

1 *Senate* BIL NO. *286*
 2 INTRODUCED BY *Thomas Dornier McOmber*
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION *LOEIKREN*

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ABOLISH THE OFFICE
 6 OF STATE TREASURER AND TRANSFER THE FUNCTIONS AND DUTIES OF
 7 THAT OFFICE TO THE DEPARTMENT OF ADMINISTRATION; AMENDING
 8 SECTIONS 82A-214 AND 82-601, R.C.M. 1947."

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

11 Section 1. Section 82A-214, R.C.M. 1947, is amended to
 12 read as follows:

13 "~~82A-214. Office of state treasurer transferred to~~
 14 ~~department abolished -- duties transferred.~~ (1) The office
 15 of state treasurer is ~~transferred to the department of~~
 16 ~~administration -- for administrative purposes only -- as~~
 17 ~~prescribed in section 82A-108, R.C.M. 1947, except:~~
 18 ~~abolished.~~

19 ~~(1) the state treasurer shall continue his fiscal~~
 20 ~~duties as prescribed by law and section 82A-108 (2) (c)~~
 21 ~~does not apply and~~

22 ~~(2) the state treasurer may hire his own personnel~~
 23 ~~and section 82A-108 (2) (d) does not apply~~

24 (2) All of the functions and duties of the state
 25 treasurer as prescribed by law are transferred to the

1 director of the department of administration who shall serve
 2 as "ex officio" state treasurer."

3 Section 2. Section 82-601, R.C.M. 1947, is amended to
 4 read as follows:

5 "82-601. Deputy state officers. The ~~state treasury~~
 6 state auditor, clerk of the supreme court, and the state
 7 superintendent of public instruction shall each appoint a
 8 deputy who, in the absence of the principal, or in the case
 9 of vacancy in his office, shall perform all the duties of
 10 office until such disability be removed or vacancy be
 11 filled.

12 The secretary of state shall appoint a chief deputy and
 13 a deputy, who in the absence of the principal shall perform
 14 all the duties of office. In the case of a vacancy in the
 15 office of secretary of state, the chief deputy shall perform
 16 all the duties of the office until such disability be
 17 removed or vacancy filled.

18 Such deputy or deputies shall subscribe, take and file
 19 the oath of office provided by law for other state officers
 20 before entering upon the performance of his duties."

21 Section 3. Effective date. This act is effective on
 22 its passage and approval.

-End-

INTRODUCED BILL

SB 286

Approved by Committee
on State Administration

1 SENATE BILL NO. 286

2 INTRODUCED BY THIESSEN, DEVINE, McOMBER, LUCKREM

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ABOLISH THE OFFICE
6 OF STATE TREASURER AND TRANSFER THE FUNCTIONS AND DUTIES OF
7 THAT OFFICE TO THE DEPARTMENT OF ADMINISTRATION; AMENDING
8 SECTIONS 82A-214 AND 82-601 82-1501, R.C.M. 1947."

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

11 Section 1. Section 82A-214, R.C.M. 1947, is amended to
12 read as follows:

13 "82A-214. Office of state treasurer ~~transferred to~~
14 ~~department abolished -- duties transferred.~~ (1) The office
15 of state treasurer is ~~transferred to the department of~~
16 ~~administration -- for -- administrative -- purposes -- only -- as~~
17 ~~prescribed -- in -- section -- 82A-100 -- R.C.M. -- 1947 -- except~~
18 ~~abolished.~~

19 ~~(1) -- the state treasurer shall continue his fiscal~~
20 ~~duties as prescribed by law and section 82A-100 (2) (c)~~
21 ~~does not apply; and~~

22 ~~(2) -- the state treasurer may hire his own personnel~~
23 ~~and section 82A-100 (2) (d) does not apply.~~

24 (2) All of the functions and duties of the state
25 treasurer as prescribed by law are transferred to the

1 director of the department of administration who shall serve
2 as "ex officio" state treasurer."

3 ~~Section 2. -- Section -- 82-601 -- R.C.M. -- 1947 -- is amended to~~
4 ~~read as follows:~~

5 ~~"82-601. -- Deputy state officers. The -- state -- treasury~~
6 ~~state -- auditor -- clerk -- of -- the -- supreme -- court -- and -- the -- state~~
7 ~~superintendent of public instruction shall each appoint a~~
8 ~~deputy who in the absence of the principal or in the case~~
9 ~~of vacancy in his office shall perform all the duties of~~
10 ~~office until such disability be removed or vacancy be~~
11 ~~filled.~~

12 ~~The secretary of state shall appoint a chief deputy and~~
13 ~~a deputy who in the absence of the principal shall perform~~
14 ~~all the duties of office in the case of a vacancy in the~~
15 ~~office of secretary of state; the chief deputy shall perform~~
16 ~~all the duties of the office until such disability be~~
17 ~~removed or vacancy filled.~~

