

HOUSE BILL NO. 196

INTRODUCED BY KILPATRICK, WHALEN, DAVIS, LARSON,
SOUTHWORTH, KIMBERLEY, STICKNEY, RUSSELL

IN THE HOUSE

JANUARY 15, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & ECONOMIC DEVELOPMENT.

JANUARY 16, 1991 FIRST READING.

MARCH 27, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

 PRINTING REPORT.

APRIL 1, 1991 SECOND READING, DO PASS.

APRIL 2, 1991 ENGROSSING REPORT.

APRIL 3, 1991 THIRD READING, PASSED.
AYES, 67; NOES, 31.

 TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & INDUSTRY.

 FIRST READING.

APRIL 10, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 15, 1991 SECOND READING, CONCURRED IN AS
AMENDED.

APRIL 16, 1991 THIRD READING, CONCURRED IN.
AYES, 31; NOES, 18.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 18, 1991 RECEIVED FROM SENATE.

 SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 19, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 196
 2 INTRODUCED BY Alvin Whalen
 3 Donna Lahan Antonia Kimbelle Theresa
 4 Russell
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE
 6 MONTANA VALUE-ADDED COMMISSION; AND PROVIDING AN IMMEDIATE
 7 EFFECTIVE DATE."

8 WHEREAS, experts in economic development have emphasized
 9 that the State of Montana adds little value to the state's
 10 basic commodities before exportation; and

11 WHEREAS, adding value to products in Montana can create
 12 new jobs and increase profits.

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

15 NEW SECTION. Section 1. Montana value-added commission
 16 -- composition -- duties -- terms -- meetings -- reports.
 17 (1) There is a Montana value-added commission within the
 18 department of commerce.

19 (2) The commission consists of 10 members, including:

20 (a) nine members appointed from the following
 21 industries:

- 22 (i) wood products;
 23 (ii) oil and gas;
 24 (iii) coal mining;
 25 (iv) metal and nonfuel mineral mining;

- 1 (v) livestock, including cattle and sheep;
 2 (vi) grain producers;
 3 (vii) manufacturing;
 4 (viii) high technology; and
 5 (ix) tourism; and
 6 (b) one member appointed from the university research
 7 and development programs within the university system.
 8 (c) The director of the department of commerce shall
 9 request industry trade associations to nominate persons for
 10 appointment under subsection (2)(a). A trade association
 11 executive may be nominated and appointed and may serve on
 12 the commission.
 13 (d) The appointee under subsection (2)(b) must be
 14 selected from among candidates nominated by the presidents
 15 of the university system units.
 16 (e) After consultation with the president of the
 17 senate, the speaker of the house of representatives, and the
 18 leaders of the minority parties in the senate and the house
 19 of representatives, the director of the department of
 20 commerce shall appoint the members provided for in
 21 subsections (2)(a) and (2)(b) from the nominations presented
 22 under subsections (2)(c) and (2)(d). The members shall serve
 23 terms of 2 years. A vacancy on the commission must be filled
 24 in the same manner as the original appointment.
 25 (3) The commission shall develop a strategy to add

1 value, before exportation, to the state's basic commodities,
2 including coal, metal and nonfuel minerals, oil and gas,
3 timber, agriculture, tourism and travel, water, and
4 wildlife, in an effort to create new jobs and increase
5 profits.

6 (4) The commission members are entitled to compensation
7 and reimbursement in the same manner and amount as provided
8 in 37-1-133.

9 (5) The commission shall meet once every 3 months, or
10 more frequently as the members determine, at the office of
11 the department in Helena or elsewhere in Montana, as the
12 members determine.

13 (6) The commission shall report to the director of the
14 department of commerce when it develops a strategy, as
15 provided in subsection (3), but no less frequently than each
16 December 31.

17 NEW SECTION. **Section 2.** Codification instruction.

18 [Section 1] is intended to be codified as an integral part
19 of Title 2, chapter 15, part 18, and the provisions of Title
20 2, chapter 15, part 18, apply to [section 1].

21 NEW SECTION. **Section 3.** Effective date. [This act] is
22 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0196, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to establish the Montana Value-Added Commission and provide an immediate effective date.

ASSUMPTIONS:


1. The commission must meet at least once every three months or approximately six meetings per year.
2. The commission will need approximately one day to conduct its business. Commission members will be compensated for per diem and travel. Each meeting will cost approximately \$1,040.
3. The commission will use contracted services for transcribing the minutes of meeting, feasibility research, and publication of annual reports.

