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.
נ	IN THE HOUS	SE
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.
3	IN THE SEN	ATE
March 8, 1979		Returned from second house. Concurred in. Sent to enrolling.

Reported correctly enrolled.

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1		Spect BILL NO.	266
2	INTRODUCED BY	Palmer	

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 39-5-102. MCA. TO EXCLUDE MUSICAL BOOKING SERVICES FROM THE 5 EMPLOYMENT AGENCY ACT AND TO DEFINE THE TERM MUSICAL BOOKING 6 7

SERVICE."

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

Section 1. Section 39-5-102, MCA, is amended to read: #39-5-102. Definitions. Unless a different meaning is clearly required by the context, the following words and phrases, as hereinafter used in this chapter, shall have the following meanings:

- (1) (a) "Employment agency" is synonymous "agency" and shall mean any business in which any part of the business's gross or net income is derived from a fee received from applicants and in which any of the following activities are engaged in:
- (i) the offering, promising, procuring, or attempting to procure employment for applicants; or
- (ii) the giving of information regarding where and from 22 23 whom employment may be obtained.
- (b) In addition, the term "employment agency" shall 24 25 mean and include any person, bureau, organization, or school

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

- (c) The term "employment agency" shall not include labor union organizations, temporary service contractors. proprietary schools, musical booking services, or Montana state employment agency.
- (2) "Temporary service contractors" shall mean any person, firm, association, or corporation conducting a business which consists of employing individuals directly for the purpose of furnishing such individuals on a part-time or temporary basis to others.
- (3) "Employer" means any person, firm, corporation, partnership, or association employing or seeking to enter into an arrangement to employ a person through the medium or service of an employment agency.
- (4) "Applicant", except when used to describe an applicant for an employment agency license, means any person, whether employed or unemployed, seeking or entering into any arrangement for his employment or change of his employment through the medium or service of an employment agency.

(5) "Person" includes an individual, a firm, a
corporation, a partnership, or an association.
(6) "Director" shall mean the commissioner of the
department of labor and industry.
(7) "Musical booking service" means any persons, firms
associations or corporation conducting a husiness which
consists solely of obtaining obtaining offers of and
negotiating employment for individuals or groups of
individuals for musical antertainment nurness.

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Approved by Committee on Labor & Employment

Spect BILL NO. 266 INTRODUCED BY 2

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A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 39-5-102. MCA. TO EXCLUDE MUSICAL BOOKING SERVICES FROM THE EMPLOYMENT AGENCY ACT AND TO DEFINE THE TERM MUSICAL BOOKING SERVICE.*

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Section 1. Section 39-5-102: MCA: is amended to read: 10 #39-5-102. Definitions. Unless a different meaning is 11 clearly required by the context, the following words and 12 phrases, as hereinafter used in this chapter, shall have the 13 following meanings: 14

- (1) (a) "Employment agency" is synonymous "agency" and shall mean any business in which any part of the business's gross or net income is derived from a fee received from applicants and in which any of the following activities are engaged in:
- (i) the offering, promising, procuring, or attempting to procure employment for applicants; or
- (ii) the giving of information regarding where and from whom employment may be obtained.
- (b) In addition, the term "employment agency" shall 24 mean and include any person, bureau, organization, or school 25

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

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- (c) The term "employment agency" shall not include labor union organizations, temporary service contractors,
- · proprietary schools, <u>musical booking services</u>, or
 - Montana state employment agency.
- 11 (2) "Temporary service contractors" shall mean any
- person, firm, association, or corporation conducting a 12 business which consists of employing individuals directly
- 13
- for the purpose of furnishing such individuals on a 14
- part-time or temporary basis to others. 15
- (3) "Employer" means any person, firm, corporation. 16
- 17 partnership, or association employing or seeking to enter
 - into an arrangement to employ a person through the medium or
- 19 service of an employment agency.
- (4) "Applicant", except when used to describe an 20
- 21 applicant for an employment agency license, means any
 - person, whether employed or unemployed, seeking or entering

employment through the medium or service of an employment

- into any arrangement for his employment or change of his 23
- 25 agency.

ì	(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) "Husical booking service" means any persons firms
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.*

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- (i) the offering, promising, procuring, or attempting 20 21 to procure employment for applicants; or
- (ii) the giving of information regarding where and from 22 23 whom employment may be obtained.
- 24 (b) In addition, the term "employment agency" shall mean and include any person, bureau, organization, or school 25

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

- (c) The term "employment agency" shall not include labor union organizations, temporary service contractors, ·proprietary schools, <u>musical booking services</u> or the Montana state employment agency.
- (2) "Temporary service contractors" shall mean any person. firm, association, or corporation conducting a business which consists of employing individuals directly for the purpose of furnishing such individuals on a part-time or temporary basis to others.
- (3) "Employer" means any person, firm, corporation, partnership+ or association employing or seeking to enter into an arrangement to employ a person through the medium or service of an employment agency.
- (4) "Applicant", except when used to describe an applicant for an employment agency license, means any person, whether employed or unemployed, seeking or entering into any arrangement for his employment or change of his employment through the medium or service of an employment agency.

Ł	(5) "Person" includes an individual, a firm, a
2	corporation, a partnership, or an association.
3	(6) "Director" shall mean the commissioner of the
•	department of labor and industry.
5	[7] "Musical booking service" means any persons firms
5	association: or corporation conducting a business which
7	consists solely of obtaining obtaining offers of and
)	negotiating employment for individuals or groups of

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individuals for musical entertainment purposes."

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 mean and include any person, bureau, organization, or school

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 - (c) The term "employment agency" shall not include labor union organizations, temporary service contractors, proprietary schools, <u>musical booking services</u> or the Montana state employment agency.
 - (2) "Temporary service contractors" shall mean any person. firm. association. or corporation conducting a business which consists of employing individuals directly for the purpose of furnishing such individuals on a part-time or temporary basis to others.
 - (3) "Employer" means any person firm corporation partnership or association employing or seeking to enter into an arrangement to employ a person through the medium or service of an employment agency.
- 20 (4) "Applicant", except when used to describe an applicant for an employment agency license, means any person, whether employed or unemployed, seeking or entering into any arrangement for his employment or change of his employment through the medium or service of an employment agency.

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2	corporation, a partmership, or an association.
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5	111 "Musical booking service" means any persons firms
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•	consists_solely_of_obtainings_obtaining_offers_ofs_and
3	negotiating employment for individuals or groups of

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