

1 HOUSE BILL NO. 57
2 INTRODUCED BY MARKS
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE CONSISTENT THE
5 STATUTES ON THE COMPENSATION AND EXPENSES PAID TO
6 LEGISLATORS; AMENDING SECTIONS 43-218, 43-310, 43-310.1,
7 43-1112, 69-6510, 70-704, 79-2305, AND 82-4203.3; REPEALING
8 SECTIONS 43-311 AND 43-714; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."

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

12 Section 1. Section 43-218, R.C.M. 1947, is amended to
13 read as follows:

14 "43-218. Pre-session Presession caucus -- house
15 ~~appropriation-and-senate-finance-and-claims-committee-member~~
16 ~~---per-diem compensation~~ and expenses. (1) As soon after the
17 official convass as possible, but not later than December 1
18 of each year following an election when members of the
19 legislature are elected, the majority and minority parties
20 of each house of the legislature shall hold a pre-session
21 presession caucus for holdover senators, senators-elect, and
22 representatives-elect. The purpose of the caucus of each
23 party of each house is to elect officers, appoint
24 committees, and hire any necessary employees.

25 (2) Members of the legislature attending the

1 ~~presession caucus are entitled to receive compensation and~~
2 ~~expenses as provided in 43-310.1. Members--of-the-house~~
3 ~~appropriations-committee-and-the-senate-finance--and--claims~~
4 ~~committee-named-at-the-caucus-shall-begin-reviewing-requests~~
5 ~~for--appropriations-immediately-and-may-visit-state-agencies~~
6 ~~and-institutions--to--discuss--requests,--Members--of--these~~
7 ~~committees--shall--receive---a--daily--salary-as-provided-in~~
8 ~~section-43-310,--R.C.M.--1947,--and--forty-dollars--(\$40)--per-day~~
9 ~~expenses-for-each-day-engaged-in-committee-business.--Salary~~
10 ~~and---expenses---shall---be---paid---by---the---department---of~~
11 ~~administration-from-the-appropriation-for-operation--of--the~~
12 ~~preceding-legislatures"~~

13 Section 2. There is a new R.C.M. section that reads as
14 follows:

15 Presession activity of house appropriations and senate
16 finance and claims committees -- compensation and expenses.
17 (1) Members of the house appropriations committee and of the
18 senate finance and claims committee named at the presession
19 caucus may begin reviewing requests for appropriations
20 immediately and may visit state agencies and institutions to
21 discuss requests.

22 (2) While engaged in presession committee business,
23 members of these committees are entitled to receive
24 compensation and expenses as provided in 43-310.1.

25 Section 3. Section 43-310, R.C.M. 1947, is amended to

1 read as follows:

2 "43-310. Compensation and mileage expenses for members
3 for regular and special sessions and the interim while in
4 session. (1) ~~Legislators are entitled to a salary~~
5 ~~commensurate to that of grade 8, step 1 classified state~~
6 ~~employee for the fiscal year during a regular or special~~
7 ~~session of the legislature and a mileage allowance as~~
8 ~~provided in section 59-801 for each mile of travel to and~~
9 ~~from their residences and the place of holding the session;~~
10 ~~by the shortest regularly traveled automobile routes~~
11 ~~legislators may be compensated for one (1) round-trip home~~
12 ~~for each regular and special session, provided, however,~~
13 ~~that legislators are not entitled to more than one (1) round~~
14 ~~trip home if a special session is held within seven (7) days~~
15 ~~of a regular session.~~

16 (2) ~~Members are also entitled to forty dollars (\$40)~~
17 ~~per day, seven (7) days a week during a legislative session,~~
18 ~~as reimbursement for expenses incurred in attending the~~
19 ~~session. Expense payments shall stop when the legislature~~
20 ~~recesses for more than three (3) days and shall resume when~~
21 ~~the legislature reconvenes.~~

22 (3) ~~While going to or attending and returning from~~
23 ~~legislative standing committee meetings and necessary~~
24 ~~committee business authorized by the chairman of the~~
25 ~~legislative council during the legislative interim~~

1 ~~legislators are entitled to:~~

2 (a) ~~a mileage allowance as provided in section 59-801~~
3 ~~for each mile of travel;~~

4 (b) ~~forty dollars (\$40) per day expenses, and~~

5 (c) ~~a daily salary as provided in section 43-310,~~
6 ~~R.C.M. 1947.~~

7 (4) ~~Legislators are also entitled to a mileage~~
8 ~~allowance as provided in section 59-801 for travel to and~~
9 ~~from their respective pre-session caucus meetings.~~

10 (1) Legislators are entitled to a salary commensurate
11 to that of the daily rate of a grade 8, step 1 classified
12 state employee, for those days during which the legislature
13 is in session. The president of the senate and the speaker
14 of the house shall receive an additional \$5 a day in salary
15 for those days during which the legislature is in session.

