

1	{2}onedollarfortycents{\$1,40}-an-hour-for-the
2	second-year-from-the-effective-date-of-this-act-
3	(3)-one-dollar-sixty-cents(\$1.60}anhourforthe
4	thirdyearfromtheeffectivedateofthisastand
5	thereafter.
6	(1) ONE DOLLAR EIGHTY CENTS (\$1.80) AN HOUR FOR THE
7	FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;
8	(2) TWO DOLLARS (\$2.00) AN HOUR FOR THE SECOND YEAR
9	FROM THE EFFECTIVE DATE OF THIS ACT AND THEREAFTER.
10	(b) No employer shall employ any of his employees for
11	a work week longer than forty (40) hours, unless such
12	employee receives compensation for his employment in excess
13	of forty (40) hours in a work week at a rate of not less
14	than one and one-half $(1-1/2)$ times the hourly wage rate at
15	which he is employed. No overtime provision shall apply for
16	farm workers. Employers of students at an amusement or
17	recreational area that operates on a seasonal basis who
18	furnish said students with board, lodging or other
19	facilities shall not employ said students for a work week
20	longer than forty-eight (48) hours, unless such students
21	receive compensation for their employment in excess of
22	forty-eight (48) hours in a work week at a rate of not less
23	than one and one-half $(1-1/2)$ times the hourly wage rate at
24	which they are employed.
25	(c) In the case of a farm worker employed for a part

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of a calendar year which includes periods requiring working 1 2 hours in excess of eight hours per day and other seasonal periods requiring working hours substantially less than з eight hours per day the employer may pay the worker at a 4 5 fixed rate of compensation during the term of employment. The employer may elect to: (1) keep a record of the total 6 number of hours worked by the worker during the part of the 7 8 year during which the worker was employed by him. The total 9 wages paid by such employer to such employee for that part 10 of the year during which said employee was employed by him 11 shall not be less than the applicable minimum wage rate multiplied by the total number of hours so worked, or (2) in 12 13 lieu of the minimum wage set forth herein, pay the farm 14 worker a wage as herein defined on a monthly basis. This monthly compensation shall constitute a minimum wage and 15 16 shall not be less than the following rates: four-hundred 17 sixty-dollars-(6460)-a-month. THE FOLLOWING RATES: 18 (a)-two-handred-eighty-dollars-(6200)-a-month--for--the 19 first-year-from-the-effective-date-of-this-act; 20 tb)--three--hundred--twenty-five-dollars-(\$325)-a-month 21 for-the-second-year-from-the-effective-date-of-this-act; (c)-three-hundred-seventy-five-dollars-(\$375)--a--month 22

23 for-the-third-year-from-the-effective-date-of-this-act;

24 (1) FOUR HUNDRED TWENTY DOLLARS (\$420) A MONTH FOR THE

25 FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;

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- 1 (2) FOUR HUNDRED SIXTY DOLLARS (\$460) A HONTH FOR THE
- 2 SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND

-End-

THEREAFTER.

