

1 House BILL NO. 736
 2 INTRODUCED BY Menaker
 3 BY REQUEST OF THE LABOR STANDARDS DIVISION

4
 5 A BILL FOR AN ACT ENTITLED: "THE RECIPROCAL AGREEMENT FOR
 6 COLLECTION OF WAGES ACT OF 1977."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Short title. This act may be cited as "The
 10 Reciprocal Agreement for Collection of Wages Act of 1977".

11 Section 2. Purpose. The purpose of this act is to
 12 provide for a method of reciprocal enforcement in other
 13 states of Montana's wage payment laws contained in Title 41,
 14 chapter 13, and to provide for reciprocal enforcement in
 15 Montana of similar wage payment laws of other states.

16 Section 3. Reciprocal agreements for collection of
 17 wages. The department of labor and industry may enter into
 18 reciprocal agreements with the labor department or
 19 corresponding agency of another state or with the person,
 20 board, officer, or commission authorized to act for and on
 21 behalf of the department or agency for the collection in the
 22 other state of claims or judgments for wages and other
 23 demands based upon claims previously assigned to the
 24 department of labor and industry.

25 Section 4. Actions in other states for collections of

1 claims -- assignments for collection. The department of
 2 labor and industry may, to the extent provided by a
 3 reciprocal agreement entered into pursuant to [section 3] or
 4 by the laws of another state, maintain actions in the courts
 5 of another state for the collection of claims for wages,
 6 judgments, and other demands and may assign the claims,
 7 judgments, and demands to the labor department or agency of
 8 another state for collection to the extent permitted or
 9 provided for by the laws of the other state or by reciprocal
 10 agreement.

11 Section 5. Claims assigned by other states -- actions
 12 -- collection. The department of labor and industry may,
 13 upon the written request of the labor department or other
 14 corresponding agency of another state or a person, board,
 15 officer, or commission of the other state authorized to act
 16 for and on behalf of the labor department or corresponding
 17 agency, maintain actions in the courts of this state upon
 18 assigned claims for wages, judgments, and demands arising in
 19 the other state in the same manner and to the same extent
 20 that these actions by the department of labor and industry
 21 are authorized when arising in this state. However, these
 22 actions may be commenced and maintained only in those cases
 23 where the other state, by appropriate legislation or by
 24 reciprocal agreement, extends a like comity to similar cases
 25 arising in this state.

1 Section 6. Limitations. Limitations regarding the
2 amount of wages covered by a reciprocal agreement or the
3 time during which the wages are accrued shall be the
4 limitations imposed by the laws of the state originating the
5 action.

6 Section 7. Severability. If a part of this act is
7 invalid, all valid parts that are severable from the invalid
8 part remain in effect. If a part of this act is invalid in
9 one or more of its applications, the part remains in effect
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Approved by Committee
on Labor & Employment
Relations

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