

No. 343

**MONTANA STATE BOARD OF DENTAL EXAMINERS—
DENTISTRY REGULATION ACT—DELEGATE TO NA-
TIONAL DENTAL ASSOCIATION—COMPENSATION OF
DELEGATE—DELEGATE, compensation while traveling—
RAILROAD AND PULLMAN FARE**

Held: A delegate from the Montana State Board of Dental Examiners to a meeting or meetings of the National Dental Association is entitled to his actual railroad and pullman fare—or an amount equal to the actual railroad and pullman fare—from his residence to the place of such meeting and return to his residence, as well as the sum of ten dollars for each day of actual attendance at such meeting and also ten dollars for each day spent in traveling to and from the place of such meeting and his residence. It is, of course, understood such travel is in the ordinary course and is by the most direct route and the Board may, by rule and regulation, designate which officer shall countersign its warrants.

January 20, 1942.

Dr. T. C. Betzner, President
Montana State Board of Dental Examiners
301-302 Power Block
Helena, Montana

Dear Dr. Betzner:

You have submitted to this office the following questions:

“As President of the Montana State Board of Dental Examiners, I am writing you for an official opinion concerning the expenses to be allowed a delegate to the National Association of Dental Examiners under Section 20 of our Montana Dental Regulation Act. (Section 3115.20, Revised Codes of Montana, 1935.)

“Also, I would like an opinion as to whether the President of the State Board of Dental Examiners is required to counter-sign all warrants drawn by the Secretary, since this has been done for several years in the past.”

In answering your first question, it is necessary to refer to Section 3115.20, Revised Codes of Montana, 1935, which is as follows:

“**Affiliation with national association authorized—delegate—expenses allowed.** The said board of dental examiners may affiliate with the national association of dental examiners as an active member, and may pay regular annual dues to said association, and may send a delegate to the meetings of such association, which delegate shall receive as compensation his actual railroad and Pullman fare, or an amount equal to railroad and Pullman fare, to and from the place of meeting of the national dental association, plus an allowance of ten (\$10.00) dollars for each day of actual attendance at such meetings and for each day spent in traveling to and from the place of such meeting.”

It is apparent, from the language used in the above quoted statute, a delegate sent to the meeting or meetings of the National Association of Dental Examiners shall receive as compensation his actual railroad and pullman fare to and from the place of meeting of the National Dental Association, plus an allowance of ten (\$10.00) dollars for each day of actual attendance at such meeting and for each day spent in traveling to and from the place of such meeting. It is presumed, of course, the travel is in the ordinary course and is by the most direct route both to and from the said meeting.

As to your second question, I find nothing in Chapter 266, Volume 2, Revised Codes of Montana, 1935, nor in Chapter 38, Laws of 1941, designating or directing which officers shall execute or counter-sign the warrants drawn by the secretary. In the conduct of its business, the Montana State Board of Dental Examiners may make such rules and regulations as it may deem advisable for the safe, efficient and practical handling thereof, and designate thereby which officer shall countersign its warrants.

From the foregoing, it is my opinion the delegate of the Montana State Board of Dental Examiners, sent to the meeting or meetings of the National Dental Association, is entitled to his actual railroad and pullman fare, or an amount equal to the actual railroad and pullman fare, from his residence to and from the place of meeting, as well as an allowance of ten dollars for each day of actual attendance at such meeting and for each day spent in traveling to and from the place of such meeting. It, of course, is understood such travel is in the ordinary course and is by the most direct route to and from the place of such meeting.

It is also my opinion the State Board of Dental Examiners of Montana, in the conduct of its business, may make such rules and regulations as it may deem advisable for the safe, efficient and practical handling thereof, and designate which officer shall countersign its warrants.

Sincerely yours,

JOHN W. BONNER
Attorney General