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БЗ 274

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HB 0274/03

1	HOUSE BILL NO. 274	1	(2) onedollarfortycents(fl.40)-an-hour-for-the
2	INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY,	2	second-year-from-the-effective-date-of-this-act.
3	KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON,	3	(3) -one-dollar-sixty-cents{\$1.68}anhourforthe
4	MCKITTRICK, SCULLY, FLEMING, LUEBECK, LYNCH, JOHNSON,	4	thirdyearfromtheeffectivedateofthisactand
5	HELMBRECHT, BRAND, SHELDEN, TROPILA, QUILICI, MULAR,	5	thereafter.
6	MENAHAN, KANDUCH, HERLEVI, VINCENT, HARPER	6	(1) ONEDOLLARBIGHTYCENTS(G1.00) TWO DOLLARS
7		7	TWENTY-FIVE CENTS (\$2.25) AN HOUR FOR THE FIRST YEAR FROM
3	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION	8	THE EFFECTIVE DATE OF THIS ACT;
9	41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR	9	(2) TWODOLLARS{62+00} TWO DOLLARS FORTY CENTS
10	EMPLOYEES IN THE STATE OF MONTANA."	10	(\$2.40) AN HOUR FOR THE SECOND YEAR FROM THE EFFECTIVE DATE
11		11	OF THIS ACT AND THEREAFTER.
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	(b) No employer shall employ any of his employees for
13	Section 1. Section 41-2303, R.C.M. 1947, is amended to	13	a work week longer than forty (40) hours, unless such
14	read as follows:	14	employee receives compensation for his employment in excess
15	"41-2303. Compensation. (a) Except as may otherwise be	15	of forty (40) hours in a work week at a rate of not less
16	provided pursuant to this act, every employer shall pay to	16	than one and one-half $(1-1/2)$ times the hourly wage rate at
17	each of his employees wages at a rate not less than ene	17	which he is employed. No overtime provision shall apply for
18	dellar-sixty-cents-{61.60} <u>twodollars{62.00}</u> anhoury	18	farm workers. Employers of students at an amusement or
19	PROVIDED IN SUBSECTIONS (1) AND (2) save and except for farm	19	recreational area that operates on a seasonal basis who
20	workers as herein defined. andstudentsemployed-at-an	20	furnish said students with board, lodging or other
21	amusement-or-recreational-establishment-that-operatesona	21	facilities shall not employ said students for a work week
22	seasonalbasisywhoshall-be-compensated-at-not-less-than	22	longer than forty-eight (48) hours, unless such students
23	the-following-rates,-exclusive-of-gratuities;	23	receive compensation for their employment in excess of
24	(1) -one-dollar-twenty-cents-{\$1,20}anhourforthe	24	forty-eight (48) hours in a work week at a rate of not less
25	first-year-from-the-effective-date-of-this-act.	25	than one and one-half $(1-1/2)$ times the hourly wage rate at
			-2- нв 274

THIRD READING

HB 274

1 which they are employed. 2 (c) In the case of a farm worker employed for a part 3 of a calendar year which includes periods requiring working hours in excess of eight hours per day and other seasonal 4 5 periods regaining working hours substantially less than sight hours per day the employer may pay the worker at a 6 7 fixed sate of compensation during the term of employment. 8 The employer may elect to: (1) keep a record of the total 9 number of hours worked by the worker during the part of the 10 year during which the worker was employed by him. The total 11 wages paid by such employer to such employee for that part 12 of the year during which said employee was employed by him 13 shall not be less than the applicable minimum wage rate 14 multiplied by the total number of hours so worked, or (2) in 15 lieu of the minimum wage set forth herein, pay the farm 16 worker a wage as herein defined on a monthly basis. This 17 monthly compensation shall constitute a minimum wage and 18 shall not be less than the-fellowing-rates four-hundred 19 staty-deltage-(6468)-a-monthy THE FOLLOWING RATES: 20 (a)-two-hundred-eighty-dollars-(\$200)-a-month--for--the 21 first-year-from-the-offeetive-date-of-this-acty 22 (b)---three--hundred--twenty-five-dollars-(\$325)-a-month 23 for-the-decond-year-from-the-effective-date-of-this-acty 24 (c)-three-hundred-seventy-five-dollars-(6375)--a--month 25 for-the-third-year-from-the-effective-date-of-this-act.

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1	(1) FOUR HUNDRED TWENTY DOLLARS (\$420) A MONTH FOR THE
2	FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;
3	(2) FOUR HUNDRED SIXTY DOLLARS (\$460) A MONTH FOR THE
4	SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND
5	THEREATTER.

-End-

EB 0274/42

SENATE COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS

AMENDMENTS TO HOUSE BILL NO. 274

That House Bill No. 274, third reading, be amended as follows:

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- 1. Amend page 2, section 1, line 6 and 7. Following: "(\$1-80)" Strike: "TWO DOLLARS TWENTY-FIVE CENT (\$2.25)" Insert: "One dollar eighty cents (\$1.80)"
- 2. Amend page 2, section 1, line 9 and 10. Following: "(\$2-00)" Strike: "TWO DOLLARS FORTY CENTS (\$2.40)" Insert: "Two dollars (\$2.00)"