FISCAL IMPACT:Dept. of Commerce:

| | FY 92 | | | FY 93 | | |
|----------------------|--------------------|---------------------|-------------------|--------------------|---------------------|-------------------|
| | <u>Current Law</u> | <u>Proposed Law</u> | <u>Difference</u> | <u>Current Law</u> | <u>Proposed Law</u> | <u>Difference</u> |
| <u>Expenditures:</u> | | | | | | |
| Operating Costs | 0 | 21,472 | 21,472 | 0 | 21,472 | 21,472 |
| <u>Funding:</u> | | | | | | |
| General Fund | 0 | 21,472 | 21,472 | 0 | 21,472 | 21,472 |

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The commission will develop a strategy to add value, before exportation, to the state's basic commodities in an effort to create new jobs and increase profits.


 ROD SUNDSTED, BUDGET DIRECTOR
 Office of Budget and Program Planning
 1-21-91
 DATE


 TOM KILPATRICK, PRIMARY SPONSOR
 1/21/91
 DATE

Fiscal Note for HB0196, as introduced.

HB 196

APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 196

INTRODUCED BY KILPATRICK, WHALEN, DAVIS, LARSON, SOUTHWORTH, KIMBERLEY, STICKNEY, RUSSELL

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE MONTANA LEGISLATIVE VALUE-ADDED COMMISSION; TO EMPOWER THE COMMISSION TO STUDY THE POTENTIAL FOR ADDING VALUE TO MONTANA PRODUCTS; TO REQUIRE A REPORT TO THE 53RD LEGISLATURE; TO PROVIDE AN APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE CONTINGENT ON PRIVATE CONTRIBUTIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE DATES AND A TERMINATION DATE."

WHEREAS, experts in economic development have emphasized that the State of Montana adds little value to the state's basic commodities before exportation; and

WHEREAS, adding value to products in Montana can create new jobs and increase profits.

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

NEW SECTION. SECTION 1. DEFINITION. AS USED IN [SECTIONS 1 THROUGH 3], UNLESS THE CONTEXT CLEARLY REQUIRES OTHERWISE, "COMMISSION" MEANS THE MONTANA LEGISLATIVE VALUE-ADDED COMMISSION ESTABLISHED IN [SECTION 2].

NEW SECTION. Section 2. Montana LEGISLATIVE

value-added commission -- composition -- duties -- terms -- meetings -- reports. (1) There is a Montana LEGISLATIVE value-added commission within-the-department-of-commerce.

(2) The commission consists of ±0 15 members, including:

(a) nine--members-appointed ONE MEMBER from EACH OF the following industries:

- (i) wood products;
(ii) oil and gas;
(iii) coal mining;
(iv) metal and nonfuel mineral mining;
(v) livestock, including cattle and sheep; AND
(vi) grain producers;
(vii)-manufacturing;
(viii)-high-technology;-and
(ix)-tourism;-and

(b) one member appointed FROM THE GOVERNOR'S NOMINEES from the university research and development programs within the university system;

(c) The-director-of ONE MEMBER SPECIALIZING IN ECONOMIC DEVELOPMENT FROM the department of commerce shall-request industry--trade--associations--to--nominate--persons--for appointment--under--subsection--(2)(a)--A-trade-association executive-may-be-nominated-and-appointed-and--may--serve--on the-commission- NOMINATED BY THE GOVERNOR;



1 (d) The appointee under subsection (2)(b) must be
 2 selected from among candidates nominated by the presidents
 3 of the university system units.

4 (e) After consultation with the president of the
 5 senate, the speaker of the house of representatives, and the
 6 leaders of the minority parties in the senate and the house
 7 of representatives, the director of the department of
 8 commerce shall appoint the members provided for in
 9 subsections (2)(a) and (2)(b) from the nominations presented
 10 under subsections (2)(c) and (2)(d). The members shall serve
 11 terms of 2 years. A vacancy on the commission must be filled
 12 in the same manner as the original appointment.

13 (3) The commission shall develop a strategy to add
 14 value, before exportation, to the state's basic commodities,
 15 including coal, metal and nonfuel minerals, oil and gas,
 16 timber, agriculture, tourism and travel, water, and
 17 wildlife, in an effort to create new jobs and increase
 18 profits.

19 (4) The commission members are entitled to compensation
 20 and reimbursement in the same manner and amount as provided
 21 in 37-1-133.