16 (2) Legislators are entitled to \$40 a day, 7 days a
17 week, during a legislative session, as reimbursement for
18 expenses incurred in attending a session. Expense payments
19 shall stop when the legislature recesses for more than 3
20 days and shall resume when the legislature reconvenes.

21 (3) Legislators are entitled to a mileage allowance as
22 provided in 59-801 for each mile of travel:

23 (a) to the place of the holding of the session and to
24 return to their place of residence at the conclusion of the
25 session; and

1 (b) for one additional round trip to their place of
2 residence during each session.

3 (4) Legislators are not entitled to any additional
4 mileage allowance under (3)(a) or (3)(b) for a special
5 session if it is convened within 7 days of a regular
6 session."

7 Section 4. Section 43-310.1, R.C.M. 1947, is amended
8 to read as follows:

9 "43-310.1. Salary Compensation and expenses when
10 legislature not in session. ~~Salary--compensation--paid--to~~
11 ~~members-of-the-legislature-for-performance-of-their-official~~
12 ~~duties--when--the--legislature--is--not--in--session--shall--be~~
13 ~~computed-in-the-same-manner-as-per-diem--is--computed--under~~
14 ~~section--59-539.~~ When the legislature is not in session,
15 members of the legislative council, legislative
16 subcommittees, and select and interim committees, while
17 engaged in committee business authorized by the legislative
18 council, are entitled to:

19 (1) a mileage allowance as provided in 59-801;

20 (2) expenses as provided in 59-534 and 59-539; and

21 (3) a salary equal to 1/4 the daily rate of a grade 8,
22 step 1 classified state employee, for every 6 hours or
23 fraction thereof spent away from home on committee
24 business."

25 Section 5. Section 43-1112, R.C.M. 1947, is amended to

1 read as follows:

2 "43-1112. ~~Legislative-finance-committee---appointment~~
3 ~~Appointment~~ and term of members ~~---officers.~~ (1) The
4 legislative finance committee consists of:

5 ~~(1)(a)~~ four ~~(4)~~ members of the senate finance and
6 claims committee, appointed by the chairman;

7 ~~(2)(b)~~ two ~~(2)~~ members of the senate appointed, at
8 ~~large, at-large~~ by the committee on committees;

9 ~~(3)(c)~~ four ~~(4)~~ members of the house of
10 representatives appropriation committee, appointed by the
11 chairman; and

12 ~~(4)(d)~~ two ~~(2)~~ members of the house appointed, at
13 ~~large, at-large~~ by the speaker.

14 (2) These members shall be appointed before the end of
15 the ~~first-regular~~ each legislative session of the biennium.
16 No more than three ~~(3)~~ members of each house, two ~~(2)~~
17 committee members and one ~~(1)~~ ~~at-large~~ ~~at-large~~ member, may
18 be from the same political party.

19 (3) * If a vacancy occurs on the committee occurring
20 when the legislature is not in session, the remaining
21 ~~members~~ shall be ~~filled-by-the-selection-of~~ select a member
22 of the appropriate political party and appropriate
23 committee, as provided in this section, ~~by--the--remaining~~
24 ~~members-of-the-committee~~ to complete the unexpired term.

25 (4) Appointments are for two ~~(2)~~ years, and a member

1 of the committee shall serve until his term of office as a
2 legislator ends or until his successor is appointed,
3 whichever occurs first.

4 (5) The committee shall elect one of its members as
5 chairman and such other officers as it considers necessary.

6 (6) Members of the committee ~~shall be reimbursed for~~
7 ~~expenses and paid compensation as provided by law for~~
8 ~~interim standing committees~~ are entitled to receive
9 compensation and expenses as provided in 43-310.1."

10 Section 6. Section 69-6510, R.C.M. 1947, is amended to
11 read as follows:

12 "69-6510. Meetings. The council may determine the time
13 and place of its meetings but shall meet at least once each
14 quarter. Each member of the council ~~shall, unless he is a~~
15 ~~full-time salaried officer or employee of this state, be~~
16 ~~paid twenty five dollars (\$25) for each day in which he is~~
17 ~~actually and necessarily engaged in the performance of~~
18 ~~council duties, and shall also be reimbursed for actual and~~
19 ~~necessary expenses incurred while in the performance of~~
20 ~~council duties~~ is entitled to receive compensation and
21 expenses as provided in 43-310.1. Members who are full-time
22 salaried officers or employees of this state may not be
23 compensated for their service as members, but shall be
24 reimbursed for their expenses."

