HOUSE BILL NO. 585

INTRODUCED BY NISBET, PECK, DOLEZAL, PETERSON, BLAYLOCK, COCCHIARELLA, TOWE BY REQUEST OF THE TEACHERS' RETIREMENT BOARD

IN THE HOUSE

FEBRUARY 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.

FIRST READING.

- FEBRUARY 13, 1991
- FEBRUARY 14, 1991 PRINTING REPORT.
- FEBRUARY 16, 1991 SECOND READING, DO PASS.
- FEBRUARY 18, 1991 ENGROSSING REPORT.

FEBRUARY 19, 1991 THIRD READING, PASSED. AYES, 100; NOES, 0.

TRANSMITTED TO SENATE.

COMMITTEE RECOMMEND BILL

IN THE SENATE

FEBRUARY 20, 1991

MARCH 7, 1991

MARCH 11, 1991

MARCH 12, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.

DO PASS AS AMENDED. REPORT ADOPTED.

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 13, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1718/01

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House BILL NO. 585 INTRODUCED BY Misbert Perk Doleral Petersen Blaylor 1 2 BELLIAULIA OF THE TEACHERS' RETIREMENT BOARD з A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM 5 AMOUNT OF A LOST OR DESTROYED WARRANT NOT REQUIRING AN 6 7 INDEMNITY BOND: TO ALLOW DUPLICATE WARRANTS TO BE ISSUED TO 8 PUBLIC RETIREES FOR LOST OR DESTROYED WARRANTS WITHOUT 9 REOUIRING AN INDEMNITY BOND; AMENDING SECTION 17-8-306, MCA; 10 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 17-8-306, MCA, is amended to read: 14 "17-8-306. Issuance of duplicate warrant. (1) The state 15 auditor may issue a duplicate warrant whenever any warrant 16 drawn by him upon the treasurer of the state is lost or 17 destroyed. This duplicate warrant must be in the same form 18 as the original, except that it must have plainly printed 19 across its face the word "duplicate", and except as herein 20 provided, no such warrant may be issued or delivered unless 21 the person entitled to receive the same deposits with the 22 state auditor a bond in double the amount for which the 23 duplicate warrant is issued, conditioned to save Montana and 24 its officers harmless on account of the issuance of the 25 duplicate warrant.

(2) No bond of indemnity is required when:

2 (a) the payee is the United States government, a state 3 of the United States, any agency, instrumentality, or 4 officer of the United States government or of a state, 5 county, city, city and county, town, district, or other 6 political subdivision of a state or any officer thereof;

7 (b) the owner or custodian is the state of Montana or8 any agency or officer thereof;

9 (c) the owner or custodian is a bank, savings and loan 10 association, admitted insurer, or trust company whose 11 financial condition is regulated by the United States 12 government or by the state of Montana;

13 (d) the state auditor has chosen to waive the 14 requirement upon receipt of evidence that the original 15 warrant has been lost or destroyed as a result of a disaster 16 or other major occurrence;

17 (e) the amount of the lost or destroyed warrant is less 18 than \$100 \$300;

19 (f) it can be established that a crime has been 20 committed and as a result of such crime that a Montana 21 warrant has been stolen or destroyed;

(g) it can be established that a Montana warrant hasbeen mailed to an incorrect payee;

24 (h) the payee is a vendor or contractor doing business25 with the state of Montana; or

INTRODUCED BILL -2- HB585

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(i) the payee is a recipient of public assistance under
 Title 53; or

3 (j) the payee is a recipient of a monthly annuity under
4 Title 19.

5 (3) Whenever the owner or custodian applies under the 6 provisions of subsection (2)(d), (2)(f), (2)(g), (2)(h), er 7 (2)(i), or (2)(j), a stop-payment order shall be placed on 8 the original warrant by the state auditor.

9 (4) Whenever the owner or custodian applies under the 10 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h), or (2)(i), or (2)(j), the application shall 11 include an agreement to indemnify and hold harmless the 12 state or its officers and employees from any loss resulting 13 14 from the issuance of a duplicate warrant. Any loss incurred in connection with the issuance of a duplicate warrant shall 15 16 be charged against the account from which the payment was 17 derived."

