

CHAPTER NO. 604

SENATE BILL NO. 78

INTRODUCED BY VAN VALKENBURG

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

January 9, 1979	Introduced and referred to Committee on Judiciary.
January 15, 1979	Committee recommend bill do pass as amended. Report adopted.
January 16, 1979	Printed and placed on members' desks.
January 17, 1979	Second reading, do pass.
January 18, 1979	Considered correctly engrossed.
January 19, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

January 20, 1979	Introduced and referred to Committee on Judiciary.
January 25, 1979	Committee recommend bill be concurred in as amended. Report adopted.
January 26, 1979	Second reading, concurred in.
January 27, 1979	Third reading, concurred in as amended.

IN THE SENATE

January 29, 1979	Returned from second house. Concurred in as amended.
January 30, 1979	Second reading, amendments rejected.

January 30, 1979	On motion Joint Conference Committee requested.
January 31, 1979	Joint Conference Committee appointed.
March 6, 1979	Joint Conference Committee reported.
March 7, 1979	Second reading, adopted.
March 8, 1979	Third reading, adopted.
	Adopted by second house.
March 9, 1979	Sent to enrolling.
March 13, 1979	Correctly enrolled.
	Signed by President.
March 15, 1979	Delivered to Governor.
March 21, 1979	Returned from Governor with recommended amendments.
	Governor's amendments placed on second reading this day.
March 22, 1979	Second reading, Governor's amendments adopted.
March 23, 1979	Third reading, Governor's amendments adopted.

IN THE HOUSE

March 24, 1979	On motion Governor's amendments placed on second reading for the 71st Legislative Day.
March 28, 1979	Governor's amendments to Senate Bill 78 on second reading were rejected this day.

IN THE SENATE

March 29, 1979	On motion Free Joint Conference Committee requested.
March 30, 1979	Free Joint Conference Committee appointed.
April 13, 1979	Free Joint Conference Committee reported.
April 16, 1979	Second reading, adopted.
April 17, 1979	Third reading, adopted.
April 19, 1979	Second house, adopted.
	Sent to enrolling.
	Reported correctly enrolled.

1 *Spitzer* BILL NO. 78
2 INTRODUCED BY Tom Valtkouky

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 2-9-313, MCA, TO REQUIRE SERVICE OF PROCESS IN ACTIONS
7 AGAINST THE STATE TO BE SERVED ON THE DEPARTMENT OF
8 ADMINISTRATION."

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

11 Section 1. Section 2-9-313, MCA, is amended to read:

12 "2-9-313. Service of summons process on state. In all

13 actions against the state, the state shall be named the

14 defendant, and the summons and complaint shall be served on

15 the secretary-of-state department of administration."

-End-

SB 78
INTRODUCED BILL

Approved by Committee
on Judiciary

1 SENATE BILL NO. 78
2 INTRODUCED BY VAN VALKENBURG
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4
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8 ADMINISTRATION."
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12 "2-9-313. Service of summons process on state. In all
13 actions against the state, the state shall be named the
14 defendant, and the summons and complaint shall be served on
15 the secretary--of--state DIRECTOR OF THE department of
16 administration IN ADDITION TO SERVICE REQUIRED BY RULE
17 40-21-1(H), M.R.C.1972."

-End-

SB 78
SECOND READING

SENATE BILL NO. 78

INTRODUCED BY VAN VALKENBURG

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4
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13 actions against the state, the state shall be named the
14 defendant, and the summons and complaint shall be served on
15 the secretary--of--state DIRECTOR OF THE department of
16 administration IN ADDITION TO SERVICE REQUIRED BY RULE
17 4D(2)(H), M.R.CIV.P."

-End-

SB 78
THIRD READING

SENATE BILL NO. 78

INTRODUCED BY VAN VALKENBURG

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 2-9-313, MCA, TO REQUIRE SERVICE OF PROCESS IN 1011 ACTIONS
7 AGAINST THE STATE TO BE SERVED ON--THE--DEPARTMENT--OF
8 ADMINISTRATION PURSUANT TO RULE 40(2)(H), M.R.CIV.P."

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

11 Section 1. Section 2-9-313, MCA, is amended to read:
12 "2-9-313. Service of summons process on state. In all
13 actions against the state, the state shall be named the
14 defendant, and the summons and complaint shall be served on
15 the secretary--of--state DIRECTOR--OF--THE department--of
16 administration IN ADDITION TO SERVICE REQUIRED BY PURSUANT
17 TO RULE 4D(2)(H)1, M.R.CIV.P."

-End-

SB 78
REFERENCE BILL

1 SENATE BILL NO. 78
2 INTRODUCED BY VAN VALKENBURG
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 2-9-313, MCA, TO REQUIRE SERVICE OF PROCESS IN 101 ACTIONS
7 AGAINST THE STATE TO BE SERVED ON--THE--DEPARTMENT--OF
8 ADMINISTRATION PURSUANT TO ON THE DIRECTOR OF THE DEPARTMENT
9 DE ADMINISTRATION IN ADDITION TO SERVICE REQUIRED BY RULE
10 40(2)(H), M.R.CIV.P."

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

13 Section 1. Section 2-9-313, MCA, is amended to read:

14 "2-9-313. Service of summons process on state. In all

15 actions against the state, the state shall be named the

16 defendant, and the summons and complaint shall be served on

17 the secretary--of--state ~~DIRECTOR--OF--THE~~ department--of

18 administration ~~IN--ADDITION--TO--SERVICE--REQUIRED--BY PURSUANT~~

19 ~~TO~~ ON THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION IN

20 ADDITION TO SERVICE REQUIRED BY RULE 4D(2)(H), M.R.CIV.P."

-End-

SB '78
REFERENCE BILL: Includes Free Joint
Conference Committee Report
Dated 4/10/79

January 25, 1979

HOUSE OF REPRESENTATIVES

The Judiciary Committee amendments to SENATE BILL NO. 78.

1. Title, lines 7 and 8.

Following: "SERVED"

Strike: remainder of lines 7 and 8 in its entirety

Insert: "PURSUANT TO RULE 4D(2)(H), M.R.CIV.P."

2. Page 1, line 14.

Strike: "on"

3. Page 1, lines 15 and 16.

Following: line 14

Strike: "the"

Following: "state"

Strike: "DIRECTOR OF THE department of administration
IN ADDITION TO SERVICE REQUIRED BY"

Insert: "pursuant to"

AND AS AMENDED BE CONCURRED IN

March 21, 1979

GOVERNOR'S PROPOSED AMENDMENTS
to: Senate Bill No. 78

1. Title, page 1, line 8.

Strike: "Pursuant to"

Insert: "ON THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION
IN ADDITION TO SERVICE REQUIRED BY"

2. Page 1, line 16.

Strike: "pursuant to"

Insert: Same as above only lower case