25 Section 7. Section 70-704, R.C.M. 1947, is amended to

1 read as follows:

2 "70-704. Meetings of committee -- expenses of members
3 reimbursed. The committee shall meet at least once each
4 quarter to advise and consult with the consumer counsel.
5 Committee members ~~shall be reimbursed from the appropriation~~
6 ~~to the office of the consumer counsel for their actual and~~
7 ~~necessary expenses incurred and an additional sum equal to a~~
8 ~~legislator's pay while attending such meetings~~ are entitled
9 to receive compensation and expenses as provided in
10 43-310.1."

11 Section 8. Section 79-2305, R.C.M. 1947, is amended to
12 read as follows:

13 "79-2305. Meetings -- compensation. (1) The committee
14 shall meet as often as may be necessary during and between
15 legislative sessions, to advise and consult with the
16 legislative auditor.

17 (2) Committee members ~~shall be reimbursed from the~~
18 ~~appropriation to the office of the legislative auditor for~~
19 ~~their actual and necessary expenses incurred as a result of~~
20 ~~interim meetings, and paid compensation as provided by law~~
21 ~~for interim standing committees~~ are entitled to receive
22 compensation and expenses as provided in 43-310.1."

23 Section 9. Section 82-4203.3, R.C.M. 1947, is amended
24 to read as follows:

25 "82-4203.3. Meetings. The committee shall meet as

1 often as may be necessary during and between legislative
2 sessions. Committee members ~~shall be reimbursed from the~~
3 ~~appropriation to the legislative council for their actual~~
4 ~~and necessary expenses incurred as a result of interim~~
5 ~~meetings and paid compensation as provided by law for~~
6 ~~interim standing committees~~ are entitled to receive
7 compensation and expenses as provided in 43-310.1."
8 Section 11. Section 43-311 and 43-714, R.C.M. 1947, are
9 repealed.
10 Section 12. This act is effective on passage and approval.

-End-

Approved by Committee
on State Administration

1 HOUSE BILL NO. 57
2 INTRODUCED BY MARKS
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE CONSISTENT THE
5 STATUTES ON THE COMPENSATION AND EXPENSES PAID TO
6 LEGISLATORS; AMENDING SECTIONS 43-218, 43-310, 43-310.1,
7 43-1112, 69-6510, 70-704, 79-2305, AND 82-4203.3; REPEALING
8 SECTIONS 43-311 AND 43-714; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 43-218, R.C.M. 1947, is amended to
13 read as follows:
14 "43-218. ~~Pre-session~~ Pre-session caucus -- house
15 ~~appropriation-and-senate-finance-and-claims-committee-member~~
16 ~~--per-diem compensation~~ and expenses. (1) As soon after the
17 official canvass as possible, but not later than December 1
18 of each year following an election when members of the
19 legislature are elected, the majority and minority parties
20 of each house of the legislature shall hold a pre-session
21 pre-session caucus for holdover senators, senators-elect, and
22 representatives-elect. The purpose of the caucus of each
23 party of each house is to elect officers, appoint
24 committees, and hire any necessary employees.
25 (2) Members of the legislature attending the

1 ~~pre-session caucus are entitled to receive compensation and~~
2 ~~expenses as provided in 43-310.1. Members--of-the-house~~
3 ~~appropriations-committee-and-the-senate-finance--and--claims~~
4 ~~committee-named-at-the-caucus-shall-begin-reviewing-requests~~
5 ~~for--appropriations-immediately-and-may-visit-state-agencies~~
6 ~~and-institutions--to--discuss--requests--Members--of--these~~
7 ~~committees--shall--receive--a--daily--salary-as-provided-in~~
8 ~~section-43-310-R.C.M.-1947-and-forty-dollars-(\$40)-per-day~~
9 ~~expenses-for-each-day-engaged-in-committee-business--Salary~~
10 ~~and--expenses--shall--be--paid--by--the--department--of~~
11 ~~administration-from-the-appropriation-for-operation--of--the~~
12 ~~preceding-legislature"~~
13 Section 2. There is a new R.C.M. section that reads as
14 follows:
15 Pre-session activity of house appropriations and senate
16 finance and claims committees -- compensation and expenses.
17 (1) Members of the house appropriations committee and of the
18 senate finance and claims committee named at the pre-session
19 caucus may begin reviewing requests for appropriations
20 immediately and may visit state agencies and institutions to
21 discuss requests.
22 (2) While engaged in pre-session committee business,
23 members of these committees are entitled to receive
24 compensation and expenses as provided in 43-310.1.
25 Section 3. Section 43-310, R.C.M. 1947, is amended to

ere are no changes in HB 57, & will not be re-run.

ease refer to white copy for complete text. SECOND READING

HB 57

1 read as follows:

