

1 HOUSE BILL NO. 91

2 INTRODUCED BY C. CLARK

3 BY REQUEST OF THE DEPARTMENT OF AGRICULTURE

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT STANDARDIZING THE PER DIEM PAYMENTS TO MEMBERS OF
6 DEPARTMENT OF AGRICULTURE ADVISORY BOARDS AND COUNCILS; AMENDING SECTIONS 80-2-202,
7 80-8-108, 80-11-203, 80-11-305, 80-11-404, AND 90-9-201, MCA; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE."

9

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

11

12 **Section 1.** Section 80-2-202, MCA, is amended to read:

13 **"80-2-202. Compensation of presiding officer and officers.** (1) The appointed members of the board
14 of hail insurance ~~must receive a per diem of \$25~~ are entitled to compensation as provided in 2-15-122 for each
15 day they are engaged in the transaction of official business.

16 (2) All board members and employees must be allowed expenses as provided in 2-18-501 through
17 2-18-503.

18 (3) All other public officials specified in this chapter shall perform the duties relative to hail insurance
19 without other compensation than that allowed by law."

20

21 **Section 2.** Section 80-8-108, MCA, is amended to read:

22 **"80-8-108. Advisory council.** (1) (a) The director of agriculture may appoint an advisory council to study
23 and make recommendations on special pesticide problems in the state. The council consists of individuals
24 representing, equally, the controlled industry, agriculture, health, and wildlife.

25 (b) Governmental personnel, university personnel not included, may not be represented on the council.
26 Governmental personnel shall meet with the council in an advisory capacity when requested by the council.

27 (c) The council may not exceed 12 members.

28 (d) The director of agriculture shall establish the time period in which the council shall exist. The time
29 period may not exceed 2 years.

30 (2) The department of agriculture shall provide the necessary administrative, secretarial, and ~~any~~ other

1 essential items support to the council.

2 ~~(2)(3)~~ Each member of the council ~~must receive as compensation for services the sum of \$25 a day is~~
3 entitled to compensation as provided in 2-15-122 for each day ~~actually~~ spent in the performance of duties and
4 must be reimbursed for travel expenses as provided ~~for~~ in 2-18-501 through 2-18-503.

5 ~~(3)(4)~~ The council may request that the department hold a public hearing to assist it in gathering factual
6 data and information on the special problems assigned it."

7

8 **Section 3.** Section 80-11-203, MCA, is amended to read:

9 **"80-11-203. Compensation -- per diem.** Members of the committee ~~shall receive no salary but shall~~
10 ~~be paid from the wheat and barley account in the state special revenue fund a per diem of \$25~~ may not receive
11 a salary but are entitled to compensation as provided in 2-15-122 for each day they are engaged in the
12 transaction of official business, ~~together with their actual and necessary~~ and must be reimbursed for travel
13 expenses, as provided ~~for~~ in 2-18-501 through 2-18-503, incurred while on official business."

14

15 **Section 4.** Section 80-11-305, MCA, is amended to read:

16 **"80-11-305. Compensation -- per diem.** Each committee member is entitled to ~~\$25 compensation~~
17 compensation as provided in 2-15-122 for each day that the member is engaged in the transaction of official
18 business, ~~together with actual and necessary~~ and must be reimbursed for travel expenses, as provided ~~for~~ in
19 2-18-501 through 2-18-503."

20

21 **Section 5.** Section 80-11-404, MCA, is amended to read:

22 **"80-11-404. Compensation -- per diem.** Each committee member is entitled to ~~\$25 compensation~~ as
23 provided in 2-15-122 for each day that the member is engaged in the transaction of official business, ~~together~~
24 ~~with actual and necessary~~ and must be reimbursed for travel expenses as provided ~~for~~ in 2-18-501 through
25 2-18-503."

26

27 **Section 6.** Section 90-9-201, MCA, is amended to read:

28 **"90-9-201. Council organization -- meetings.** (1) The members of the council shall select a member
29 as presiding officer. The council may establish other offices and select council members to fill these offices.

30 (2) The council shall meet quarterly and at other times as determined by the presiding officer or a

1 majority of the council.

2 (3) Each committee member, except the director of the department and the director of the department
3 of commerce, is entitled to:

4 (a) ~~\$50~~ compensation as provided in 2-15-122 for each day that the member is engaged in the
5 transaction of official business, including travel to and from official business; and

6 (b) necessary travel expenses as provided ~~for~~ in 2-18-501 through 2-18-503."
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8 NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

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