

HOUSE JOINT RESOLUTION 44

Introduced by Russell, et al.

4/07	Introduced
4/07	Referred to Labor & Employment Relations
4/11	Hearing
4/12	Committee Report--Bill Passed
4/13	2nd Reading Passed
4/15	3rd Reading Passed

Transmitted to Senate

4/19	Referred to Highways & Transportation
4/20	Hearing
	Died in Committee

1 HOUSE JOINT RESOLUTION NO. 44
 2 INTRODUCED BY Russell H. Hapgood Carlson Whalen
 3 Ernest M. Smith
 4 BY REQUEST OF THE HOUSE COMMITTEE ON LABOR Rege
 5 Squires Goodrich Roe De Thorne S. J. H.
 6 AND EMPLOYMENT RELATIONS
 7 M. Blum Chapman

6 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 7 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE NATIONAL
 8 PARK SERVICE TO REQUIRE CONCESSIONAIRES IN NATIONAL PARKS
 9 WITHIN MONTANA TO PAY THEIR EMPLOYEES WAGES IN ACCORDANCE
 10 WITH THE STATE MINIMUM WAGE AND OVERTIME COMPENSATION LAWS.

12 WHEREAS, the federal Fair Labor Standards Act (29
 13 U.S.C. 206 and 29 U.S.C. 213(a)(3)) allows concessionaires
 14 in national parks within Montana to pay employees a minimum
 15 hourly wage of \$2.01 an hour; and

16 WHEREAS, the federal Fair Labor Standards Act (29
 17 U.S.C. 213(b)(29)) also exempts park concessionaires from
 18 paying overtime compensation until an employee has worked in
 19 excess of 56 hours in a workweek; and

20 WHEREAS, the federal Fair Labor Standards Act (29
 21 U.S.C. 218) does not excuse an employer from complying with
 22 any state law that provides employees greater wage and hour
 23 protection; and

24 WHEREAS, Montana law would provide a higher minimum
 25 wage for employees of park concessionaires than the federal

1 Fair Labor Standards Act; and

2 WHEREAS, Montana law would establish a stronger
 3 overtime compensation requirement for employees of park
 4 concessionaires than the federal law; and

5 WHEREAS, the National Park Service may establish wage
 6 and hour requirements for concessionaires in the national
 7 parks; and

8 WHEREAS, it is the policy of the State of Montana to
 9 provide minimum wage and overtime compensation requirements
 10 necessary to preserve the health, efficiency, and general
 11 well-being of its citizens.

12
 13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 14 OF REPRESENTATIVES OF THE STATE OF MONTANA:

15 That the Legislature of the State of Montana strongly
 16 urges the National Park Service to require concessionaires
 17 in national parks within Montana to pay their employees
 18 wages in accordance with the Montana minimum wage and
 19 overtime compensation laws.

20 BE IT FURTHER RESOLVED, that the Secretary of State
 21 transmit a copy of this resolution to the U.S. Secretary of
 22 Labor, the U.S. Secretary of the Interior, the Director of
 23 the National Park Service, and to each member of the Montana
 24 Congressional Delegation.

-End-

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INTRODUCED BILL

HJR 44

APPROVED BY COMMITTEE
ON LABOR & EMPLOYMENT
RELATIONS

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3 Ernest McDaniel BY REQUEST OF THE HOUSE COMMITTEE ON LABOR
4 Spencer Cochrane Rae du Thoir St. H.
5 W. Blum St. H.
6 AND EMPLOYMENT RELATIONS

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