2 "43-310. Compensation and mileage ~~expenses~~ for members
3 ~~for regular and special sessions and the interim~~ while in
4 session. (1) ~~Legislators are entitled to a salary~~
5 ~~commensurate to that of grade 8, step 1 classified state~~
6 ~~employee for the fiscal year during a regular or special~~
7 ~~session of the legislature and a mileage allowance as~~
8 ~~provided in section 59-801 for each mile of travel to and~~
9 ~~from their residences and the place of holding the session~~
10 ~~by the shortest regularly traveled automobile routes~~
11 ~~legislators may be compensated for one (1) round trip home~~
12 ~~for each regular and special session, provided, however,~~
13 ~~that legislators are not entitled to more than one (1) round~~
14 ~~trip home if a special session is held within seven (7) days~~
15 ~~of a regular session.~~

16 (2) ~~Members are also entitled to forty dollars (\$40)~~
17 ~~per day, seven (7) days a week during a legislative session~~
18 ~~as reimbursement for expenses incurred in attending the~~
19 ~~sessions. Expense payments shall stop when the legislature~~
20 ~~recesses for more than three (3) days and shall resume when~~
21 ~~the legislature reconvenes.~~

22 (3) ~~While going to, attending, and returning from~~
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24 ~~committee business authorized by the chairman of the~~
25 ~~legislative council during the legislative interim~~

1 ~~legislators are entitled to:~~

2 (a) ~~a mileage allowance as provided in section 59-801~~
3 ~~for each mile of travel;~~

4 (b) ~~forty dollars (\$40) per day expenses; and~~

5 (c) ~~a daily salary as provided in section 43-310,~~
6 ~~R66M-1947.~~

7 (4) ~~Legislators are also entitled to a mileage~~
8 ~~allowance as provided in section 59-801 for travel to and~~
9 ~~from their respective pre-session caucus meetings.~~

10 (1) Legislators are entitled to a salary commensurate
11 to that of the daily rate of a grade 8, step 1 classified
12 state employee, for those days during which the legislature
13 is in session. The president of the senate and the speaker
14 of the house shall receive an additional \$5 a day in salary
15 for those days during which the legislature is in session.

16 (2) Legislators are entitled to \$40 a day, 7 days a
17 week, during a legislative session, as reimbursement for
18 expenses incurred in attending a session. Expense payments
19 shall stop when the legislature recesses for more than 3
20 days and shall resume when the legislature reconvenes.

21 (3) Legislators are entitled to a mileage allowance as
22 provided in 59-801 for each mile of travel:

23 (a) to the place of the holding of the session and to
24 return to their place of residence at the conclusion of the
25 session; and

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16 ~~---per-diem~~ compensation and expenses. (1) As soon after the
17 official canvass as possible, but not later than December 1
18 of each year following an election when members of the
19 legislature are elected, the majority and minority parties
20 of each house of the legislature shall hold a pre-session
21 pre-session caucus for holdover senators, senators-elect, and
22 representatives-elect. The purpose of the caucus of each
23 party of each house is to elect officers, appoint
24 committees, and hire any necessary employees.

25 (2) Members of the legislature attending the

1 ~~pre-session caucus are entitled to receive compensation and~~
2 ~~expenses as provided in 43-310.1. Members of the house~~
3 ~~appropriations committee and the senate finance and claims~~
4 ~~committee named at the caucus shall begin reviewing requests~~
5 ~~for appropriations immediately and may visit state agencies~~
6 ~~and institutions to discuss requests. Members of these~~
7 ~~committees shall receive a daily salary as provided in~~
8 ~~section 43-310, R.C.M. 1947, and forty dollars (\$40) per day~~
9 ~~expenses for each day engaged in committee business. Salary~~
10 ~~and expenses shall be paid by the department of~~
11 ~~administration from the appropriation for operation of the~~
12 ~~preceding legislature"~~

13 Section 2. There is a new R.C.M. section that reads as
14 follows:

15 Pre-session activity of house appropriations and senate
16 finance and claims committees -- compensation and expenses.
17 (1) Members of the house appropriations committee and of the
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19 caucus may begin reviewing requests for appropriations
20 immediately and may visit state agencies and institutions to
21 discuss requests.

22 (2) While engaged in pre-session committee business,
23 members of these committees are entitled to receive
24 compensation and expenses as provided in 43-310.1.

