

# CHAPTER NO. 53.

HOUSE BILL NO. 62

INTRODUCED BY SCULLY

BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

## IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on Labor and Employment Relations.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 17, 1979	Committee recommend bill do pass and be placed on Consent Calendar. Report adopted.
January 18, 1979	Printed and placed on members' desks.
January 20, 1979	On motion rules suspended and bill placed on third reading this day.
January 22, 1979	Third Reading Consent Calendar passed. Transmitted to Second House.

## IN THE SENATE

January 23, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 7, 1979	Committee recommend bill be concurred in and be placed on Consent Calendar. Report adopted.
February 9, 1979	Consent Calendar discussion.
February 10, 1979	Consent Calendar concurred in.

IN THE HOUSE

February 12, 1979

Returned from Second House.  
Concurred in.

Sent to enrolling.

Reported correctly enrolled.

1                    HOUSE    BILL NO. 62

2    INTRODUCED BY \_\_\_\_\_

3        BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

4

5    A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
6    39-3-213, MCA, TO PERMIT THE PAYMENT OF WAGE CLAIMS BY STATE  
7    WARRANT AND THE CANCELLATION OF WARRANTS REMAINING UNCLAIMED  
8    FOR MORE THAN 1 YEAR."

9

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

11       Section 1. Section 39-3-213, MCA, is amended to read:  
12       "39-3-213. Disposition of wages. (1) The commissioner  
13       of labor and industry shall deposit wages collected by him  
14       under parts 2 and 4 of this chapter into the agency fund and  
15       shall attempt to make payment of wages to the entitled  
16       person. Wages deposited into the agency fund are not  
17       interest bearing. The payment of wages collected may be made  
18       by means of state warrants.

19       (2) Wages--collected--by--the--commissioner--remaining  
20       unclaimed--for--a--period--of--more--than--2--years--from--the--date--of  
21       collection--shall--be--forfeited--to--the--state--general--fund  
22       Warrants issued pursuant to subsection (1) which remain  
23       unclaimed for more than 1 year from the date of issuance  
24       shall be returned to the state auditor for cancellation in  
25       accordance with 17-8-303."

-END-

INTRODUCED BILL

Approved by Comm.  
on Local Government

1 HOUSE BILL NO. 61

INTRODUCED BY WALDRON

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INSURE THAT STATUTES  
5 IMPOSING NEW LOCAL GOVERNMENT DUTIES PROVIDE A SPECIFIC  
6 MEANS OF FINANCING; AMENDING SECTION 1-2-112, MCA."

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

Section 1. Section 1-2-112, MCA, is amended to read:

"1-2-112. Statutes imposing new local government duties. (1) Any law enacted by the legislature after ~~July 1, 1974~~ THE EFFECTIVE DATE OF THIS ACT, which requires a local government unit to perform an activity or provide a service or facility which will require the direct expenditure of additional funds must provide a specific means to finance the activity, service, or facility other than the existing AUTHORIZED MILL LEVIES OR THE all-purpose mill levy. The means of financing such activity may be through a general all-purpose or special levy or through remission of funds by the state of Montana to said local government unit. Any law that fails to provide a specific means to finance any service or facility other than the existing AUTHORIZED MILL LEVIES OR THE all-purpose mill levy is not effective until specific means of financing are provided by the legislature.

121. The legislature may provide FULFILL THE  
REQUIREMENTS OF [THIS ACT] BY PROVIDING for an increase in  
the EXISTING AUTHORIZED MILL LEVIES OR THE all-purpose mill  
levy, special mill levies, or remission of money by the  
state of Montana to local governments; however, an increase  
in the EXISTING AUTHORIZED MILL LEVIES OR THE all-purpose  
mill levy or any special mill levy. However, any requirement  
in such law that financing be made from the local government  
entity's levy authority must also provide authority therein to  
increase said levy by an amount necessary to finance said  
program, the additional costs and if financing is provided  
by remission of funds by the state of Montana, such the  
remission shall bear a reasonable relationship to the actual  
cost of performing the activity or providing the service or  
facility.

16           t27t31--the--toest--government--unit--may---refuse---to  
17 administer ~~comply--with~~ or--enforce--any--law--which--does--not  
18 ~~comply--with~~ ~~most~~ the--requirements--of--this--section--if--that  
19 law--requires--an--expenditure--that--would--require--the--toest  
20 government--unit--to--exceed--its--statutory--levy--authority by  
21 ~~exaction~~.

22       **f3711131** No subsequent legislation shall be deemed  
23    considered to supersede or modify any provision of this  
24    section, whether by implication or otherwise, except to the  
25    extent that such legislation shall do so expressly.

1        ~~4751(4)~~ This section shall not apply to any law  
2        under which the required expenditure of additional local  
3        funds is incidental to the main purpose of the law."

-End-

Approved by Committee  
on Labor & Employment  
Relations

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA,

11       Section 1. Section 39-3-213, MCA, is amended to read:  
12       "39-3-213. Disposition of wages. (1) The commissioner  
13       of labor and industry shall deposit wages collected by him  
14       under parts 2 and 4 of this chapter into the agency fund and  
15       shall attempt to make payment of wages to the entitled  
16       person. Wages deposited into the agency fund are not  
17       interest bearing. The payment of wages collected may be made  
18       by means of state warrants."

19 (2) Wages--collected--by--the--commissioner--remaining  
20 unclaimed--for--a--period--of--more--than--2--years--from--the--date--of  
21 collection--shall--be--forfeited--to--the--state--general--fund  
22 Warrants--issued--pursuant--to--subsection--(1)--which--remain  
23 unclaimed--for--more--than--1--year--from--the--date--of--issuance  
24 shall--be--returned--to--the--state--auditor--for--cancellation--in  
25 accordance--with--17-8-303."

-End-

HB 62

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

11           Section 1. Section 39-3-213, MCA, is amended to read:  
12            "39-3-213. Disposition of wages. (1) The commissioner  
13           of labor and industry shall deposit wages collected by him  
14           under parts 2 and 4 of this chapter into the agency fund and  
15           shall attempt to make payment of wages to the entitled  
16           person. Wages deposited into the agency fund are not  
17           interest bearing. The payment of wages collected may be made  
18           by means of state warrants.

-End-

HOUSE CONSENT CALENDAR  
SENATE REFERENCE BILL

HOUSE CONSENT CALENDAR  
SENATE REFERENCE BILL