

SENATE BILL NO. 362

INTRODUCED BY HAFHEY, QUILICI, HARDING,
CHRISTIAENS, JANET MOORE, REAM, DARKO, ECK, REGAN,
VAN VALKENBURG, YELLOWTAIL, BLAYLOCK, BERGENE, MANNING,
D. BROWN, FRITZ, RANEY, VINCENT, COHEN, KOEHNKE,
BRADLEY, MONTAYNE, FULLER, LANE, C. SMITH, JONES

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on Labor and Employment Relations.
February 11, 1985	On motion by Chief Sponsor, Representatives C. Smith and Jones added as sponsors.
February 12, 1985	Fiscal Note requested.
February 15, 1985	Fiscal Note returned.
February 21, 1985	Committee recommend bill do pass. Report adopted.
February 22, 1985	Bill printed and placed on members' desks.
February 23, 1985	Second reading, do pass.
February 25, 1985	Considered correctly engrossed.
	Third reading, passed. Ayes, 44; Noes, 4.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Business and Labor.
March 20, 1985	Committee recommend bill be concurrent in. Report adopted.

March 23, 1985

Second reading, concurred in.

March 25, 1985

Third reading, concurred in.

Returned to Senate.

IN THE SENATE.

March 25, 1985

Received from House.

March 26, 1985

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *362* *James McCoy*
 2 INTRODUCED BY *Hillary Lurkin Harding Christian*
 3 *Van Yellowtail Yellowtail LANE Blaylock*
 4 *Beaver Parked* *Perinne Fuller* *Car Brown* *Ray*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE STATE
 6 MINIMUM WAGE TO \$3.05 AN HOUR EFFECTIVE OCTOBER 1, 1985, AND
 7 TO \$3.35 AN HOUR EFFECTIVE OCTOBER 1, 1986, AND THEREAFTER;
 8 AMENDING SECTION 39-3-404, MCA."
 9 *Richard Manning* *John Broad*
 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 39-3-404, MCA, is amended to read:
 11 "39-3-404. Minimum wage. (1) Except as may otherwise
 12 be provided pursuant to in this part, and except for farm
 13 workers as provided in subsection (2), every employer shall
 14 pay to each of his employees; wages-at-a-rate-not-less-than
 15 provided--in--subsections-(1)(a)-and-(1)(b);-save-and-except
 16 for-farm-workers-as-herein-defined:
 17 (a)--\$2.50-an-hour-for-the--first--year--from--July--17
 18 1981;
 19 (b)--\$2.75--an--hour--for--the--second--year--from--July--17
 20 1981--and--thereafter--
 21 (a) at least \$3.05 an hour after September 30, 1985,
 22 and before October 1, 1986;
 23 (b) at least \$3.35 an hour on October 1, 1986, and
 24 thereafter.
 25 (2) 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 8 hours per day and other seasonal
 3 periods requiring working hours substantially less than 8
 4 hours per day, the employer may pay the worker at a fixed
 5 rate of compensation during the term of employment. The
 6 employer may elect to:

7 (a) keep a record of the total number of hours worked
 8 by the worker during the part of the year during which the
 9 worker was employed by him (the total wages paid by such
 10 employer to such employee for that part of the year during
 11 which said employee was employed by him shall not be less
 12 than the applicable minimum wage rate multiplied by the
 13 total number of hours so worked); or

14 (b) in lieu of the minimum wage set forth herein, pay
 15 the farm worker a wage as herein defined on a monthly basis.
 16 This monthly compensation shall constitute a minimum wage
 17 and shall not be less than the following rates:

18 (i) \$575 a month for the first year from July 1, 1981;
 19 (ii) \$635 a month for the second year from July 1,
 20 1981, and thereafter."

21 NEW SECTION. Section 2. Extension of authority. Any
 22 existing authority of the commissioner of labor and industry
 23 to make rules on the subject of the provisions of this act
 24 is extended to the provisions of this act.

-End-

INTRODUCED BILL
SB 362



STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN406-85

Form BD-15

In compliance with a written request received February 12 19 85, there is hereby submitted a Fiscal Note for S.B. 362 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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:

Senate Bill 362 raises the state minimum wage to \$3.05 an hour effective October 1, 1985, and to \$3.35 an hour effective October 1, 1986.

ASSUMPTIONS:

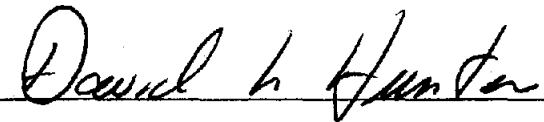
1. Raising the state minimum wage as provided for in Senate Bill 362 would match the federal minimum wage by October 1, 1986 if the federal minimum wage is not raised before then.
2. All state employees are currently paid at least the federal minimum wage.

FISCAL IMPACT:

No fiscal impact.

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

There may be some local impact because many localities pay current state minimum wages to some park and recreation department employees.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 15, 1985

SB 362

APPROVED BY COMMITTEE
ON LABOR & EMPLOYMENT
RELATIONS

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18 ~~pay to each of his employees; wages at a rate not less than~~
19 ~~provided in subsections (1)(a) and (1)(b), save and except~~
20 ~~for farm workers as herein defined:~~

21 ~~(a) \$2.50 an hour for the first year from July 1,~~
22 ~~1981;~~

23 ~~(b) \$2.75 an hour for the second year from July 1,~~
24 ~~1981; and thereafter:~~

25 (a) at least \$3.05 an hour after September 30, 1985,

1 and before October 1, 1986;

2 (b) at least \$3.35 an hour on October 1, 1986, and
3 thereafter.

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5 of a calendar year which includes periods requiring working
6 hours in excess of 8 hours per day and other seasonal
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