

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2153
(Industry, Business and Labor Committee)
(At the request of the Labor Commissioner)

AN ACT to amend and reenact section 34-14-09 of the North Dakota Century Code, relating to the time period during which unpaid wages may be collected by the commissioner of labor on behalf of a wage claimant.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 34-14-09 of the North Dakota Century Code is amended and reenacted as follows:

34-14-09. Employees' remedies - Limitation on wages collectible. Whenever the commissioner of labor determines that wages have not been paid and that ~~such~~ the unpaid wages constitute an enforceable claim, the commissioner, upon ~~the~~ request of the employee, may take an assignment in trust for ~~such~~ the wages or ~~any~~ a claim for liquidated damages in amounts the commissioner deems valid and enforceable without being bound by any of the technical rules respecting the validity of any ~~such~~ assignments and may bring any legal action necessary to collect ~~such~~ the claim. The limitation of action under section 34-01-13 is tolled by the filing of a claim with the commissioner until the commissioner determines the claim is not enforceable or the commissioner reassigns the claim to the employee. With the consent of the assigning employee at the time of the assignment, the commissioner ~~has the power to~~ may settle and adjust ~~any such~~ the claim to the same extent as ~~might~~ the assigning employee.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2153.

Senate Vote: Yeas 47 Nays 0 Absent 2

House Vote: Yeas 95 Nays 0 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State