

HOUSE BILL NO. 761

INTRODUCED BY FABREGA, JENSEN, VINCENT, METCALF,
ANDREASON, D. O'HARA, R. MANNING, SCHULTZ, WALLIN,
HARPER, ROBBINS, KITSELMAN, JACOBSEN, BERGENE

BY REQUEST OF THE HOUSE COMMITTEE ON BUSINESS AND INDUSTRY

IN THE HOUSE

February 13, 1981	Introduced and referred to Committee on State Administration.
February 18, 1981	Committee recommend bill do pass as amended. Report adopted.
February 19, 1981	Bill printed and placed on members' desks.
February 21, 1981	Second reading, do pass.
February 23, 1981	Correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 91; Noes, 8. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on Judiciary.
March 24, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 26, 1981	Motion pass consideration.
March 27, 1981	Second reading, concurred in.
March 28, 1981	Third reading, concurred in as amended. Ayes, 48; Noes, 1.

IN THE HOUSE

March 28, 1981

Returned from Senate with amendments.

April 8, 1981

Second reading, amendments not concurred in.

On motion Free Conference Committee requested.

Free Conference Committee appointed.

April 15, 1981

Free Conference Committee reported and dissolved. Transmitted to Senate.

IN THE SENATE

April 17, 1981

Free Conference Committee report adopted.

IN THE HOUSE

April 20, 1981

Returned from Senate.

Second reading, Free Conference Committee report adopted.

On motion rules suspended and Free Conference Committee report placed on third reading this day.

Third reading, Free Conference Committee report adopted.
Ayes, 95; Noes, 0.

April 22, 1981

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 761 *D.O. Howe*
 2 *Andreson* INTRODUCED BY *Richard C. Manning* *VINCENT* *Richard*
 3 BY REQUEST OF THE HOUSE COMMITTEE ON BUSINESS AND INDUSTRY
 4 *Kitselman* *Jordan* *T. Bergene*

1 payable by the person filing the lien, in addition to other
 2 fees authorized in Title 7, chapter 4, part 26, for each
 3 lien filed under this part to compensate the county for the
 4 expense of notifying the property owner."

-End-

5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 6 71-3-513, MCA, TO REQUIRE THE COUNTY CLERK AND RECORDER TO
 7 NOTIFY THE OWNER OF PROPERTY SUBJECTED TO A MECHANIC'S LIEN;
 8 AND PROVIDING FOR A FEE."

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

11 Section 1. Section 71-3-513, MCA, is amended to read:

12 "71-3-513. Filing with county clerk -- notification of
 13 owner -- fee. (1) The county clerk must endorse upon every
 14 lien the day of its filing and make an abstract thereof in a
 15 book by him to be kept for that purpose and properly
 16 indexed, containing the date of the filing, the name of the
 17 person holding the lien, the amount thereof, the name of the
 18 person against whose property the lien is filed, and the
 19 description of the property to be charged with same.

20 (2) Within 5 business days after the filing of the
 21 lien, the county clerk shall notify in writing the person
 22 against whose property the lien is filed of the amount of
 23 the lien, the name of the person holding the lien, and the
 24 description of the property that it is charged against.

25 (3) The county clerk is entitled to a fee of 50 cents.

Approved by Committee
on State Administration

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LIEN BY CERTIFIED OR REGISTERED MAIL TO EACH OWNER'S LAST
KNOWN ADDRESS. THE CERTIFICATION SHALL STATE WHETHER SERVICE
WAS MADE BY DELIVERY OF CERTIFIED OR REGISTERED MAIL."~~

-End-

April 14, 1981

FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL 761

REPORT NO. 1

We, your Free Joint Conference Committee on House Bill 761, met on April 14, 1981, and considered:

Senate Committee on Judiciary Amendments dated March 24, 1981, and

recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 24, 1981,

That the House accede to all these amendments,

And further that House Bill 761, reference copy, be amended as follows:

1. Amend page 2, line 12.

Following: "MAIL"

Insert: "with return receipt requested"

And that the Free Joint Conference Committee Report on House Bill No. 761 be adopted.

FOR THE HOUSE



REP. JAY FABREGA

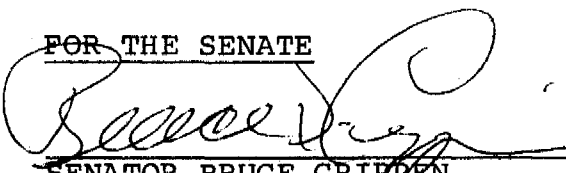


REP. DARRYL MEYER

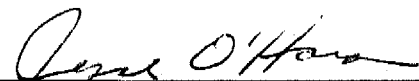


REP. JOHN VINCENT

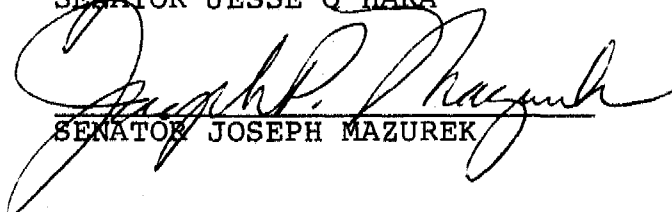
FOR THE SENATE



SENATOR BRUCE CRIPPEN



SENATOR JESSE O'HARA



SENATOR JOSEPH MAZUREK

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DELIVERY OF CERTIFIED OR REGISTERED MAIL."~~

-End-

March 24, 1981

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 761 be amended as follows:

1. Title, Lines 8 and 9.

Following: "REQUIRE" on line 8

Strike: remainder of line 8 through "NOTIFY" on line 9

Insert: "NOTIFICATION TO"

2. Title, Lines 9 and 10.

Following: "LIEN" on line 9

Strike: remainder of line 9 through "FEE" on line 10.

3. Page 1, line 15.

Following: "owner"

Strike: "-- fee"

4. Page 1, line 22 through line 6 on page 2.

Following: "(2)" on line 22

Strike: remainder of line 22 through line 6 on page 2.

Insert: "The clerk shall not file the lien unless there is attached thereto a certification by the lien claimant or his agent that a copy of the lien has been served upon each owner of record of the property named in the lien. Service shall be made by personal service on each owner or by mailing a copy of the lien by certified or registered mail to each owner's last known address. The certification shall state whether service was made by delivery of certified or registered mail "