

HOUSE BILL NO. 814

INTRODUCED BY KADAS, J. JENSEN, FABREGA

IN THE HOUSE

February 15, 1983	Introduced and referred to Committee on Business and Industry.
February 18, 1983	Committee recommend bill do pass. Report adopted.
February 19, 1983	Bill printed and placed on members' desks.
	Second reading, do pass.
February 22, 1983	Considered correctly engrossed.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Business and Industry.
March 23, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 25, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 46; Noes, 1.

IN THE HOUSE

March 28, 1983	Returned to House with amendments.
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April 4, 1983

Second reading, amendments
concurrent in.

April 5, 1983

Third reading, amendments
concurrent in.

Sent to enrolling.

Reported correctly
enrolled.

1 *House* BILL NO. *814*
 2 INTRODUCED BY *Nedra J. Jensen*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE FINANCIAL
 5 INSTITUTIONS TO HOLD ANNUAL MEETINGS ON ANY BUSINESS DAY
 6 BEFORE APRIL 15 OF EACH CALENDAR YEAR; AMENDING SECTIONS
 7 32-1-322 AND 32-2-208, MCA."
 8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 32-1-322, MCA, is amended to read:
 11 "32-1-322. Board of directors -- qualifications,
 12 tenure, and vacancies. (1) The affairs of the bank shall be
 13 managed by a board of directors, not less than 3 or more
 14 than 11 in number, all of whom shall be stockholders of the
 15 bank and of whom at least two-thirds must be residents of
 16 this state. A person who has been convicted of a crime
 17 against the banking laws of the United States or of any
 18 state may not be elected a director.
 19 (2) The directors shall be elected for a term of 1
 20 year at the annual meeting of the stockholders, which shall
 21 be held on any ~~Tuesday--up--to--and--including--the--second~~
 22 ~~Tuesday--in--April~~ business day before April 15 of each
 23 calendar year. If the election is not held on the day fixed
 24 for the annual meeting, the corporation may not thereby be
 25 dissolved, but an election may be held at any other time

1 agreeable to the bylaws of the corporation, and the persons
 2 so elected shall hold their office until the second Tuesday
 3 of the following January or until others are elected and
 4 qualified. Every director shall take and subscribe an oath
 5 that he will diligently and honestly perform his duty in the
 6 office, that he will not knowingly violate or permit a
 7 violation of any of the provisions of this chapter, and that
 8 he is the owner in good faith of the required number of
 9 shares of stock in the bank standing in his name on the
 10 books of the bank. The oaths shall be made in duplicate, one
 11 copy of which shall be transmitted to the department and
 12 filed in its office and one copy shall be kept on file in
 13 the office of the bank.

14 (3) In case of death or resignation of one or more of
 15 the directors, the vacancy shall be filled by the board, and
 16 the directors so appointed shall hold office until the next
 17 annual election."

18 Section 2. Section 32-2-208, MCA, is amended to read:
 19 "32-2-208. Meetings of stockholders and directors. (1)
 20 The meetings of the stockholders of a Montana building and
 21 loan association must be held at its office or principal
 22 place of business in this state.

23 (2) In its bylaws, such association shall provide for
 24 at least one regular meeting of stockholders annually ~~on any~~
 25 ~~business day before April 15 of each calendar year.~~ Notice

1 of any meeting, whether regular or special, shall be given
2 by the secretary in accordance with 32-2-209. The board of
3 directors shall have the right to call a special meeting at
4 any time. The board of directors must also call a special
5 meeting whenever petitioned to do so by stockholders owning
6 at least 25% of the issued stock. The secretary shall call
7 special meetings in the same manner as provided in
8 32-2-209."

-End-

Approved by Committee
on Business and Industry

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2 INTRODUCED BY Nathan J. Jensen

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March 23, 1983

SENATE STANDING COMMITTEE REPORT
(Business & Industry)

That House Bill No. 814 be amended as follows:

1. Title, line 4.

Following: "AUTHORIZE"

Strike: remainder of line 4 through "INSTITUTIONS" on line 5.

Insert: "BANKS"

2. Title, line 6.

Following: "AMENDING"

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 7.

Strike: "AND 32-2-208"

4. Page 2, line 18 through line 8 on page 3.

Strike: section 2 in its entirety.

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