

SB 234 INTRODUCED BY HALLIGAN  
ALLOW LABOR COMMISSIONER DISCRETION IN HANDLING WAGE  
CLAIM ASSIGNMENTS  
BY REQUEST OF DEPARTMENT OF LABOR & INDUSTRY

1/27 INTRODUCED  
1/27 REFERRED TO LABOR & EMPLOYMENT RELATIONS  
2/05 HEARING  
DIED IN COMMITTEE

1 *Senate* BILL NO. *234*  
 2 INTRODUCED BY *Halligan*  
 3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE  
 6 COMMISSIONER OF LABOR AND INDUSTRY DISCRETION IN ACCEPTING  
 7 AN ASSIGNMENT OF A CLAIM FOR UNPAID WAGES; REQUIRING THAT A  
 8 CLAIM ASSIGNMENT PROVIDE THE COMMISSIONER AUTHORITY TO  
 9 SETTLE AND ADJUST THE CLAIM; AND AMENDING SECTION 39-3-211,  
 10 MCA."  
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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 Section 1. Section 39-3-211, MCA, is amended to read:  
 14 "39-3-211. Commissioner to take wage assignments.  
 15 Whenever the commissioner determines that one or more  
 16 employees have claims for unpaid wages, he ~~shall~~ may, upon  
 17 the written request of the employee, take an assignment of  
 18 the claim ~~in-trust~~ for such employee and may maintain any  
 19 proceeding appropriate to enforce the claim, including  
 20 liquidated damages pursuant to this part. ~~With--the--written~~  
 21 ~~consent--of--the--assignor,--the--commissioner--may--settle--or~~  
 22 ~~adjust--any--claim--assigned--pursuant--to--this--section.~~ An  
 23 assignment of a claim made pursuant to this section must  
 24 provide express authorization to the commissioner to settle  
 25 or adjust the claim as he considers proper."

1 NEW SECTION. Section 2. Extension of authority. Any  
 2 existing authority of the commissioner of labor and industry  
 3 to make rules on the subject of the provisions of this act  
 4 is extended to the provisions of this act.

-End-