22 (5) The commission shall meet once every 3 months, or
 23 more frequently as the members determine, at the office of
 24 the department in Helena or elsewhere in Montana, as the
 25 members determine.

1 (6) The commission shall report to the director of the
 2 department of commerce when it develops a strategy, as
 3 provided in subsection (3), but no less frequently than each
 4 December 31.

5 NEW SECTION. Section 2. Codification instruction.
 6 {Section 1} is intended to be codified as an integral part
 7 of Title 2, chapter 15, part 18, and the provisions of Title
 8 2, chapter 15, part 18, apply to {section 1}.

9 (D) TWO MEMBERS REPRESENTING AND NOMINATED BY STATEWIDE
 10 LABOR ORGANIZATIONS AS DEFINED IN 49-2-101;

11 (E) ONE MEMBER REPRESENTING AND NOMINATED BY STATEWIDE
 12 ENVIRONMENTAL ORGANIZATIONS; AND

13 (F) FOUR MEMBERS OF THE LEGISLATURE, INCLUDING:

14 (I) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES,
 15 INCLUDING ONE MEMBER OF EACH PARTY, APPOINTED BY THE SPEAKER
 16 OF THE HOUSE; AND

17 (II) TWO MEMBERS OF THE SENATE, INCLUDING ONE MEMBER OF
 18 EACH PARTY, APPOINTED BY THE PRESIDENT OF THE SENATE.

19 (3) THE SPEAKER OF THE HOUSE, THE PRESIDENT OF THE
 20 SENATE, THE MINORITY LEADER OF THE HOUSE, AND THE MINORITY
 21 LEADER OF THE SENATE SHALL JOINTLY APPOINT THE MEMBERS OF
 22 THE COMMISSION PROVIDED FOR IN SUBSECTIONS (2)(A) THROUGH
 23 (2)(E).

24 (4) THE COMMISSION SHALL IDENTIFY AND STUDY PRINCIPAL
 25 VALUE-ADDED OPPORTUNITIES IN THE INDUSTRIES IDENTIFIED IN

1 SUBSECTION (2)(A) AND SHALL DEVELOP A STRATEGY FOR
 2 ENCOURAGING THE DEVELOPMENT OF NEW AND EXPANDING INDUSTRIES.

3 (5) MEMBERS OF THE COMMISSION SHALL SELECT A CHAIRMAN
 4 AND A VICE CHAIRMAN FROM THEIR MEMBERSHIP. THE COMMISSION
 5 SHALL MEET AT THE CALL OF THE CHAIRMAN OR AS A MAJORITY OF
 6 THE MEMBERS DETERMINE.

7 (6) A VACANCY ON THE COMMISSION MUST BE FILLED IN THE
 8 SAME MANNER AS THE ORIGINAL APPOINTMENT.

9 (7) THE COMMISSION SHALL SUBMIT IN WRITING TO THE 53RD
 10 LEGISLATURE A FINAL REPORT WITH RECOMMENDATIONS AND ANY
 11 PROPOSED LEGISLATION NECESSARY TO IMPLEMENT THE
 12 RECOMMENDATIONS.

13 (8) THE MEMBERS OF THE COMMISSION ARE ENTITLED TO
 14 COMPENSATION AND REIMBURSEMENT IN THE MANNER AND AMOUNT
 15 PROVIDED IN 5-2-302.

16 NEW SECTION. SECTION 3. STAFF ASSISTANCE -- COMMISSION
 17 SUPPORT. (1) THE LEGISLATIVE COUNCIL SHALL PROVIDE STAFF
 18 ASSISTANCE TO THE COMMISSION.

19 (2) THE OFFICE OF THE GOVERNOR, THE DEPARTMENT OF
 20 ADMINISTRATION, THE DEPARTMENT OF COMMERCE, THE DEPARTMENT
 21 OF HIGHWAYS, THE DEPARTMENT OF REVENUE, THE PUBLIC SERVICE
 22 COMMISSION, THE MONTANA UNIVERSITY SYSTEM, AND ANY OTHER
 23 AGENCY CONCERNED WITH ECONOMIC RESEARCH AND ECONOMIC
 24 DEVELOPMENT SHALL ASSIST AND COOPERATE WITH THE COMMISSION
 25 AS MAY BE REQUIRED FOR THE COMMISSION TO CARRY OUT ITS

1 DUTIES.

2 (3) THE COMMISSION MAY CONTRACT FOR SERVICES NECESSARY
 3 TO COMPLETE ITS DUTIES UNDER [SECTION 2] WITHIN THE LIMITS
 4 OF THE APPROPRIATION AND THE EXPENDITURE AUTHORITY PROVIDED
 5 IN [SECTION 4].