18 ~~Such deputy or deputies shall subscribe take and file~~
19 ~~the oath of office provided by law for other state officers~~
20 ~~before entering upon the performance of his duties."~~

21 ~~Section 3. -- Effective date. This act is effective on~~
22 ~~its passage and approval.~~

23 SECTION 2. SECTION 82-1501, R.C.M., 1947, IS AMENDED TO
24 READ AS FOLLOWS:

25 "82-1501. State board of hail insurance -- creation

SECOND READING

1 and powers -- insurance, how effected. (1) There is a state
 2 board of hail insurance of five members consisting of the
 3 ~~state--treasury~~ the director of agriculture, who is
 4 secretary of the board, and ~~three~~ four other members to be
 5 appointed by the governor from names submitted by farmer
 6 organizations having a general membership throughout the
 7 state. The governor shall designate one of the appointive
 8 members to act as chairman of the board. Whenever the term
 9 of any member expires, either by death, resignation, removal
 10 for cause, or expiration of his term of office, the governor
 11 shall appoint his successor, and shall also appoint one of
 12 the board for chairman in case of a vacancy in that office.

13 (2) Each appointive member of the board shall be
 14 appointed for three years, except where such appointment is
 15 made to fill a vacancy on the board, in which event such
 16 appointee shall fill out the unexpired term of the member
 17 whose place he fills. All members of the board shall be
 18 subject to removal for cause by the governor; the the board
 19 shall hold meetings when necessary and essential for the
 20 proper conduct of its business, at the state capitol in the
 21 office of the secretary, and is hereby authorized, directed
 22 and empowered to make rules as it may from time to time find
 23 practical, necessary and beneficial for the administration
 24 of this act. It shall prescribe blank forms for all purposes
 25 necessary, proper and incidental to the effective operation

1 and enforcement of this act; it shall prescribe a special
 2 form outlining the purposes, scope and benefits of this act
 3 in furnishing protection against loss by hail, at the actual
 4 cost of the risk to all taxpayers who may elect to become
 5 subject to the provisions of this act, the form to be
 6 submitted by the agent of the department of revenue in each
 7 county at the time in which the regular assessments of
 8 property are made by the agents, to each farmer in each
 9 county in the state engaged in growing of crops subject to
 10 injury or destruction by hail, on which forms each such
 11 farmer taxpayer shall signify whether he desires to become
 12 subject to the provisions of this act or not.

13 (3) Every farmer taxpayer who signifies his desire to
 14 become subject to the provisions of this act, shall file in
 15 the office of the county assessor the properly filled out
 16 form not later than August 15th, and shall be chargeable
 17 with the tax on lands growing crops subject to injury or
 18 destruction by hail, hereinafter provided for, and shall
 19 share in the protection and benefits under the hail
 20 insurance provisions of this act. Such application for hail
 21 insurance shall be in full force and effect at noon the day
 22 following the acceptance of the same by the county assessor.
 23 Provided, however, that this act shall not be so construed
 24 as to empower anyone except the actual owner of the land to
 25 make such land subject to the hail tax provided in this

1 act."

2 SECTION 3. STATE TREASURER DELETED. WHEREVER THE STATE
3 TREASURER APPEARS IN 19-112, 23-3513, 23-4121, 25-591,
4 29-304, 59-607, 82-601, AND 82-4001, STATE TREASURER IS
5 DELETED.

-End-

SENATE BILL NO. 286

INTRODUCED BY THIESSEN, DEVINE, McOMBER, LOCKREM

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO ABOLISH THE OFFICE OF STATE TREASURER AND TRANSFER THE FUNCTIONS AND DUTIES OF THAT OFFICE TO THE DEPARTMENT OF ADMINISTRATION; AMENDING SECTIONS 82A-214 AND 82-601; 82-1501, R.C.M. 1947."

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

Section 1. Section 82A-214, R.C.M. 1947, is amended to read as follows:

"82A-214. Office of state treasurer transferred to department abolished -- duties transferred. (1) The office of state treasurer is transferred to the department of administration for administrative purposes only as prescribed in section 82A-108, R.C.M. 1947, except abolished.

(1) the state treasurer shall continue his fiscal duties as prescribed by law, and section 82A-108 (2) (c) does not apply; and

(2) the state treasurer may hire his own personnel and section 82A-108 (2) (d) does not apply.

(2) All of the functions and duties of the state treasurer as prescribed by law are transferred to the

director of the department of administration who shall serve as "ex officio" state treasurer."

