

VINCENT

1 *Harper* House BILL NO. 274 MULAR
 2 INTRODUCED BY *W. Baeth Dasinger Tavis Kelly*
 3 *Kendall* *McIntosh* *Magone Sullivan* *Rundwa*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION *Flaming*
 5 41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR
 6 EMPLOYEES IN THE STATE OF MONTANA."
 7 *Johnson* *Stine* *Helmbrich* *Brand* *Suebeck Lynch*
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 41-2303, R.C.M. 1947, is amended to
 10 read as follows: *Proper Lulini Menahan*
 11 "41-2303. Compensation. (a) Except as may otherwise be *conduct*
 12 provided pursuant to this act, every employer shall pay to *Herlevi*
 13 each of his employees wages at a rate not less than one
 14 dollar-sixty-cents-~~(\$1.60)~~ two dollars (\$2.00) an hour, save
 15 and except for farm workers as herein defined, and--students
 16 employea--at-an-amusement-or-recreational-establishment-that
 17 operates-on-a-seasonal-basis, who shall be compensated--at
 18 not--less--than--the--following--rates--exclusive--of--gratuities:
 19 (1) ~~one-dollar-twenty-cents-(\$1.20)~~ an-hour--for--the
 20 first-year--from--the--effective--date--of--this--act;
 21 (2) ~~one-dollar-forty-cents-(\$1.40)~~ an-hour--for--the
 22 second-year--from--the--effective--date--of--this--act;
 23 (3) ~~one-dollar-sixty-cents-(\$1.60)~~ an-hour--for--the
 24 third---year--from--the--effective--date--of--this--act--and
 25 thereafter;

1 (b) No employer shall employ any of his employees for a
 2 work week longer than forty (40) hours, unless such employee
 3 receives compensation for his employment in excess of forty
 4 (40) hours in a work week at a rate of not less than one and
 5 one-half (1-1/2) times the hourly wage rate at which he is
 6 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 furnish said students with board, lodging or other
 10 facilities shall not employ said students for a work week
 11 longer than forty-eight (48) hours, unless such students
 12 receive compensation for their employment in excess of
 13 forty-eight (48) 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 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
 23 number of hours worked by the worker during the part of the
 24 year during which the worker was employed by him. The total
 25 wages paid by such employer to such employee for that part

INTRODUCED BILL

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1 of the year during which said employee was employed by him
2 shall not be less than the applicable minimum wage rate
3 multiplied by the total number of hours so worked, or (2) in
4 lieu of the minimum wage set forth herein, pay the farm
5 worker a wage as herein defined on a monthly basis. This
6 monthly compensation shall constitute a minimum wage and
7 shall not be less than ~~the following rates:~~ four hundred
8 sixty dollars (\$460) a month.

9 ~~(a) two hundred eighty dollars (\$280) a month for the~~
10 ~~first year from the effective date of this act,~~

11 ~~(b) three hundred twenty five dollars (\$325) a month~~
12 ~~for the second year from the effective date of this act,~~

13 ~~(c) three hundred seventy five dollars (\$375) a month~~
14 ~~for the third year from the effective date of this act."~~

-End-

STATE OF MONTANA

REQUEST NO. 105-75

FISCAL NOTE

Form BD-15

In compliance with a written request received 1-28, 19 75, there is hereby submitted a Fiscal Note for House Bill 274 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

Approved by Committee
on Labor & Employment
Relations

HOUSE BILL NO. 274

INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY,
KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON,
MCKITTRICK, SCULLY, FLEMING, LUEBECK, LYNCH, JOHNSON,
HELMBRECHT, BRAND, SHELDEN, TROPILA, QUILICI, MULAR,
MENAHAN, KANDUCH, HERLEVI, VINCENT, HARPER

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR
EMPLOYEES IN THE STATE OF MONTANA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 41-2303, R.C.M. 1947, is amended to
read as follows:

"41-2303. Compensation. (a) Except as may otherwise be
provided pursuant to this act, every employer shall pay to
each of his employees wages at a rate not less than one
dollar-sixty-cents-~~(\$1.60)~~ two--dollars--(\$2.00) an--hour;
PROVIDED IN SUBSECTIONS (1) AND (2) save and except for farm
workers as herein defined, ~~and--students--employed-at-an~~
~~amusement-or-recreational-establishment-that-operates--on--a~~
~~seasonal--basis;--who--shall-be-compensated-at-not-less-than~~
~~the-following-rates;--exclusive-of-gratuities:~~