6 NEW SECTION. SECTION 4. APPROPRIATION -- EXPENDITURE
 7 AUTHORITY CONTINGENT ON PRIVATE CONTRIBUTIONS -- REFUND OF
 8 UNEXPENDED CONTRIBUTIONS. (1) THERE IS APPROPRIATED TO THE
 9 LEGISLATIVE COUNCIL FROM THE GENERAL FUND \$10,000 TO BE
 10 EXPENDED AS PROVIDED IN SUBSECTIONS (2) AND (3) TO SUPPORT
 11 THE ACTIVITIES OF THE MONTANA LEGISLATIVE VALUE-ADDED
 12 COMMISSION DURING THE BIENNIUM ENDING JUNE 30, 1993.

13 (2) THE LEGISLATIVE COUNCIL MAY DISBURSE THE MONEY
 14 APPROPRIATED IN SUBSECTION (1) ONLY IF THERE IS DEPOSITED IN
 15 AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND TO THE CREDIT
 16 OF THE COMMISSION BEFORE JULY 1, 1991:

17 (A) MATCHING CONTRIBUTIONS OF \$10,000 PROVIDED BY EACH
 18 OF THE PRIVATE SOURCES IDENTIFIED IN [SUBSECTIONS (2)(A),
 19 (2)(D), AND (2)(E) OF SECTION 2]; AND

20 (B) CUMULATIVE PRIVATE CONTRIBUTIONS TOTALING FIVE
 21 TIMES THE GENERAL FUND APPROPRIATION IN SUBSECTION (1).

22 (3) MONEY FROM THE GENERAL FUND APPROPRIATION IN
 23 SUBSECTION (1) MAY BE EXPENDED ONLY IF ACCOMPANIED BY AN
 24 EXPENDITURE FOR THE SAME PURPOSE FIVE TIMES AS LARGE FROM
 25 THE ACCOUNT ESTABLISHED IN SUBSECTION (2).

1 {4} AN UNEXPENDED AND UNOBLIGATED BALANCE ON JULY 1,
2 1993, IN THE ACCOUNT ESTABLISHED IN SUBSECTION (2) MUST BE
3 REFUNDED TO THE CONTRIBUTORS OF RECORD IN AMOUNTS IN DIRECT
4 PROPORTION TO THE AMOUNTS CONTRIBUTED BY EACH.

5 NEW SECTION. SECTION 5. COORDINATION INSTRUCTION. IF
6 SENATE BILL NO. 164 IS PASSED AND APPROVED AND IF IT
7 CONTAINS PROVISIONS INCLUDING THE DEPARTMENT OF HIGHWAYS
8 WITHIN A DEPARTMENT OF TRANSPORTATION, THE CODE COMMISSIONER
9 IS INSTRUCTED TO CHANGE "DEPARTMENT OF HIGHWAYS" IN [SECTION
10 3] TO "DEPARTMENT OF TRANSPORTATION".

11 NEW SECTION. Section 6. Effective ~~date~~ DATES --
12 TERMINATION. ~~{this act}~~ is (1) [SECTIONS 1 THROUGH 3, 5, AND
13 THIS SECTION] ARE effective on passage and approval.

14 {2} [SECTION 4] IS EFFECTIVE JULY 1, 1991.

15 {3} EXCEPT FOR THE PROVISIONS OF [SECTION 4(4)], [THIS
16 ACT] TERMINATES JULY 1, 1993.

-End-

1 HOUSE BILL NO. 196

2 INTRODUCED BY KILPATRICK, WHALEN, DAVIS, LARSON,
3 SOUTHWORTH, KIMBERLEY, STICKNEY, RUSSELL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE
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10 FOR EXPENDITURE CONTINGENT ON PRIVATE CONTRIBUTIONS; AND
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15 that the State of Montana adds little value to the state's
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1 value-added commission -- composition -- duties -- terms --
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3 value-added commission within-the-department-of-commerce.

