

HOUSE BILL NO. 122

INTRODUCED BY PECK, JERGESON, THAYER, NATHE

BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

January 9, 1987	Introduced and referred to Committee on Business and Labor.
January 16, 1987	Committee recommend bill do pass. Report adopted.
January 17, 1987	Printing report.
January 19, 1987	Second reading, do pass.
January 20, 1987	Engrossing report.
	Third reading, passed.
	Transmitted to Senate.

IN THE SENATE

January 22, 1987	Introduced and referred to Committee on Business and Industry.
January 28, 1987	Committee recommend bill be concurrent in. Report adopted.
January 31, 1987	Second reading, concurred in.
February 3, 1987	Third reading, concurred in. Ayes, 50; Noes, 0.
	Returned to House.

IN THE HOUSE

February 4, 1987

Received from Senate.

Sent to enrolling.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE MEETING
 6 DATES OF THE STATE BANKING BOARD AND TO REQUIRE AT LEAST ONE
 7 BANK EXAMINATION EVERY 30 MONTHS; AND AMENDING SECTIONS
 8 32-1-201 AND 32-1-211, MCA."
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 13 meetings -- per diem. (1) The state banking board, created
 14 in 2-15-1803, shall elect a secretary from its members to
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16 (2) In performing its functions, the board shall have
 17 use of the offices, equipment, and personnel of the
 18 department as it requires.

19 (3) The board shall hold ~~regular~~ meetings ~~each-quarter~~
 20 ~~at-a-fixed-date-and-time~~ at the office of the department at
 21 dates and times set by the department. Special meetings may
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24 (4) A quorum for all meetings shall be a majority of
 25 the board members, and a majority of the quorum present at

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13 (1) The department shall exercise constant supervision over
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16 (2) It shall examine, at least once a-year every 30
 17 months, each of those banks and verify the assets and
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 19 value of the assets of each as to ascertain with reasonable
 20 certainty that the values are correctly carried on the
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22 (3) It shall further investigate the methods of
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-2- INTRODUCED BILL
 HB 122

1 principles.

2 (4) It may examine under oath any of the officers,
3 directors, agents, clerks, customers, or depositors of a
4 bank regarding the affairs and business thereof.

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6 issue subpoenas and administer oaths. In case of a refusal
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8 reported to the district court of the district in which the
9 bank is located, and the court shall enforce obedience to
10 the subpoena in the manner provided by law for enforcing
11 obedience to the process of the court.

12 (6) In all matters relating to its official duties,
13 the department has the same power possessed by courts of law
14 to issue subpoenas and have them served and enforced.

15 (7) All officers, directors, agents, and employees of
16 banks doing business under this chapter and all persons
17 having dealings with or knowledge of the affairs or methods
18 of a bank shall at all times afford reasonable facilities
19 for the examinations and make returns and reports to the
20 department as it may require. They shall also attend
21 hearings and answer under oath the department's inquiries,
22 produce and exhibit any books, accounts, documents, and
23 property it desires to inspect, and in all things aid it in
24 the performance of its duty."

25 NEW SECTION. Section 3. Extension of authority. Any

1 existing authority of the department of commerce and the
2 state banking board to make rules on the subject of the
3 provisions of this act is extended to the provisions of this
4 act.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB122, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill to allow state banking board meetings as necessary, rather than quarterly; and to require bank examinations at least once every 30 months, rather than once a year.

ASSUMPTIONS:

Operations of the banking board and the Financial Division will not be changed in any way. Both already operate in the manner proposed.

FISCAL IMPACT:

There will be no impact in current level revenues or expenditures.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

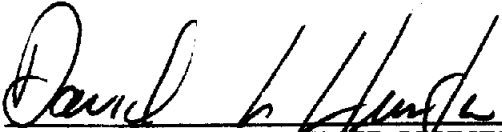
N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

 DATE 1/13/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE 1/14/87
RAY PECK, PRIMARY SPONSOR

Fiscal Note for HB122, as introduced.

HB122

APPROVED BY COMM. ON
BUSINESS AND LABOR

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