25 Section 3. Section 43-310, R.C.M. 1947, is amended to

1 read as follows:

2 "43-310. Compensation and mileage expenses for members

3 for regular and special sessions and the interim while in

4 session. (1) Legislators are entitled to a salary

5 commensurate to that of grade 8, step 1, classified state

6 employee for the fiscal year during a regular or special

7 session of the legislature and a mileage allowance as

8 provided in section 59-001 for each mile of travel to and

9 from their residences and the place of holding the session

10 by the shortest regulary traveled automobile route

11 legislators may be compensated for one (1) round trip home

12 for each regular and special session provided however

13 that legislators are not entitled to more than one (1) round

14 trip home if a special session is held within seven (7) days

15 of a regular session

16 (2) Members are also entitled to forty dollars (\$40)

17 per day seven (7) days a week during a legislative session

18 as reimbursement for expenses incurred in attending the

19 sessions. Expense payments shall stop when the legislature

20 recesses for more than three (3) days and shall resume when

21 the legislature reconvenes

22 (3) While going to attending and returning from

23 legislative standing committee meetings and necessary

24 committee business authorized by the chairman of the

25 legislative council during the legislative interim

1 legislators are entitled to

2 (a) a mileage allowance as provided in section 59-001

3 for each mile of travel

4 (b) forty dollars (\$40) per day expenses and

5 (c) a daily salary as provided in section 43-310

6 R.C.M. 1977

7 (4) Legislators are also entitled to a mileage

8 allowance as provided in section 59-001 for travel to and

9 from their respective pre-session caucus meetings

10 (11) Legislators are entitled to a salary commensurate

11 to that of the daily rate of a grade 8, step 1 classified

12 state employee for those days during which the legislature

13 is in session. The president of the senate and the speaker

14 of the house shall receive an additional \$5 a day in salary

15 for those days during which the legislature is in session

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17 week, during a legislative session, as reimbursement for

18 expenses incurred in attending a session. Expense payments

19 shall stop when the legislature recesses for more than 3

20 days and shall resume when the legislature reconvenes.

21 (3) Legislators are entitled to a mileage allowance as

22 provided in 59-001 for each mile of travel:

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24 return to their place of residence at the conclusion of the

25 session; and

1 (b) for one additional round trip to their place of
2 residence during each session.

3 (4) Legislators are not entitled to any additional
4 mileage allowance under (3)(a) or (3)(b) for a special
5 session if it is convened within 7 days of a regular
6 session."

7 Section 4. Section 43-310.1, R.C.M. 1947, is amended
8 to read as follows:

9 "43-310.1. Salary Compensation and expenses when
10 legislature not in session. ~~Salary compensation paid to~~
11 ~~members of the legislature for performance of their official~~
12 ~~duties when the legislature is not in session shall be~~
13 ~~computed in the same manner as per diem is computed under~~
14 ~~section 59-539.~~ When the legislature is not in session,
15 members of the legislative council, legislative
16 subcommittees, and select and interim committees while
17 engaged in committee business authorized by the legislative
18 council, are entitled to:

19 (1) a mileage allowance as provided in 59-801;

20 (2) expenses as provided in 59-538 and 59-539; and

21 (3) a salary equal to 1/4 the daily rate of a grade 8,
22 step 1 classified state employee, for every 6 hours or
23 fraction thereof spent away from home on committee
24 business."

25 Section 5. Section 43-1112, R.C.M. 1947, is amended to

1 read as follows:

2 "43-1112. ~~Legislative finance committee~~ ~~appointment~~
3 ~~Appointment~~ and term of members ~~officers.~~ (1) The
4 legislative finance committee consists of:

5 ~~(1)(a)~~ four ~~(4)~~ members of the senate finance and
6 claims committee appointed by the chairman;

7 ~~(2)(b)~~ two ~~(2)~~ members of the senate appointed ~~at~~
8 ~~large~~ ~~at-large~~ by the committee on committees;

9 ~~(3)(c)~~ four ~~(4)~~ members of the house of
10 representatives appropriation committee appointed by the
11 chairman; and

12 ~~(4)(d)~~ two ~~(2)~~ members of the house appointed ~~at~~
13 ~~large~~ ~~at-large~~ by the speaker.

14 (2) These members shall be appointed before the end of
15 the ~~first regular~~ each legislative session of the biennium.
16 No more than three ~~(3)~~ members of each house, two ~~(2)~~
17 committee members and one ~~(1)~~ ~~at-large~~ ~~at-large~~ member, may
18 be from the same political party.

19 (3) * If a vacancy occurs on the committee occurring
20 when the legislature is not in session, the remaining
21 members shall be filled by the selection of select a member
22 of the appropriate political party and appropriate
23 committee, as provided in this section, ~~by the remaining~~
24 ~~members of the committee~~ to complete the unexpired term.

25 (4) Appointments are for ~~two~~ ~~(2)~~ years, and a member

1 of the committee shall serve until his term of office as a
2 legislator ends or until his successor is appointed,
3 whichever occurs first.

4 (5) The committee shall elect one of its members as
5 chairman and such other officers as it considers necessary.

