

SENATE BILL NO. 445

INTRODUCED BY HAZELBAKER

BY REQUEST OF THE SENATE BUSINESS AND  
INDUSTRY COMMITTEE

IN THE SENATE

February 12, 1981	Introduced and referred to Committee on Business and Industry.
February 20, 1981	Committee recommend bill do pass. Report adopted.
February 21, 1981	Bill printed and placed on members' desks.
February 23, 1981	Second reading, do pass.
February 24, 1981	Correctly engrossed.
February 25, 1981	Third reading, passed. Ayes, 49; Noes, 1. Transmitted to House.

IN THE HOUSE

March 3, 1981	Introduced and referred to Committee on Business and Industry.
March 13, 1981	Committee recommend bill be concurred in. Report adopted.
March 21, 1981	Second reading, concurred in.
March 24, 1981	Third reading, concurred in. Ayes, 98; Noes, 0.

IN THE SENATE

March 25, 1981	Returned from House. Concurred in. Sent to enrolling.  Reported correctly enrolled.
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1 *Senate* BILL NO. *445*  
 2 INTRODUCED BY *Joseph*  
 3 BY REQUEST OF THE SENATE BUSINESS AND  
 4 INDUSTRY COMMITTEE

5  
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE  
 7 AUTHORITY OF A RURAL ELECTRIC OR TELEPHONE COOPERATIVE TO  
 8 PROVIDE IN ITS BYLAWS FOR THE ESTABLISHMENT OF AN AMOUNT OF  
 9 COMPENSATION TO BE PAID TO ITS DIRECTORS WHILE ENGAGED IN  
 10 OFFICIAL BUSINESS OF THE COOPERATIVE; AMENDING SECTION  
 11 35-18-311, MCA."

12  
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 35-18-311, MCA, is amended to read:  
 15 "35-18-311. Board of trustees -- number --  
 16 qualifications -- removal -- compensation -- husband and  
 17 wife. (1) The business and affairs of a cooperative shall be  
 18 managed by a board of not less than five trustees, each of  
 19 whom shall be a member of the cooperative or of another  
 20 cooperative which shall be a member thereof. The bylaws  
 21 shall prescribe the number of trustees, their  
 22 qualifications, other than those provided for in this  
 23 chapter, the manner of holding meetings of the board of  
 24 trustees and of the election of successors to trustees who  
 25 shall resign, die, or otherwise be incapable of acting. The

1 bylaws may also provide for the removal of trustees from  
 2 office and for the election of their successors.

3 (2) Without approval of the membership, trustees shall  
 4 not receive any salaries for their services as trustees and,  
 5 except in emergencies, shall not be employed by the  
 6 cooperative in any capacity involving compensation. The  
 7 bylaws may, however, provide that ~~a fixed fee and expenses~~  
 8 ~~of attendance, if any, may be allowed for attendance at each~~  
 9 ~~meeting of the board of trustees~~ may establish a fixed sum,  
 10 including expenses of attendance, if any, to be allowed for:

11 (a) attendance at each meeting of the board of  
 12 trustees or any committee thereof; or

13 (b) representing the cooperative at any meeting or on  
 14 any business whenever such representation has been approved  
 15 by the board.

16 (3) If a husband and wife hold joint membership in a  
 17 cooperative, either one but not both may be elected a  
 18 trustee."

-End-

-2- INTRODUCED BILL  
 SB 445

Approved by Committee  
on Business and Industry

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2 INTRODUCED BY *Joy/Blake*  
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