

**BUSINESS & LABOR**

Amendments to House Bill No. 418  
3rd Reading Copy

EXHIBIT NO. 6  
DATE 3/23/05  
BILL NO. HB418

Requested by Representative Jim Keane

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo  
March 22, 2005 (8:33am)

1. Page 3, line 9.

Following: "section."

Insert: "who meets all the criteria in subsections (11) (a) (i)  
through (11) (a) (iii):  
(i)"

Following: "EMPLOYER TO"

Insert: "perform on a recurring basis a significant number of the  
duties to"

2. Page 3, line 10.

Following: "REWARD,"

Insert: "or"

Following: "EMPLOYEES"

Strike: ","

Insert: " ;  
(ii)"

3. Page 3, lines 11 through 13.

Following: "DIRECT" on line 11

Strike: "THEM"

Insert: "other employees"

Following: "RECOMMEND THE" on line 11

Strike: "ABOVE"

Following: "ACTIONS"

Strike: "," on line 11 through "NOT OF A" on line 12

Insert: "listed under subsection (11) (a) (i); and  
(iii) exercising the authority and responsibility in  
subsections (11) (a) (i) and (11) (a) (ii) in a manner that is not"

Following: "CLERICAL"

Insert: "in"

4. Page 3, lines 14 through 16.

Strike: subsection (b) in its entirety

Insert: "(b) The authority described in subsections (11) (a) is  
the only criteria that may be used to determine if an  
employee is a supervisory employee. The use of any other  
criteria, including any secondary test developed or applied

by the national labor relations board or the Montana board of personnel appeals, may not be used to determine if an employee is a supervisory employee under this section."

- END -