

1 HOUSE BILL NO. 305

2 INTRODUCED BY T. WINTER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF STATE DUTY FOR SPECIAL
5 WORK BY MONTANA NATIONAL GUARD PERSONNEL; CLARIFYING THAT THE DUTY MUST BE
6 STATE-FUNDED AND FOR ACTIVITIES WITHIN THE SCOPE OF DUTIES OF THE DEPARTMENT OF
7 MILITARY AFFAIRS BUT NOT FOR DECLARED STATE EMERGENCIES; AMENDING SECTION 10-1-505,
8 MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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12 **Section 1.** Section 10-1-505, MCA, is amended to read:

13 **"10-1-505. State duty for special work -- definition.** (1) To fulfill the department's duties under
14 10-1-102, the adjutant general as the department head under 2-15-1201 may use national guard resources and
15 place Montana national guard personnel on state duty for special work.

16 (2) For purposes of this section, "state duty for special work" means any state-funded activity, ~~such as~~
17 ~~administrative functions, exercises, training, coordination, or planning, that is conducted for the purposes of~~
18 ~~preparing the Montana national guard for active duty ordered by the governor under Article VI, section 13, of the~~
19 ~~Montana constitution performed by Montana national guard personnel within the scope of the department's duties.~~
20 State duty for special work does not include active duty ordered by the governor under Article VI, section 13, of
21 the Montana constitution."

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23 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2019.

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