REFERENCE BILL

1	HOUSE BILL NO. 274
2	INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY,
3	KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON,
4	MCKITTRICK, SCULLY, FLEMING, LUEBECK, LYNCH, JOHNSON,
5	HELMBRECHT, BRAND, SHELDEN, TROPILA, QUILICI, MULAR,
6	MEJAHAN, KANDUCH, HERLEVI, VINCENT, HARPER
7	
8	A BILL FOR AN ACT EMTITLED: "AN ACT AMENDING SECTION
9	41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR
10	EMPLOYEES IN THE STATE OF MONTANA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 41-2303, R.C.M. 1947, is amended to
14	read as follows:
15	"41-2303. Compensation. (a) Except as may otherwise be
16	provided pursuant to this act, every employer shall pay to
17	each of his employees wages at a rate not less than one
13	dollar-sixty-cents-(61.68) twodollars(62.88) anhour,
19	PROVIDED IN SUBSECTIONS (1) AND (2) save and except for farm
20	workers as herein defined. andstudentsemployed-at-an
21	amusement-or-recreational-establishment-that-operatesona
22	scasonalbasisywhoshall-be-compensated-at-not-less-than
23	the-following-rates,-exclusive-of-gratuities;
24	(1)-one-dollar-twenty-cents-(61,20) anhourforthe
25	first-year-from-the-effective-date-of-this-act-

1	{2}-one-dollar-forty-cents{61.40}anhourforthe
2	second-year-from-the-effective-date-of-this-act-
3	{3}onedollarsixtycents{61.60}-an-hour-for-the
4	thirdyearfromtheeffectivedateofthisactand
5	thereafter.
6	(1) ONEDOLLAREICHTYCENTS(61.60) TWODOLLARS
7	TWENTY-FIVE-CENTE-(\$2.25) ONE DOLLAR EIGHTY CENTS (\$1.80) AN
8	HOUR FOR THE FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;
9	(2) TWODOLLARG{\$2.00} TWODOLLARGFORTYCENTE
10	(\$2.40) TWO DOLLARS (\$2.00) AN HOUR FOR THE SECOND YEAR FROM
11	THE EFFECTIVE DATE OF THIS ACT AND THEREAFTER.
12	(b) No employer shall employ any of his employees for
13	a work week longer than forty (40) hours, unless such
14	employee receives compensation for his employment in excess
15	of forty (40) hours in a work week at a rate of not less
16	than one and one-half $(1-1/2)$ times the hourly wage rate at
17	which he is employed. No overtime provision shall apply for
18	farm workers. Employers of students at an amusement or
19	recreational area that operates on a seasonal basis who
20	furnish said students with board, lodging or other
21	facilities shall not employ said students for a work week
2 2	longer than forty-eight (48) hours, unless such students
23	receive compensation for their employment in excess of
24	forty-eight (48) hours in a work week at a rate of not less

25 than one and one-half (1-1/2) times the hourly wage rate at

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1 which they are employed.

2 (c) In the case of a farm worker employed for a part 3 of a calendar year which includes periods requiring working 4 hours in excess of eight hours per day and other seasonal 5 periods requiring working hours substantially less than 6 eight hours per day the employer may pay the worker at a 7 fixed rate of compensation during the term of employment. 8 The employer may elect to: (1) keep a record of the total 9 number of hours worked by the worker during the part of the 10 year during which the worker was employed by him. The total 11 wages paid by such employer to such employee for that part 12 of the year during which said employee was employed by him 13 snall not be less than the applicable minimum wage rate 14 multiplied by the total number of hours so worked, or (2) in 15 lieu of the minimum wage set forth herein, pay the farm 16 worker a wage as herein defined on a monthly basis. This monthly compensation shall constitute a minimum wage and 17 18 shall not be less than the following rates: four hundred 19 sixty-dollars-(\$460)-a-month: THE FOLLOWING RATES: 20 (a)-two-hundred-eighty-dollars-(6288)-a-month--for--the 21 first-year-from-the-effective-date-of-this-acty 22 (b) -- three -- hundred -- twenty-five-dollars-(6325)-a-month 23 for-the-second-year-from-the-effective-date-of-this-act; 24 (c)-three-hundred-seventy-five-dollars-(6375)--a--month

25 for-the-third-year-from-the-effective-date-of-this-act.

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- 1 (1) FOUR HUNDRED TWENTY DOLLARS (\$420) A MONTH FOR THE
- 2 FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;
- 3 (2) FOUR HUNDRED SIXTY DOLLARS (\$460) A MONTH FOR THE
- 4 SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND
- 5 THEREAFTER."

-End-

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