House Bill 190

In The House

January 13, 1981

Introduced and referred to Committee on Labor.

January 24, 1981

Rereferred to Committee on Labor.

February 19, 1981

Committee recommend bill do not pass.

1

2

3

4

7

10

11

12

13

14

15

1.5

17

1	HOUSE BILL NO. 190
2	INTRODUCED BY Waldron Dory Tilson, Rouch
3	A 3 3 MEA plus aux Hemotical Conn

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE TIPS FROM
5 THE MINIMUM WAGES REQUIRED TO BE PAID TO EMPLOYEES; AMENDING
6 SECTION 39-3-402, MCA."

7

17

1.8

19

20

21

22

23

24

25

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

9 Section 1. Section 39-3-402, MCA, is amended to read: 10 "39-3-402. Definitions. As used in this part the 11 following definitions apply:

- 12 (1) "Commissioner" means the commissioner of labor and 13 industry.
- 14 (2) "Employ" means to suffer or permit to work.
- 15 (3) "Employee" includes any individual employed by an employer.
 - (4) "Farm or ranch" shall mean any endeavor primarily engaged in cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, and poultry and fur-bearing animals and wildlife.
 - (5) "Farm worker" means any person employed to do any service performed on a farm or ranch.
 - (6) "Occupation" means any occupation, service, trade,

business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such allowance as may be permitted by regulations of the commissioner under 39-3-463. The term "wage" includes the reasonable cost to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees; provided, however, that in no case shall such inclusion exceed an amount equal to 40% of the total wage paid by such employer to such employee. Neither "wage" nor "compensation" includes tips given to an employee by a third-party customer as a gratuity for service."

-End-