6 (6) ~~Members of the committee shall be reimbursed for~~
7 ~~expenses and paid compensation as provided by law for~~
8 ~~interim standing committees~~ are entitled to receive
9 compensation and expenses as provided in 43-310.1."

10 Section 6. Section 69-6510, R.C.M. 1947, is amended to
11 read as follows:

12 "69-6510. Meetings. The council may determine the time
13 and place of its meetings but shall meet at least once each
14 quarter. Each member of the council ~~shall, unless he is a~~
15 ~~full-time salaried officer or employee of this state, be~~
16 ~~paid twenty-five dollars (\$25) for each day in which he is~~
17 ~~actually and necessarily engaged in the performance of~~
18 ~~council duties and shall also be reimbursed for actual and~~
19 ~~necessary expenses incurred while in the performance of~~
20 ~~council duties~~ is entitled to receive compensation and
21 expenses as provided in 43-310.1. Members who are full-time
22 salaried officers or employees of this state may not be
23 compensated for their service as members, but shall be
24 reimbursed for their expenses."

25 Section 7. Section 70-704, R.C.M. 1947, is amended to

1 read as follows:

2 "70-704. Meetings of committee -- expenses of members
3 reimbursed. The committee shall meet at least once each
4 quarter to advise and consult with the consumer counsel.
5 ~~Committee members shall be reimbursed from the appropriation~~
6 ~~to the office of the consumer counsel for their actual and~~
7 ~~necessary expenses incurred and an additional sum equal to a~~
8 ~~legislator's pay while attending such meetings~~ are entitled
9 to receive compensation and expenses as provided in
10 43-310.1."

11 Section 8. Section 79-2305, R.C.M. 1947, is amended to
12 read as follows:

13 "79-2305. Meetings ~~-- compensation.~~ (1) The committee
14 shall meet as often as may be necessary, during and between
15 legislative sessions, to advise and consult with the
16 legislative auditor.

17 (2) ~~Committee members shall be reimbursed from the~~
18 ~~appropriation to the office of the legislative auditor for~~
19 ~~their actual and necessary expenses incurred as a result of~~
20 ~~interim meetings and paid compensation as provided by law~~
21 ~~for interim standing committees~~ are entitled to receive
22 compensation and expenses as provided in 43-310.1."

23 Section 9. Section 82-4203.3, R.C.M. 1947, is amended
24 to read as follows:

25 "82-4203.3. Meetings. The committee shall meet as

1 often as may be necessary, during and between legislative
2 sessions. Committee members ~~shall be reimbursed from the~~
3 ~~appropriation to the legislative council for their actual~~
4 ~~and necessary expenses incurred as a result of interim~~
5 ~~meetings, and paid compensation as provided by law for~~
6 ~~interim standing committees~~ are entitled to receive
7 compensation and expenses as provided in 43-310.1."
8 Section 11. Section 43-311 and 43-714, R.C.M. 1947, are
9 repealed.
10 Section 12. This act is effective on passage and approval.

-End-

1 HOUSE BILL NO. 57
 2 INTRODUCED BY MARKS
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE CONSISTENT THE
 5 STATUTES ON THE COMPENSATION AND EXPENSES PAID TO
 6 LEGISLATORS; AMENDING SECTIONS 43-218, 43-310, 43-310.1,
 7 43-1112, 69-6510, 70-704, 79-2305, AND 82-4203.3; REPEALING
 8 SECTIONS 43-311 AND 43-714; AND PROVIDING AN IMMEDIATE
 9 EFFECTIVE DATE."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 43-218, R.C.M. 1947, is amended to
 13 read as follows:
 14 "43-218. ~~Pre-session~~ Pre-session caucus -- house
 15 ~~appropriation and senate finance and claims committee member~~
 16 ~~--per diem compensation~~ and expenses. (1) As soon after the
 17 official canvass as possible, but not later than December 1
 18 of each year following an election when members of the
 19 legislature are elected, the majority and minority parties
 20 of each house of the legislature shall hold a pre-session
 21 pre-session caucus for holdover senators, senators-elect, and
 22 representatives-elect. The purpose of the caucus of each
 23 party of each house is to elect officers, appoint
 24 committees, and hire any necessary employees.
 25 (2) Members of the legislature attending the