~~(1)--one-dollar-twenty-cents-(\$1.20)--an-hour--for--the~~
~~first-year-from-the-effective-date-of-this-act;~~

~~(2)--one-dollar-forty-cents-(\$1.40)-an-hour-for-the~~
~~second-year-from-the-effective-date-of-this-act;~~

~~(3)--one-dollar-sixty-cents-(\$1.60)--an-hour-for-the~~
~~third---year--from--the--effective--date--of--this--act--and~~
~~thereafter;~~

(1) ONE DOLLAR EIGHTY CENTS (\$1.80) AN HOUR FOR THE
FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;

(2) TWO DOLLARS (\$2.00) AN HOUR FOR THE SECOND YEAR
FROM THE EFFECTIVE DATE OF THIS ACT AND THEREAFTER.

(b) No employer shall employ any of his employees for
a work week longer than forty (40) hours, unless such
employee receives compensation for his employment in excess
of forty (40) hours in a work week at a rate of not less
than one and one-half (1-1/2) times the hourly wage rate at
which he is employed. No overtime provision shall apply for
farm workers. Employers of students at an amusement or
recreational area that operates on a seasonal basis who
furnish said students with board, lodging or other
facilities shall not employ said students for a work week
longer than forty-eight (48) hours, unless such students
receive compensation for their employment in excess of
forty-eight (48) hours in a work week at a rate of not less
than one and one-half (1-1/2) times the hourly wage rate at
which they are employed.

(c) In the case of a farm worker employed for a part

1 of a calendar year which includes periods requiring working
 2 hours in excess of eight hours per day and other seasonal
 3 periods requiring working hours substantially less than
 4 eight hours per day the employer may pay the worker at a
 5 fixed rate of compensation during the term of employment.
 6 The employer may elect to: (1) keep a record of the total
 7 number of hours worked by the worker during the part of the
 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
 12 multiplied by the total number of hours so worked, or (2) in
 13 lieu of the minimum wage set forth herein, pay the farm
 14 worker a wage as herein defined on a monthly basis. This
 15 monthly compensation shall constitute a minimum wage and
 16 shall not be less than ~~the following rates: four-hundred~~
 17 ~~sixty-dollars-(\$460)-a-month.~~ THE FOLLOWING RATES:
 18 ~~(a) two-hundred-eighty-dollars-(\$280)-a-month--for--the~~
 19 ~~first-year-from-the-effective-date-of-this-act,~~
 20 ~~(b) three-hundred-twenty-five-dollars-(\$325)-a-month~~
 21 ~~for-the-second-year-from-the-effective-date-of-this-act,~~
 22 ~~(c) three-hundred-seventy-five-dollars-(\$375)-a-month~~
 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;

1 (2) FOUR HUNDRED SIXTY DOLLARS (\$460) A MONTH FOR THE
 2 SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND
 3 THEREAFTER.

-End-

HOUSE BILL NO. 274

INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY, KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON, MCKITTRICK, SCULLY, FLEMING, LUEBECK, LYNCH, JOHNSON, HELMBRECHT, BRAND, SHELDEN, TROPILA, QUILICI, MULAR, MENAHAN, KANDUCH, HERLEVI, VINCENT, HARPER

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 41-2303, R.C.M. 1947, TO INCREASE THE MINIMUM WAGE FOR EMPLOYEES IN THE STATE OF MONTANA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 41-2303, R.C.M. 1947, is amended to read as follows:

"41-2303. Compensation. (a) Except as may otherwise be provided pursuant to this act, every employer shall pay to each of his employees wages at a rate not less than one dollar-sixty-cents-(\$1.60) two--dollars--(\$2.00) an--hourly PROVIDED IN SUBSECTIONS (1) AND (2) save and except for farm workers as herein defined. and--students--employed-at-an amusement-or-recreational-establishment-that-operates--on--a seasonal-basis,--who--shall-be-compensated-at-not-less-than the-following-rates,-exclusive-of-gratuities:

(1)-one-dollar-twenty-cents-(\$1.20)--an--hour--for--the first-year-from-the-effective-date-of-this-act,

(2)--one-dollar--forty--cents--(\$1.40)--an-hour-for-the second-year-from-the-effective-date-of-this-act,

(3)-one-dollar-sixty-cents--(\$1.60)--an--hour--for--the third---year--from--the--effective--date--of--this--act--and thereafter,

(1) ONE--DOLLAR--EIGHTY--CENTS--(\$1.80) TWO DOLLARS TWENTY-FIVE CENTS (\$2.25) AN HOUR FOR THE FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;

(2) TWO--DOLLARS--(\$2.00) TWO DOLLARS FORTY CENTS (\$2.40) AN HOUR FOR THE SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND THEREAFTER.

(b) No employer shall employ any of his employees for a work week longer than forty (40) hours, unless such employee receives compensation for his employment in excess of forty (40) hours in a work week at a rate of not less than one and one-half (1-1/2) times the hourly wage rate at which he is employed. No overtime provision shall apply for farm workers. Employers of students at an amusement or recreational area that operates on a seasonal basis who furnish said students with board, lodging or other facilities shall not employ said students for a work week longer than forty-eight (48) hours, unless such students receive compensation for their employment in excess of forty-eight (48) hours in a work week at a rate of not less than one and one-half (1-1/2) times the hourly wage rate at

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 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 following rates~~ four hundred
 19 sixty dollars (\$460) a month THE FOLLOWING RATES:

20 ~~(a) two hundred eighty dollars (\$280) a month for the~~
 21 ~~first year from the effective date of this act,~~

22 ~~(b) three hundred twenty five dollars (\$325) a month~~
 23 ~~for the second year from the effective date of this act,~~

24 ~~(c) three hundred seventy five dollars (\$375) a month~~
 25 ~~for the third year from the effective date of this act.~~

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-

March 21, 1975

SENATE COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS
AMENDMENTS TO HOUSE BILL NO. 274

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

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: "~~2.40~~"
Strike: "TWO DOLLARS FORTY CENTS (\$2.40)"
Insert: "Two dollars (\$2.00)"

HOUSE BILL NO. 274

INTRODUCED BY W. BAETH, DASSINGER, TRAVIS, KELLY,

KIMBLE, KENDALL, KUMMERFELDT, MAGONE, GILLIGAN, GUNDERSON,

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~~(3)--one--dollar--sixty--cents--(\$1.60)--an-hour-for-the third--year--from--the--effective--date--of--this--act--and thereafter:~~

(1) ~~ONE--DOLLAR--EIGHTY--CENTS--(\$1.80)~~ TWO--DOLLARS TWENTY-FIVE-CENTS-(\$2.25) ONE DOLLAR EIGHTY CENTS (\$1.80) AN HOUR FOR THE FIRST YEAR FROM THE EFFECTIVE DATE OF THIS ACT;

(2) ~~TWO--DOLLARS--(\$2.00)~~ TWO--DOLLARS--FORTY--CENTS (\$2.40) TWO DOLLARS (\$2.00) AN HOUR FOR THE SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND THEREAFTER.

(b) No employer shall employ any of his employees for a work week longer than forty (40) hours, unless such employee receives compensation for his employment in excess of forty (40) hours in a work week at a rate of not less than one and one-half (1-1/2) times the hourly wage rate at which he is employed. No overtime provision shall apply for farm workers. Employers of students at an amusement or recreational area that operates on a seasonal basis who furnish said students with board, lodging or other facilities shall not employ said students for a work week longer than forty-eight (48) hours, unless such students receive compensation for their employment in excess of forty-eight (48) hours in a work week at a rate of not less than one and one-half (1-1/2) times the hourly wage rate at

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 3 of a calendar year which includes periods requiring working
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 7 fixed rate of compensation during the term of employment.
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 10 year during which the worker was employed by him. The total
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 16 worker a wage as herein defined on a monthly basis. This
 17 monthly compensation shall constitute a minimum wage and
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 4 SECOND YEAR FROM THE EFFECTIVE DATE OF THIS ACT AND
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