Section 2. Section 82-601, R.C.M. 1947, is amended to read as follows:

"82-601. Deputy state officers. The state treasury state auditor clerk of the supreme court and the state superintendent of public instruction shall each appoint a deputy who in the absence of the principal or in the case of vacancy in his office shall perform all the duties of office until such disability be removed or vacancy be filled.

The secretary of state shall appoint a chief deputy and a deputy who in the absence of the principal shall perform all the duties of office in the case of a vacancy in the office of secretary of state the chief deputy shall perform all the duties of the office until such disability be removed or vacancy filled.

Such deputy or deputies shall subscribe take and file the oath of office provided by law for other state officers before entering upon the performance of his duties."

Section 3. Effective date. This act is effective on its passage and approval.

SECTION 2. SECTION 82-1501, R.C.M. 1947, IS AMENDED TO READ AS FOLLOWS:

"82-1501. State board of hail insurance -- creation

1 and powers -- insurance, how effected. (1) There is a state
 2 board of hail insurance of five members consisting of the
 3 ~~state--treasurer,~~ the director of agriculture, who is
 4 secretary of the board, and ~~three~~ four other members to be
 5 appointed by the governor from names submitted by farmer
 6 organizations having a general membership throughout the
 7 state. The governor shall designate one of the appointive
 8 members to act as chairman of the board. Whenever the term
 9 of any member expires, either by death, resignation, removal
 10 for cause, or expiration of his term of office, the governor
 11 shall appoint his successor, and shall also appoint one of
 12 the board for chairman in case of a vacancy in that office.

13 (2) Each appointive member of the board shall be
 14 appointed for three years, except where such appointment is
 15 made to fill a vacancy on the board, in which event such
 16 appointee shall fill out the unexpired term of the member
 17 whose place he fills. All members of the board shall be
 18 subject to removal for cause by the governor; the the board
 19 shall hold meetings when necessary and essential for the
 20 proper conduct of its business, at the state capitol in the
 21 office of the secretary, and is hereby authorized, directed
 22 and empowered to make rules as it may from time to time find
 23 practical, necessary and beneficial for the administration
 24 of this act. It shall prescribe blank forms for all purposes
 25 necessary, proper and incidental to the effective operation

1 and enforcement of this act; it shall prescribe a special
 2 form outlining the purposes, scope and benefits of this act
 3 in furnishing protection against loss by hail, at the actual
 4 cost of the risk to all taxpayers who may elect to become
 5 subject to the provisions of this act, the form to be
 6 submitted by the agent of the department of revenue in each
 7 county at the time in which the regular assessments of
 8 property are made by the agents, to each farmer in each
 9 county in the state engaged in growing of crops subject to
 10 injury or destruction by hail, on which forms each such
 11 farmer taxpayer shall signify whether he desires to become
 12 subject to the provisions of this act or not.

13 (3) Every farmer taxpayer who signifies his desire to
 14 become subject to the provisions of this act, shall file in
 15 the office of the county assessor the properly filled out
 16 form not later than August 15th, and shall be chargeable
 17 with the tax on lands growing crops subject to injury or
 18 destruction by hail, hereinafter provided for, and shall
 19 share in the protection and benefits under the hail
 20 insurance provisions of this act. Such application for hail
 21 insurance shall be in full force and effect at noon the day
 22 following the acceptance of the same by the county assessor.
 23 Provided, however, that this act shall not be so construed
 24 as to empower anyone except the actual owner of the land to
 25 make such land subject to the hail tax provided in this

1 act."

2 SECTION 3. STATE TREASURER DELETED. WHEREVER THE STATE
3 TREASURER APPEARS IN 19-112, 23-3513, 23-4121, 25-501,
4 59-304, 59-607, 82-601, AND 82-4001, STATE TREASURER IS
5 DELETED.

-End-

COMMITTEE ON STATE ADMINISTRATION AMENDMENTS TO SENATE BILL 286

Amend the third reading bill as follows:

1. Amend title, page 1, line 7.

Following: "ADMINISTRATION"

Insert: "AND MEMBERSHIP ON THE BOARD OF HAIL INSURANCE TO THE STATE AUDITOR"

2. Amend page 3, section 2, subsection (1), line 3.

Following: "~~treasurer,~~"

Insert: "the state auditor,"

3. Amend page 3, section 2, subsection (1), line 4.

Following: "~~three~~"

Strike: "four"

Insert: "three"

AS AMENDED

BE CONCURRED IN

1 SENATE BILL NO. 286
 2 INTRODUCED BY THIESSEN, DEVINE, McOMBER, LOCKREM
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ABOLISH THE OFFICE
 6 OF STATE TREASURER AND TRANSFER THE FUNCTIONS AND DUTIES OF
 7 THAT OFFICE TO THE DEPARTMENT OF ADMINISTRATION AND
 8 MEMBERSHIP ON THE BOARD OF HAIL INSURANCE TO THE STATE
 9 AUDITOR; AMENDING SECTIONS 82A-214 AND 82-601, R.C.M.
 10 1947."