1 pre-session caucus are entitled to receive compensation and
 2 expenses as provided in 43-310.1. ~~Members of the house~~
 3 ~~appropriations committee and the senate finance and claims~~
 4 ~~committee named at the caucus shall begin reviewing requests~~
 5 ~~for appropriations immediately and may visit state agencies~~
 6 ~~and institutions to discuss requests. Members of these~~
 7 ~~committees shall receive a daily salary as provided in~~
 8 ~~section 43-310, R.C.M. 1947, and forty dollars (\$40) per day~~
 9 ~~expenses for each day engaged in committee business. Salary~~
 10 ~~and expenses shall be paid by the department of~~
 11 ~~administration from the appropriation for operation of the~~
 12 ~~preceding legislature."~~
 13 Section 2. There is a new R.C.M. section that reads as
 14 follows:
 15 Pre-session activity of house appropriations and senate
 16 finance and claims committees -- compensation and expenses.
 17 (1) Members of the house appropriations committee and of the
 18 senate finance and claims committee named at the pre-session
 19 caucus may begin reviewing requests for appropriations
 20 immediately and may visit state agencies and institutions to
 21 discuss requests.
 22 (2) While engaged in pre-session committee business,
 23 members of these committees are entitled to receive
 24 compensation and expenses as provided in 43-310.1.
 25 Section 3. Section 43-310, R.C.M. 1947, is amended to

1 read as follows:

2 *43-310. Compensation and mileage ~~expenses~~ for members
3 for regular and special sessions and the interim while in
4 session. ~~(1) Legislators are entitled to a salary~~
5 ~~commensurate to that of grade 8, step 1 classified state~~
6 ~~employee for the fiscal year during a regular or special~~
7 ~~session of the legislature and a mileage allowance as~~
8 ~~provided in section 59-801 for each mile of travel to and~~
9 ~~from their residences and the place of holding the session;~~
10 ~~by the shortest regularly traveled automobile routes~~
11 ~~legislators may be compensated for one (1) round trip home~~
12 ~~for each regular and special session, provided, however,~~
13 ~~that legislators are not entitled to more than one (1) round~~
14 ~~trip home if a special session is held within seven (7) days~~
15 ~~of a regular session.~~

16 ~~(2) Members are also entitled to forty dollars (\$40)~~
17 ~~per day, seven (7) days a week during a legislative session,~~
18 ~~as reimbursement for expenses incurred in attending the~~
19 ~~session. Expense payments shall stop when the legislature~~
20 ~~recesses for more than three (3) days and shall resume when~~
21 ~~the legislature reconvenes.~~

22 ~~(3) While going to, attending, and returning from~~
23 ~~legislative standing committee meetings and necessary~~
24 ~~committee business authorized by the chairman of the~~
25 ~~legislative council during the legislative interim,~~

1 ~~legislators are entitled to:~~

2 ~~(a) a mileage allowance as provided in section 59-801~~
3 ~~for each mile of travel;~~

4 ~~(b) forty dollars (\$40) per day expenses, and~~

5 ~~(c) a daily salary as provided in section 43-310,~~
6 ~~RvEvHv-1947.~~

7 ~~(4) Legislators are also entitled to a mileage~~
8 ~~allowance as provided in section 59-801 for travel to and~~
9 ~~from their respective pre-session caucus meetings.~~

10 (1) Legislators are entitled to a salary commensurate
11 to that of the daily rate of a grade 8, step 1 classified
12 state employee, for those days during which the legislature
13 is in session. The president of the senate and the speaker
14 of the house shall receive an additional \$5 a day in salary
15 for those days during which the legislature is in session.

16 (2) Legislators are entitled to \$40 a day, 7 days a
17 week, during a legislative session, as reimbursement for
18 expenses incurred in attending a session. Expense payments
19 shall stop when the legislature recesses for more than 3
20 days and shall resume when the legislature reconvenes.

21 (3) Legislators are entitled to a mileage allowance as
22 provided in 59-801 for each mile of travel:

23 (a) to the place of the holding of the session and to
24 return to their place of residence at the conclusion of the
25 session; and

1 (b) for one additional round trip to their place of
 2 residence during each session.

3 (4) Legislators are not entitled to any additional
 4 mileage allowance under (3)(a) or (3)(b) for a special
 5 session if it is convened within 7 days of a regular
 6 session."

7 Section 4. Section 43-310.1, R.C.M. 1947, is amended
 8 to read as follows:

9 "43-310.1. Salary Compensation and expenses when
 10 legislature not in session. ~~Salary compensation paid to~~
 11 ~~members of the legislature for performance of their official~~
 12 ~~duties when the legislature is not in session shall be~~
 13 ~~computed in the same manner as per diem is computed under~~
 14 ~~section 59-539. When the legislature is not in session,~~
 15 members of the legislative council, legislative
 16 subcommittees, and select and interim committees, while
 17 engaged in committee business authorized by the legislative
 18 council, are entitled to:

- 19 (1) a mileage allowance as provided in 59-801;
- 20 (2) expenses as provided in 59-538 and 59-539; and
- 21 (3) a salary equal to 1/4 the daily rate of a grade 8,
 22 step 1 classified state employee, for every 6 hours or
 23 fraction thereof spent away from home on committee
 24 business."

