

HOUSE BILL 323

IN THE HOUSE

January 23, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 2, 1979	Committee recommend bill, do pass. Consent calendar.
February 3, 1979	Printed and placed on members' desks.
February 6, 1979	Objection to consent calendar. Referred to second reading.
February 7, 1979	Second reading, pass consideration.  On motion, taken from second reading and referred to Committee on Labor and Employment Relations.
February 13, 1979	Committee recommend bill, do pass.
February 14, 1979	Consideration postponed until the 50th Legislative day.
March 3, 1979	On motion, taken from second reading and referred to Committee on Labor and Employment Relations.

1 HOUSE BILL NO. 323  
 2 INTRODUCED BY Hamington

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE LAWFUL AND  
 5 ENFORCEABLE PROVISIONS IN WRITTEN CONTRACTS TO THE EFFECT  
 6 THAT FUTURE DISPUTES WILL BE SUBMITTED TO ARBITRATION;  
 7 AMENDING SECTIONS 27-1-412 AND 28-2-708, MCA."

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

10 Section 1. Section 27-1-412, MCA, is amended to read:  
 11 "27-1-412. Obligations which cannot be specifically  
 12 enforced. The following obligations cannot be specifically  
 13 enforced:

14 (1) an obligation to render personal service or to  
 15 employ another therein;

16 (2) an agreement to marry or live with another;

17 ~~(3) an agreement to submit a controversy to~~  
 18 ~~arbitration;~~

19 ~~(4) (3)~~ an agreement to perform an act which the party  
 20 has not power to perform lawfully when required to do so;

21 ~~(5) (4)~~ an agreement to procure the act or consent of  
 22 the spouse of the contracting party or of any other third  
 23 person; or

24 ~~(6) (5)~~ an agreement the terms of which are not  
 25 sufficiently certain to make the precise act which is to be

1 done clearly ascertainable."

2 Section 2. Section 28-2-708, MCA, is amended to read:

3 "28-2-708. Restraints upon legal proceedings void.

4 Every stipulation or condition in a contract by which any  
 5 party thereto is restricted from enforcing his rights under  
 6 the contract by the usual proceedings in the ordinary  
 7 tribunals or which limits the time within which he may thus  
 8 enforce his rights is void, except that a provision in a  
 9 written contract to the effect that future disputes under  
 10 the contract will be submitted to arbitration is valid and  
 11 specifically enforceable."

-End-

Approved by Committee  
on Labor & Employment  
Relations

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