

SENATE BILL NO. 132

INTRODUCED BY KEATING

IN THE SENATE

January 14, 1981	Introduced and referred to Committee on Labor and Employment Relations.
January 27, 1981	Committee recommend bill do pass. Reported adopted.
January 28, 1981	Bill printed and placed on members' desks.
January 29, 1981	Second reading, do pass.
January 30, 1981	Correctly engrossed.
January 31, 1981	Third reading, passed. Transmitted to House.

IN THE HOUSE

February 2, 1981	Introduced and referred to Committee on Labor.
February 18, 1981	Committee recommend bill be placed on consent calendar and concurred in. Report adopted.
February 19, 1981	Motion pass consideration until 46th legislative day.
March 2, 1981	Second reading, concurred in.
March 4, 1981	Third reading, concurred in. Ayes, 99; Nays, 0.

IN THE SENATE

March 5, 1981	Returned from House. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. 132
 2 INTRODUCED BY *Harold A. Kistner*
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT AGENTS FOR
 5 PROFESSIONAL ATHLETES FROM THE PROVISIONS GOVERNING
 6 EMPLOYMENT AGENCIES; AMENDING SECTION 39-5-102, MCA."
 7

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

9 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 used in this chapter, have the following
 13 meanings:

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

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

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

23 (b) In addition, the term "employment agency" means
 24 and includes any person, bureau, organization, or school
 25 which for profit, by advertisement or otherwise, offers as

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

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

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

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

3 (6) "Director" means 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.

10 ~~(8) "Agents for professional athletes" means any~~
11 ~~person, firm, association, or corporation conducting a~~
12 ~~business that consists solely of obtaining, obtaining offers~~
13 ~~of, and negotiating contracts of employment of professional~~
14 ~~athletes."~~

-End-

Approved by Committee
on Labor & Employment
Relations

Senate BILL NO. 132

INTRODUCED BY *Thomas H. Hastings*

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

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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.

(c) The term "employment agency" does not include labor union organizations, temporary service contractors, proprietary schools, musical booking services, agents for professional athletes, or the Montana state employment agency.

(2) "Temporary service contractors" means 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.

SECOND READING

SB 132

LC 1043/01

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