4 (2) The commission consists of ~~10~~ 15 members,
5 including:

6 (a) ~~nine--members--appointed~~ ONE MEMBER from EACH OF the
7 following industries:

8 (i) wood products;

9 (ii) oil and gas;

10 (iii) coal mining;

11 (iv) metal and nonfuel mineral mining;

12 (v) livestock, including cattle and sheep; AND

13 (vi) grain producers;

14 ~~(vii)--manufacturing;~~

15 ~~(viii)--high-technology;--and~~

16 ~~(ix)--tourism;--and~~

17 (b) one member appointed FROM THE GOVERNOR'S NOMINEES
18 from the university research and development programs within
19 the university system;

20 (c) ~~The director of~~ ONE MEMBER SPECIALIZING IN ECONOMIC
21 DEVELOPMENT FROM the department of commerce shall request
22 industry--trade--associations--to--nominate--persons--for
23 appointment--under--subsection--(2)(a)--A trade association
24 executive may be nominated and appointed and may serve on
25 the commission; NOMINATED BY THE GOVERNOR;

{d}--The appointee under subsection (2)(b) must be selected from among candidates nominated by the presidents of the university system units.

{e}--After consultation with the president of the senate, the speaker of the house of representatives, and the leaders of the minority parties in the senate and the house of representatives, the director of the department of commerce shall appoint the members provided for in subsections (2)(a) and (2)(b) from the nominations presented under subsections (2)(c) and (2)(d). The members shall serve terms of 2 years. A vacancy on the commission must be filled in the same manner as the original appointment.

{3}--The commission shall develop a strategy to add value, before exportation, to the state's basic commodities, including coal, metal and nonfuel minerals, oil and gas, timber, agriculture, tourism and travel, water, and wildlife, in an effort to create new jobs and increase profits.

{4}--The commission members are entitled to compensation and reimbursement in the same manner and amount as provided in 37-1-133.

{5}--The commission shall meet once every 3 months, or more frequently as the members determine, at the office of the department in Helena or elsewhere in Montana, as the members determine.

{6}--The commission shall report to the director of the department of commerce when it develops a strategy, as provided in subsection (3), but no less frequently than each December 31.

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{Section 1} is intended to be codified as an integral part of Title 2, chapter 15, part 18, and the provisions of Title 2, chapter 15, part 18, apply to {section 1}.

(D) TWO MEMBERS REPRESENTING AND NOMINATED BY STATEWIDE LABOR ORGANIZATIONS AS DEFINED IN 49-2-101;

(E) ONE MEMBER REPRESENTING AND NOMINATED BY STATEWIDE ENVIRONMENTAL ORGANIZATIONS; AND

(F) FOUR MEMBERS OF THE LEGISLATURE, INCLUDING:

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(3) THE SPEAKER OF THE HOUSE, THE PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE HOUSE, AND THE MINORITY LEADER OF THE SENATE SHALL JOINTLY APPOINT THE MEMBERS OF THE COMMISSION PROVIDED FOR IN SUBSECTIONS (2)(A) THROUGH (2)(E).

(4) THE COMMISSION SHALL IDENTIFY AND STUDY PRINCIPAL VALUE-ADDED OPPORTUNITIES IN THE INDUSTRIES IDENTIFIED IN

1 SUBSECTION (2)(A) AND SHALL DEVELOP A STRATEGY FOR
 2 ENCOURAGING THE DEVELOPMENT OF NEW AND EXPANDING INDUSTRIES.

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 22 COMMISSION, THE MONTANA UNIVERSITY SYSTEM, AND ANY OTHER
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 16 OF THE COMMISSION BEFORE JULY 1, 1991:

17 (A) MATCHING CONTRIBUTIONS OF \$10,000 PROVIDED BY EACH
 18 OF THE PRIVATE SOURCES IDENTIFIED IN [SUBSECTIONS (2)(A),
 19 (2)(D), AND (2)(E) OF SECTION 2]; AND

20 (B) CUMULATIVE PRIVATE CONTRIBUTIONS TOTALING FIVE
 21 TIMES THE GENERAL FUND APPROPRIATION IN SUBSECTION (1).

22 (3) MONEY FROM THE GENERAL FUND APPROPRIATION IN
 23 SUBSECTION (1) MAY BE EXPENDED ONLY IF ACCOMPANIED BY AN
 24 EXPENDITURE FOR THE SAME PURPOSE FIVE TIMES AS LARGE FROM
 25 THE ACCOUNT ESTABLISHED IN SUBSECTION (2).

