

SENATE BILL NO. 266

INTRODUCED BY PALMER

IN THE SENATE

January 26, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 7, 1979	Committee recommend bill do pass. Report adopted.
February 8, 1979	Printed and placed on members' desks.
February 9, 1979	Second reading, do pass.
February 10, 1979	Considered correctly engrossed.
February 12, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 13, 1979	Introduced and referred to Committee on Labor and Employment Relations.
March 3, 1979	Committee recommend bill be concurred in. Report adopted.
March 5, 1979	Second reading, concurred in.
March 7, 1979	Third reading, concurred in.

IN THE SENATE

March 8, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 *Spice* BILL NO. *266*
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3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 39-5-102, MCA, TO EXCLUDE MUSICAL BOOKING SERVICES FROM THE
 6 EMPLOYMENT AGENCY ACT AND TO DEFINE THE TERM MUSICAL BOOKING
 7 SERVICE."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 39-5-102, MCA, is amended to read:

11 "39-5-102. Definitions. Unless a different meaning is
 12 clearly required by the context, the following words and
 13 phrases, as hereinafter used in this chapter, shall have the
 14 following meanings:

15 (1) (a) "Employment agency" is synonymous with
 16 "agency" and shall mean any business in which any part of
 17 the business's gross or net income is derived from a fee
 18 received from applicants and in which any of the following
 19 activities are engaged in:

20 (i) the offering, promising, procuring, or attempting
 21 to procure employment for applicants; or

22 (ii) the giving of information regarding where and from
 23 whom employment may be obtained.

24 (b) In addition, the term "employment agency" shall
 25 mean and include any person, bureau, organization, or school

1 which for profit, by advertisement or otherwise, offers as
 2 one of its main objects or purposes to procure employment
 3 for any person who pays for its services or which collects
 4 tuition or charges for service of any nature where the main
 5 object of the person paying the same is to secure
 6 employment.

7 (c) The term "employment agency" shall not include
 8 labor union organizations, temporary service contractors,
 9 proprietary schools, musical booking services, or the
 10 Montana state employment agency.

11 (2) "Temporary service contractors" shall mean any
 12 person, firm, association, or corporation conducting a
 13 business which consists of employing individuals directly
 14 for the purpose of furnishing such individuals on a
 15 part-time or temporary basis to others.

16 (3) "Employer" means any person, firm, corporation,
 17 partnership, or association employing or seeking to enter
 18 into an arrangement to employ a person through the medium or
 19 service of an employment agency.

20 (4) "Applicant", except when used to describe an
 21 applicant for an employment agency license, means any
 22 person, whether employed or unemployed, seeking or entering
 23 into any arrangement for his employment or change of his
 24 employment through the medium or service of an employment
 25 agency.

1 (5) "Person" includes an individual, a firm, a
2 corporation, a partnership, or an association.

3 (6) "Director" shall mean the commissioner of the
4 department of labor and industry.

5 ~~(7) "Musical booking service" means any person, firm,
6 association, or corporation conducting a business which
7 consists solely of obtaining, obtaining offers of, and
8 negotiating employment for individuals or groups of
9 individuals for musical entertainment purposes."~~

-End-

Approved by Committee
on Labor & Employment
Relations

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