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12 Section 1. Section 82A-214, R.C.M. 1947, is amended to
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14 "82A-214. Office of state treasurer transferred to
 15 department ~~abolished -- duties transferred.~~ (1) The office
 16 of state treasurer is transferred to the department of
 17 administration for administrative purposes only as
 18 prescribed in section 82A-108, R.C.M. 1947, except
 19 abolished.

20 (1) the state treasurer shall continue his fiscal
 21 duties as prescribed by law and section 82A-108 (2) (c)
 22 does not apply and
 23 (2) the state treasurer may hire his own personnel
 24 and section 82A-108 (2) (d) does not apply

25

1 (2) All of the functions and duties of the state
 2 treasurer as prescribed by law are transferred to the
 3 director of the department of administration who shall serve
 4 as "ex officio" state treasurer."

5 Section 2. Section 82-601, R.C.M. 1947, is amended to
 6 read as follows:

7 "82-601. Deputy state officers. The state treasurer,
 8 state auditor, clerk of the supreme court, and the state
 9 superintendent of public instruction shall each appoint a
 10 deputy who in the absence of the principal or in the case
 11 of vacancy in his office shall perform all the duties of
 12 office until such disability be removed or vacancy be
 13 filled.

14 The secretary of state shall appoint a chief deputy and
 15 a deputy who in the absence of the principal shall perform
 16 all the duties of office. In the case of a vacancy in the
 17 office of secretary of state the chief deputy shall perform
 18 all the duties of the office until such disability be
 19 removed or vacancy filled.

20 Such deputy or deputies shall subscribe, take and file
 21 the oath of office provided by law for other state officers
 22 before entering upon the performance of his duties."

23 Section 3. Effective date. This act is effective on
 24 its passage and approval.

25 SECTION 2. SECTION 82-1501, R.C.M. 1947, IS AMENDED TO

1 READ AS FOLLOWS:

2 "02-1501. State board of hail insurance -- creation
 3 and powers -- insurance, how effected. (1) There is a state
 4 board of hail insurance of five members consisting of the
 5 ~~state--treasury~~ THE STATE AUDITOR, the director of
 6 agriculture, who is secretary of the board, and ~~three~~ four
 7 THREE other members to be appointed by the governor from
 8 names submitted by farmer organizations having a general
 9 membership throughout the state. The governor shall
 10 designate one of the appointive members to act as chairman
 11 of the board. Whenever the term of any member expires,
 12 either by death, resignation, removal for cause, or
 13 expiration of his term of office, the governor shall appoint
 14 his successor, and shall also appoint one of the board for
 15 chairman in case of a vacancy in that office.

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 17 appointed for three years, except where such appointment is
 18 made to fill a vacancy on the board, in which event such
 19 appointee shall fill out the unexpired term of the member
 20 whose place he fills. All members of the board shall be
 21 subject to removal for cause by the governor; the the board
 22 shall hold meetings when necessary and essential for the
 23 proper conduct of its business, at the state capitol in the
 24 office of the secretary, and is hereby authorized, directed
 25 and empowered to make rules as it may from time to time find

1 practical, necessary and beneficial for the administration
 2 of this act. It shall prescribe blank forms for all purposes
 3 necessary, proper and incidental to the effective operation
 4 and enforcement of this act; it shall prescribe a special
 5 form outlining the purposes, scope and benefits of this act
 6 in furnishing protection against loss by hail, at the actual
 7 cost of the risk to all taxpayers who may elect to become
 8 subject to the provisions of this act, the form to be
 9 submitted by the agent of the department of revenue in each
 10 county at the time in which the regular assessments of
 11 property are made by the agents, to each farmer in each
 12 county in the state engaged in growing of crops subject to
 13 injury or destruction by hail, on which forms each such
 14 farmer taxpayer shall signify whether he desires to become
 15 subject to the provisions of this act or not.

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 17 become subject to the provisions of this act, shall file in
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 22 share in the protection and benefits under the hail
 23 insurance provisions of this act. Such application for hail
 24 insurance shall be in full force and effect at noon the day
 25 following the acceptance of the same by the county assessor.

1 Provided, however, that this act shall not be so construed
2 as to empower anyone except the actual owner of the land to
3 make such land subject to the hail tax provided in this
4 act."

5 ~~SECTION 3. STATE TREASURER DELETED. WHEREVER THE STATE~~
6 ~~TREASURER APPEARS IN 19-112, 23-3513, 23-4121, 25-501,~~
7 ~~59-304, 59-607, 82-601, AND 82-6001, STATE TREASURER IS~~
8 ~~DELETED.~~

-End-