1 (4) AN UNEXPENDED AND UNOBLIGATED BALANCE ON JULY 1,
2 1993, IN THE ACCOUNT ESTABLISHED IN SUBSECTION (2) MUST BE
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5 NEW SECTION. SECTION 5. COORDINATION INSTRUCTION. IF
6 SENATE BILL NO. 164 IS PASSED AND APPROVED AND IF IT
7 CONTAINS PROVISIONS INCLUDING THE DEPARTMENT OF HIGHWAYS
8 WITHIN A DEPARTMENT OF TRANSPORTATION, THE CODE COMMISSIONER
9 IS INSTRUCTED TO CHANGE "DEPARTMENT OF HIGHWAYS" IN [SECTION
10 3] TO "DEPARTMENT OF TRANSPORTATION".

11 NEW SECTION. Section 6. Effective -date DATES --
12 TERMINATION. {This-act}-is (1) [SECTIONS 1 THROUGH 3, 5, AND
13 THIS SECTION] ARE effective on passage and approval.

14 (2) [SECTION 4] IS EFFECTIVE JULY 1, 1991.

15 (3) EXCEPT FOR THE PROVISIONS OF [SECTION 4(4)], [THIS
16 ACT] TERMINATES JULY 1, 1993.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 4
April 10, 1991

Page 2 of 4
April 10, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 196 (third reading copy -- blue), respectfully report that House Bill No. 196 be amended and as so amended be concurred in:

1. Title, line 6.

Following: "LEGISLATIVE"
Insert: "ECONOMIC DEVELOPMENT AND"
Following: "VALUE-ADDED"
Insert: "PLANNING"

2. Title, lines 7 and 8.

Strike: "STUDY" on line 7 through "REPORT" on line 8
Insert: "CREATE AN ECONOMIC DEVELOPMENT AND VALUE-ADDING PLAN FOR SUBMISSION"

3. Title, line 11.

Strike: "IMMEDIATE"

4. Page 1, line 18.

Following: "profits"
Insert: "; and

WHEREAS, Montana is in economic difficulty and needs to create economic growth; and

WHEREAS, the existence of a formal state economic development plan is essential to creating economic growth; and

WHEREAS, the plan, in order to be valid, must reflect a consensus of the main economic groupings of the private sector, legislative branch, executive branch, and economic development professionals"

5. Page 1, line 23.

Following: "LEGISLATIVE"
Insert: "economic development and"

6. Page 1, line 24.

Following: "VALUE-ADDED"
Insert: "planning"

7. Page 1, line 25.

Following: "LEGISLATIVE"
Insert: "economic development and"

8. Page 2, line 1.

Following: "value-added"
Insert: "planning"

9. Page 2, line 2.

Following: "LEGISLATIVE"
Insert: "economic development and"

10. Page 2, line 3.

Following: "value-added"
Insert: "planning"

11. Page 2, line 4.

Strike: "15"
Insert: "22"

12. Page 2, lines 6 and 7.

Strike: "ONE" on line 6 through "industries" on line 7
Insert: "three members representing business interests and nominated by statewide organizations of value-adding industries, including"

13. Page 2.

Following: line 16

Insert: "(b) three members nominated by statewide labor organizations representing workers in the construction, retail, industrial, public, and service sectors;

(c) three members of organized conservation groups nominated by statewide organizations representing water, air, land, agricultural conservation, and other environmental concerns;

(d) three resident members of the Indian tribes of this state nominated by the governing bodies of the tribes;"

Re-number: subsequent subsections

14. Page 4, lines 9 through 12..

Strike: "{D}" on line 9 through "ORGANIZATIONS" on line 12

Insert: "(g) one member from the governor's nominees from the tourism industry;

(h) two members who are full-time economic development professionals nominated by local economic development corporations;

(i) one member representing businesses with less than 10 employees nominated by the governor;"

Re-number: subsequent subsection

15. Page 4, line 19.

Strike: "L"
Insert: "and"

16. Page 4, lines 20 and 21.

Following: "SENATE" on line 20

Strike: remainder of line 20 through "SENATE" on line 21

17. Page 4, line 23.

Strike: "{2}{E}"

Insert: "{2}{ }" after consultation with the minority leaders of the house and the senate"

18. Page 4, line 24 through Page 5, line 2.

Strike: "THE" on line 24 through "INDUSTRIES" on line 2

Insert: "The commission shall develop a consensus of the various groups represented on the commission in regard to the development and preparation of a state economic development and value-adding plan. The plan must:

(a) be consistent with the strategic plans and economic development plans of the cities, towns, counties, and regions of the state;

(b) address all segments of Montana's basic sector economy including but not limited to manufacturing, tourism, research and development, technology-based business, communications, transportation, distribution, warehousing, and natural resource-based value-adding;

(c) address all sources of economic development capital;