18 NEW SECTION. Section 2. Effective date. [This act] is

19 effective on passage and approval.

-End-

-3-

52nd Legislature

HB 0585/02

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

1	HOUSE BILL NO. 585
2	INTRODUCED BY NISBET, PECK, DOLEZAL, PETERSON, BLAYLOCK,
3	COCCHIARELLA, TOWE
4	BY REQUEST OF THE TEACHERS' RETIREMENT BOARD
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM
7	AMOUNT OF A LOST OR DESTROYED WARRANT NOT REQUIRING AN
8	INDEMNITY BOND; TO ALLOW DUPLICATE WARRANTS TO BE ISSUED TO
9	PUBLIC RETIREES AND STUDENT FINANCIAL AID RECIPIENTS FOR
10	LOST OR DESTROYED WARRANTS WITHOUT REQUIRING AN INDEMNITY
11	BOND; AMENDING SECTION 17-8-306, MCA; AND PROVIDING AN
12	IMMEDIATE EFFECTIVE DATE."
13	
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
15	Section 1. Section 17-8-306, MCA, is amended to read:
16	"17-8-306. Issuance of duplicate warrant. (1) The state
17	auditor may issue a duplicate warrant whenever any warrant
18	drawn by him upon the treasurer of the state is lost or
19	destroyed. This duplicate warrant must be in the same form
20	as the original, except that it must have plainly printed
21	across its face the word "duplicate", and except as herein
22	provided, no such warrant may be issued or delivered unless
23	the person entitled to receive the same deposits with the
24	state auditor a bond in double the amount for which the
25	duplicate warrant is issued, conditioned to save Montana and

Montana Legislative Council

its officers harmless on account of the issuance of the 1 2 duplicate warrant.

(2) No bond of indemnity is required when: 3

(a) the payee is the United States government, a state 4 of the United States, any agency, instrumentality, or 5 officer of the United States government or of a state, 6 county, city, city and county, town, district, or other 7 political subdivision of a state or any officer thereof; 8

(b) the owner or custodian is the state of Montana or 9 10 any agency or officer thereof;

(c) the owner or custodian is a bank, savings and loan 11 association, admitted insurer, or trust company whose 12 financial condition is regulated by the United States 13 government or by the state of Montana; 14

(d) the state auditor has chosen to waive the 15 requirement upon receipt of evidence that the original 16 17 warrant has been lost or destroyed as a result of a disaster 18 or other major occurrence;

(e) the amount of the lost or destroyed warrant is less 19 than \$100 \$300; 20

21 (f) it can be established that a crime has been

committed and as a result of such crime that a Montana 22

warrant has been stolen or destroyed; 23

(g) it can be established that a Montana warrant has 24

-2-

25 been mailed to an incorrect payee;

SECOND READING HB 585

HB 0585/02

1 (h) the payee is a vendor or contractor doing business 2 with the state of Montana: or 3 (i) the payee is a recipient of public assistance under 4 Title 53; et 5 (j) the pavee is a recipient of a monthly annuity under ő Title 19; OR 7 (X) THE PAYEE IS A RECIPIENT OF STUDENT FINANCIAL 8 ASSISTANCE ADMINISTERED OR INSURED BY THE GUARANTEED STUDENT 9 LOAN PROGRAM PURSUANT TO TITLE 20, CHAPTER 26. 10 (3) Whenever the owner or custodian applies under the 11 provisions of subsection (2)(d), (2)(f), (2)(g), (2)(h), or 12 (2)(i), or (2)(j), OR (2)(K), a stop-payment order shall be 13 placed on the original warrant by the state auditor. 14 (4) Whenever the owner or custodian applies under the 15 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), 16 (2)(g), (2)(h), or (2)(i), or (2)(j), OR (2)(K), the 17 application shall include an agreement to indemnify and hold 18 harmless the state or its officers and employees from any 19 loss resulting from the issuance of a duplicate warrant. Any 20 loss incurred in connection with the issuance of a duplicate 21 warrant shall be charged against the account from which the 22 payment was derived."