25 Section 5. Section 43-1112, R.C.M. 1947, is amended to

1 read as follows:

2 "43-1112. ~~Legislative finance committee~~ ~~appointment~~
 3 ~~Appointment~~ and term of members ~~officers.~~ (1) The

4 legislative finance committee consists of:

5 (1)(a) four (4) members of the senate finance and
 6 claims committee appointed by the chairman;

7 (2)(b) two (2) members of the senate appointed ~~at~~
 8 ~~large~~ at-large by the committee on committees;

9 (3)(c) four (4) members of the house of
 10 representatives appropriation committee appointed by the
 11 chairman; and

12 (4)(d) two (2) members of the house appointed ~~at~~
 13 ~~large~~ at-large by the speaker.

14 (2) These members shall be appointed before the end of
 15 the ~~first regular~~ each legislative session of the biennium.
 16 No more than three (3) members of each house, two (2)
 17 committee members and one (1) ~~at-large~~ at-large member, may
 18 be from the same political party.

19 (3) ~~A~~ If a vacancy occurs on the committee occurring
 20 when the legislature is not in session, the remaining
 21 ~~members~~ shall be filled by the selection of select a member
 22 of the appropriate political party and appropriate
 23 committee, as provided in this section, ~~by the remaining~~
 24 ~~members of the committee~~ to complete the unexpired term.

25 (4) Appointments are for two (2) years, and a member

1 of the committee shall serve until his term of office as a
2 legislator ends or until his successor is appointed,
3 whichever occurs first.

4 (5) The committee shall elect one of its members as
5 chairman and such other officers as it considers necessary.

6 (6) ~~Members of the committee shall be reimbursed for~~
7 ~~expenses and paid compensation as provided by law for~~
8 ~~interim standing committees~~ are entitled to receive
9 compensation and expenses as provided in 43-310.1."

10 Section 6. Section 69-6510, R.C.M. 1947, is amended to
11 read as follows:

12 "69-6510. Meetings. The council may determine the time
13 and place of its meetings but shall meet at least once each
14 quarter. Each member of the council ~~shall, unless he is a~~
15 ~~full-time salaried officer or employee of this state be~~
16 ~~paid twenty-five dollars (\$25) for each day in which he is~~
17 ~~actually and necessarily engaged in the performance of~~
18 ~~council duties and shall also be reimbursed for actual and~~
19 ~~necessary expenses incurred while in the performance of~~
20 ~~council duties~~ is entitled to receive compensation and
21 expenses as provided in 43-310.1. Members who are full-time
22 salaried officers or employees of this state may not be
23 compensated for their service as members, but shall be
24 reimbursed for their expenses."

25 Section 7. Section 70-704, R.C.M. 1947, is amended to

1 read as follows:

2 "70-704. Meetings of committee -- expenses of members
3 reimbursed. The committee shall meet at least once each
4 quarter to advise and consult with the consumer counsel.
5 Committee members ~~shall be reimbursed from the appropriation~~
6 ~~to the office of the consumer counsel for their actual and~~
7 ~~necessary expenses incurred and an additional sum equal to a~~
8 ~~legislator's pay while attending such meetings~~ are entitled
9 to receive compensation and expenses as provided in
10 43-310.1."

11 Section 8. Section 79-2305, R.C.M. 1947, is amended to
12 read as follows:

13 "79-2305. Meetings ~~compensation.~~ (1) The committee
14 shall meet as often as may be necessary during and between
15 legislative sessions, to advise and consult with the
16 legislative auditor.

17 (2) Committee members ~~shall be reimbursed from the~~
18 ~~appropriation to the office of the legislative auditor for~~
19 ~~their actual and necessary expenses incurred as a result of~~
20 ~~interim meetings and paid compensation as provided by law~~
21 ~~for interim standing committees~~ are entitled to receive
22 compensation and expenses as provided in 43-310.1."

23 Section 9. Section 82-4203.3, R.C.M. 1947, is amended
24 to read as follows:

25 "82-4203.3. Meetings. The committee shall meet as

1 often as may be necessary during and between legislative
2 sessions. ~~Committee members shall be reimbursed from the~~
3 ~~appropriation to the legislative council for their actual~~
4 ~~and necessary expenses incurred as a result of interim~~
5 ~~meetings and paid compensation as provided by law for~~
6 ~~interim standing committees~~ are entitled to receive
7 compensation and expenses as provided in 43-310.1."
8 Section 11. Section 43-311 and 43-714, R.C.M. 1947, are
9 repealed.
10 Section 12. This act is effective on passage and approval.

-End-