(d) consider the needs of businesses and workers in regard to education, job training, vocational training, and apprenticeships;

(e) address the state's economic infrastructure strengths and deficiencies; and

(f) recommend revision of laws or changes in policy to overcome obstacles to economic development as identified by the commission"

19. Page 6, line 9.

Strike: "\$10,000"

Insert: "\$25,000"

20. Page 6, line 11.

Following: "LEGISLATIVE"

Insert: "economic development and"

Following: "VALUE-ADDED"

Insert: "planning"

21. Page 6, line 16.

Strike: "i"

Insert: ","

22. Page 6, line 17.

Strike: "(A)"

Strike: "\$10,000"

Insert: "\$25,000"

23. Page 6, line 18.

Strike: "PRIVATE"

Following: "(A)"

Strike: "i"

Insert: "through"

24. Page 6, line 19.

Strike: ", AND (2)(E)"

Strike: ";AND"

Insert: "."

25. Page 6, lines 20 and 21.

Strike: subsection (b) in its entirety

26. Page 6, line 24.

Strike: "FIVE"

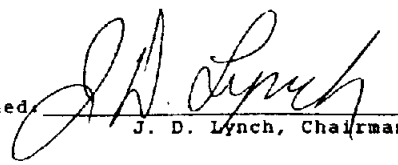
Insert: "three"

27. Page 6.

Following: line 25

Insert: "(4) The department of commerce shall deposit any economic development planning funds received from the federal government, including the U.S. economic development administration, after April 1, 1991, into the special revenue account established in subsection (2)."

Renumber: subsequent subsection

Signed: 
J. D. Lynch, Chairman

4-10-91
and. Coord.

SB 4/10
Sec. of Senate

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 15, 1991 11:12 am

Mr. Chairman: I move to amend House Bill No. 196 (third reading copy -- blue) as follows:

April 15, 1991
Page 2 of 2

1. Page 2, line 17.
Strike: "FROM THE GOVERNOR'S NOMINEES"
Insert: "appointed by the governor"
2. Page 2, line 25.
Strike: "NOMINATED"
Insert: "appointed"
3. Page 5, lines 17 and 18.
Strike: "LEGISLATIVE COUNCIL" on line 17.
Insert: "department of commerce"
Strike: "1" on line 18
Insert: ", and the staff shall operate under the direction of the commission."
4. Page 6, line 5.
Insert: "(4) The department of commerce is directed to apply for economic development planning funds available from the federal government, including the U.S. economic development administration. Planning projects funded from the applications must be designed and carried out under the direction of the commission and in coordination with the commission's other planning activities."
5. Page 6, line 9.
Strike: "LEGISLATIVE COUNCIL"
Insert: "department of commerce"
6. Page 6, line 13.
Strike: "LEGISLATIVE COUNCIL"
Insert: "department"
7. Page 6, line 16.
Following: "BEFORE"
Strike: "JULY 1, 1991"
Insert: "October 1, 1991"

8. Amend amendment No. 14 (g)
Strike: "from the governor's nominees"
Insert: "appointed by the governor"

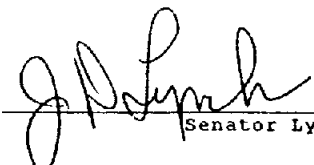
9. Amend amendment No. 14 (i)
Strike: "nominated"
Insert: "appointed"

10. Amend amendment No. 17
Following: "(2)(j)"
Insert: ", who are not appointed by the governor,"

11. Strike Amendment No. 27 in its entirety.

ADOPT

REJECT

Signed: 

Senator Lynch

and furthermore, amend the Business and Industry Committee amendments dated April 10, 1991 as follows:

JAL 4-15-91
Ad. Coord.
SB 4/15
Sec. of Senate

801111CW.Sji

SENATE
HB 196

1 HOUSE BILL NO. 196

2 INTRODUCED BY KILPATRICK, WHALEN, DAVIS, LARSON,
3 SOUTHWORTH, KIMBERLEY, STICKNEY, RUSSELL
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE
6 MONTANA LEGISLATIVE ECONOMIC DEVELOPMENT AND VALUE-ADDED
7 PLANNING COMMISSION; TO EMPOWER THE COMMISSION TO STUDY--THE
8 POTENTIAL-FOR-ADDING-VALUE-TO-MONTANA-PRODUCTS;-TO-REQUIRE-A
9 REPORT CREATE AN ECONOMIC DEVELOPMENT AND VALUE-ADDING PLAN
10 FOR SUBMISSION TO THE 53RD LEGISLATURE; TO PROVIDE AN
11 APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE CONTINGENT
12 ON PRIVATE CONTRIBUTIONS; AND PROVIDING AN IMMEDIATE
13 EFFECTIVE DATE DATES AND A TERMINATION DATE."
14