23 <u>NEW SECTION.</u> Section 2. Effective date. [This act] is
24 effective on passage and approval.

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-3-

HB 585

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of the issuance of the

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1	HOUSE BILL NO. 585	1	its officers harmless on account
2	INTRODUCED BY NISBET, PECK, DOLEZAL, PETERSON, BLAYLOCK,	2	duplicate warrant.
3	COCCHIARELLA, TOWE	3	(2) No bond of indemnity is requi
4	BY REQUEST OF THE TEACHERS' RETIREMENT BOARD	4	(a) the payee is the United State
5		5	of the United States, any agency
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM	6	officer of the United States gov
7	AMOUNT OF A LOST OR DESTROYED WARRANT NOT REQUIRING AN	7	county, city, city and county, town
8	INDEMNITY BOND; TO ALLOW DUPLICATE WARRANTS TO BE ISSUED TO	8	political subdivision of a state or a
9	PUBLIC RETIREES AND STUDENT FINANCIAL AID RECIPIENTS FOR	9	(b) the owner or custodian is
10	LOST OR DESTROYED WARRANTS WITHOUT REQUIRING AN INDEMNITY	10	any agency or officer thereof;
11	BOND; AMENDING SECTION 17~8-306, NCA; AND PROVIDING AN	11	(c) the owner or custodian is a
12	INNEDIATE EFFECTIVE DATE."	12	association, admitted insurer, or
13		13	financial condition is regulated
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	government or by the state of Montana
15	Section 1. Section 17-8-306, MCA, is amended to read:	15	(d) the state auditor has ch
16	*17-8-306. Issuance of duplicate warrant. (1) The state	16	requirement upon receipt of evide
17	auditor may issue a duplicate warrant whenever any warrant	17	warrant has been lost or destroyed as
18	drawn by him upon the treasurer of the state is lost or	18	or other major occurrence;
19	destroyed. This duplicate warrant must be in the same form	19	(e) the amount of the lost or de
20	as the original, except that it must have plainly printed	20	than \$100 <u>\$300</u> ;
21	across its face the word "duplicate", and except as herein	21	(f) it can be established the
22	provided, no such warrant may be issued or delivered unless	22	committed and as a result of such
23	the person entitled to receive the same deposits with the	23	warrant has been stolen or destroyed
24	state auditor a bond in double the amount for which the	24	(g) it can be established that
25	duplicate warrant is issued, conditioned to save Montana and	25	been mailed to an incorrect payee;
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bank, savings and loan trust company whose by the United States 17

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HB 585

HB 0585/02

(h) the payee is a vendor or contractor doing business
 with the state of Montana; or
 (i) the payee is a recipient of public assistance under
 Title 53: or

5 (j) the payee is a recipient of a monthly annuity under
6 <u>Title 19; OR</u>
7 (K) THE PAYEE IS A RECIPIENT OF STUDENT FINANCIAL

ASSISTANCE ADMINISTERED OR INSURED BY THE GUARANTEED STUDENT
 LOAN PROGRAM PURSUANT TO TITLE 20, CHAPTER 26.

10 (3) Whenever the owner or custodian applies under the 11 provisions of subsection (2)(d), (2)(f), (2)(g), (2)(h), or 12 (2)(i), or (2)(j), OR (2)(K), a stop-payment order shall be 13 placed on the original warrant by the state auditor.

14 (4) Whenever the owner or custodian applies under the 15 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), 16 (2)(g), (2)(h), or (2)(i), or (2)(j), OR (2)(K), the 17 application shall include an agreement to indemnify and hold 18 harmless the state or its officers and employees from any 19 loss resulting from the issuance of a duplicate warrant. Any 20 loss incurred in connection with the issuance of a duplicate 21 warrant shall be charged against the account from which the 22 payment was derived."

23 <u>NEW SECTION.</u> Section 2. Effective date. [This act] is
24 effective on passage and approval.

