

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION**

FREE CONFERENCE COMMITTEE ON HOUSE BILL 335

Call to Order: By Senator Bartlett, on April 20, 1993, at
10:00 a.m.

ROLL CALL

Members Present:

Sen. Sue Bartlett, Chair (D)
Rep. John Bohlinger (R)
Rep. Liz Smith (R)
Rep. Howard Toole (D)

Members Excused: None.

Members Absent:

Sen. Steve Doherty (D)
Sen. John Harp (R)

Staff Present:

Valencia Lane, Legislative Council
Roselyn Cooperman, Free Conference Committee Secretary

Discussion:

Senator Bartlett stated the Senate would accept the amendments offered by the House on HB 335. A number of amendments to HB 335 were offered by the House free conference Committee members (Exhibit #1).

ADJOURNMENT

Adjournment: 10:05 a.m.



Senator Sue Bartlett, Chair



Roselyn Cooperman, Secretary

Free Conference Committee
on House Bill 335
Report No.1, April 20, 1993

Page 1 of 2

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 335 and recommend as follows:

1. Title, page 2, line 4.-
Strike: "40-5-118,"

2. Page 15, line 4 through page 16, line 20.
Strike: section 8 in its entirety
Renumber: subsequent sections

3. Page 30, line 7.
Following: "obligee"
Strike: remainder of line 7 through "assistance"

4. Page 46, line 6.
Strike: "26"
Insert: "25"

5. Page 63, line 20 through page 65, line 17.
Strike: subsections (6)(a) through (7)(c) in their entirety
Insert: "(7) A support lien is perfected:

(a) as to real property, upon filing a notice of support lien with the clerk of the district court in the county or counties in which the real property is or may be located at the time of filing or at any time in the future;

(b) as to motor vehicles or other items for which a certificate of ownership is issued by the department of justice, upon filing a notice of support lien with the department of justice in accordance with the provisions of Titles 23 and 61;

(c) as to all other personal property, upon filing a notice of support lien in the place required to perfect a security interest under 30-9-401. The county clerk and recorder or the secretary of state, as appropriate, shall cause the notice of support lien to be marked, held, and indexed as if the notice of support lien were a financing statement within the meaning of the Uniform Commercial Code.

(8) A buyer for value of an obligor's personal property, other than motor vehicles and other items for which a certificate of ownership is issued by the department of justice, who buys in good faith and without knowledge of the support lien takes the property free of the support lien."

Renumber: subsequent subsections

ADOPT

6. Page 66, line 4.
Strike: "(8)"
Insert: "(9)"

7. Page 67, lines 11 and 14.
Strike: "25 AND 26"
Insert: "24 and 25"

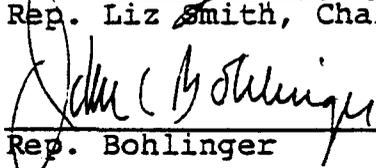
8. Page 67, lines 15 and -18.
Strike: "27"
Insert: "26"

And this Free Conference Committee report be adopted.

For the House:



Rep. Liz Smith, Chair



Rep. Bohlinger

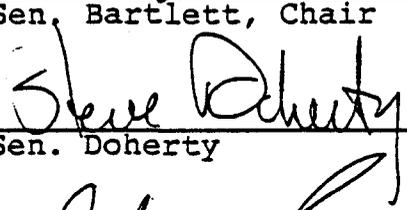


Rep. Toole

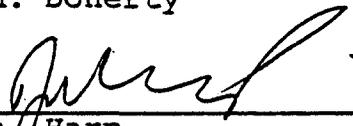
For the Senate:



Sen. Bartlett, Chair



Sen. Doherty



Sen. Harp

Amendments to House Bill No. 335
Reference Reading Copy

Requested by the Free Conference Committee on HB 335

Prepared by Valencia Lane
April 20, 1993

Free Conference Committee

Exhibit # 1

Date 4-20-93

Bill No. HB 335

1. Title, page 2, line 4.
Strike: "40-5-118,"

2. Page 15, line 4 through page 16, line 20.
Strike: section 8 in its entirety
Renumber: subsequent sections

3. Page 30, line 7.
Following: "obligee"
Strike: remainder of line 23 through "assistance"

4. Page 46, line 6.
Strike: "26"
Insert: "25"

5. Page ~~22~~⁶³, line ~~11~~²⁰ through page ~~24~~⁶⁵, line ~~8~~¹⁷.
Strike: subsections (6)(a) through (7)(c) in their entirety
Insert: "(7) A support lien is perfected:

(a) as to real property, upon filing a notice of support lien with the clerk of the district court in the county or counties in which the real property is or may be located at the time of filing or at any time in the future;

(b) as to motor vehicles or other items for which a certificate of ownership is issued by the department of justice, upon filing a notice of support lien with the department of justice in accordance with the provisions of Titles 23 and 61;

(c) as to all other personal property, upon filing a notice of support lien in the place required to perfect a security interest under 30-9-401. The county clerk and recorder or the secretary of state, as appropriate, shall cause the notice of support lien to be marked, held, and indexed as if the notice of support lien were a financing statement within the meaning of the Uniform Commercial Code.

(8) A buyer for value of an obligor's personal property, other than motor vehicles and other items for which a certificate of ownership is issued by the department of justice, who buys in good faith and without knowledge of the support lien takes the property free of the support lien."

Renumber: subsequent subsections

6. Page ~~24~~⁶⁶, line ~~20~~⁴.
Strike: "(8)"
Insert: "(9)"

7. Page 67, lines 11 and 14.
Strike: "25 AND 26"
Insert: "24 and 25"

8. Page 67, lines 15 and 18.
Strike: "27"
Insert: "26"