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-3-

HB 585

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HB 0585/02

HB 0585/02

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1	HOUSE BILL NO. 585	1	its officers harmless on account of the issuance of the
2	INTRODUCED BY NISBET, PECK, DOLEZAL, PETERSON, BLAYLOCK,	2	duplicate warrant.
3	COCCHIARELLA, TOWE	3	(2) No bond of indemnity is required when:
4	BY REQUEST OF THE TEACHERS' RETIREMENT BOARD	4	(a) the payee is the United States government, a state
5		5	of the United States, any agency, instrumentality, or
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MINIMUM	6	officer of the United States government or of a state,
7	AMOUNT OF A LOST OR DESTROYED WARRANT NOT REQUIRING AN	7	county, city, city and county, town, district, or other
8	INDEMNITY BOND; TO ALLOW DUPLICATE WARRANTS TO BE ISSUED TO	8	political subdivision of a state or any officer thereof;
9	PUBLIC RETIREES AND STUDENT FINANCIAL AID RECIPIENTS FOR	9	(b) the owner or custodian is the state of Montana or
10	LOST OR DESTROYED WARRANTS WITHOUT REQUIRING AN INDEMNITY	10	any agency or officer thereof;
11	BOND; AMENDING SECTION 17-8-306, MCA; AND PROVIDING AN	11	(c) the owner or custodian is a bank, savings and loan
12	IMMEDIATE EFFECTIVE DATE."	12	association, admitted insurer, or trust company whose
13		13	financial condition is regulated by the United States
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	government or by the state of Montana;
15	Section 1. Section 17-8-306, MCA, is amended to read:	15	(d) the state auditor has chosen to waive the
16	*17-8-306. Issuance of duplicate warrant. (1) The state	16	requirement upon receipt of evidence that the original
17	auditor may issue a duplicate warrant whenever any warrant	17	warrant has been lost or destroyed as a result of a disaster
18	drawn by him upon the treasurer of the state is lost or	18	or other major occurrence;
19	destroyed. This duplicate warrant must be in the same form	19	(e) the amount of the lost or destroyed warrant is less
20	as the original, except that it must have plainly printed	20	than \$100 <u>\$300;</u>
21	across its face the word "duplicate", and except as herein	21	(f) it can be established that a crime has been
22	provided, no such warrant may be issued or delivered unless	22	committed and as a result of such crime that a Montana
23	the person entitled to receive the same deposits with the	2 3	warrant has been stolen or destroyed;
24	state auditor a bond in double the amount for which the	24	(g) it can be established that a Montana warrant has
25	duplicate warrant is issued, conditioned to save Montana and	25	been mailed to an incorrect payee; REFERENCE BILL
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HB 0585/02

1 (h) the payee is a vendor or contractor doing business 2 with the state of Montana; or 3 (i) the payee is a recipient of public assistance under 4 Title 53; or 5 (j) the payee is a recipient of a monthly annuity under 6 Title 19; OR 7 (K) THE PAYEE IS A RECIPIENT OF STUDENT FINANCIAL 8 ASSISTANCE ADMINISTERED OR INSURED BY THE GUARANTEED STUDENT 9 LOAN PROGRAM PURSUANT TO TITLE 20, CHAPTER 26. 10 (3) Whenever the owner or custodian applies under the 11 provisions of subsection (2)(d), (2)(f), (2)(g), (2)(h), or 12 (2)(i), or (2)(j), OR (2)(K), a stop-payment order shall be 13 placed on the original warrant by the state auditor. 14 (4) Whenever the owner or custodian applies under the 15 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), 16 (2)(g), (2)(h), or (2)(i), or (2)(j), OR (2)(K), the 17 application shall include an agreement to indemnify and hold 18 harmless the state or its officers and employees from any 19 loss resulting from the issuance of a duplicate warrant. Any 20 loss incurred in connection with the issuance of a duplicate 21 warrant shall be charged against the account from which the 22 payment was derived." 23

23 <u>NEW SECTION</u>. Section 2. Effective date. [This act] is

24 effective on passage and approval.

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-3-

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