15 WHEREAS, experts in economic development have emphasized
16 that the State of Montana adds little value to the state's
17 basic commodities before exportation; and

18 WHEREAS, adding value to products in Montana can create
19 new jobs and increase profits; AND

20 WHEREAS, MONTANA IS IN ECONOMIC DIFFICULTY AND NEEDS TO
21 CREATE ECONOMIC GROWTH; AND

22 WHEREAS, THE EXISTENCE OF A FORMAL STATE ECONOMIC
23 DEVELOPMENT PLAN IS ESSENTIAL TO CREATING ECONOMIC GROWTH;

24 AND

25 WHEREAS, THE PLAN, IN ORDER TO BE VALID, MUST REFLECT A

1 CONSENSUS OF THE MAIN ECONOMIC GROUPINGS OF THE PRIVATE
2 SECTOR, LEGISLATIVE BRANCH, EXECUTIVE BRANCH, AND ECONOMIC
3 DEVELOPMENT PROFESSIONALS.
4

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

6 NEW SECTION. SECTION 1. DEFINITION. AS USED IN
7 [SECTIONS 1 THROUGH 3], UNLESS THE CONTEXT CLEARLY REQUIRES
8 OTHERWISE, "COMMISSION" MEANS THE MONTANA LEGISLATIVE
9 ECONOMIC DEVELOPMENT AND VALUE-ADDED PLANNING COMMISSION
10 ESTABLISHED IN [SECTION 2].

11 NEW SECTION. Section 2. Montana LEGISLATIVE ECONOMIC
12 DEVELOPMENT AND value-added PLANNING commission --
13 composition -- duties -- terms -- meetings -- reports. (1)
14 There is a Montana LEGISLATIVE ECONOMIC DEVELOPMENT AND
15 value-added PLANNING commission within--the--department--of
16 commerce.

17 (2) The commission consists of 18 15 22 members,
18 including:

19 (a) nine--members-appointed ONE-MEMBER from EACH-OF the
20 following-industries THREE MEMBERS REPRESENTING BUSINESS
21 INTERESTS AND NOMINATED BY STATEWIDE ORGANIZATIONS OF
22 VALUE-ADDING INDUSTRIES, INCLUDING:

23 (i) wood products;

24 (ii) oil and gas;

25 (iii) coal mining;

1 (iv) metal and nonfuel mineral mining;
 2 (v) livestock, including cattle and sheep; AND
 3 (vi) grain producers;
 4 ~~(vii) manufacturing;~~
 5 ~~(viii) high-technology; and~~
 6 ~~(ix) tourism; and~~
 7 (B) THREE MEMBERS NOMINATED BY STATEWIDE LABOR
 8 ORGANIZATIONS REPRESENTING WORKERS IN THE CONSTRUCTION,
 9 RETAIL, INDUSTRIAL, PUBLIC, AND SERVICE SECTORS;
 10 (C) THREE MEMBERS OF ORGANIZED CONSERVATION GROUPS
 11 NOMINATED BY STATEWIDE ORGANIZATIONS REPRESENTING WATER,
 12 AIR, LAND, AGRICULTURAL CONSERVATION, AND OTHER
 13 ENVIRONMENTAL CONCERNS;
 14 (D) THREE RESIDENT MEMBERS OF THE INDIAN TRIBES OF THIS
 15 STATE NOMINATED BY THE GOVERNING BODIES OF THE TRIBES;
 16 ~~(b)(E) one member appointed FROM THE GOVERNOR'S~~
 17 ~~NOMINEES APPOINTED BY THE GOVERNOR~~ from the university
 18 research and development programs within the university
 19 system;
 20 ~~(c)(F) The director of ONE MEMBER SPECIALIZING IN~~
 21 ~~ECONOMIC DEVELOPMENT FROM~~ the department of commerce shall
 22 request industry trade associations to nominate persons for
 23 appointment under subsection (2)(a); A trade association
 24 executive may be nominated and appointed and may serve on
 25 the commission; NOMINATED APPOINTED BY THE GOVERNOR;

1 ~~(d) The appointee under subsection (2)(b) must be~~
 2 ~~selected from among candidates nominated by the presidents~~
 3 ~~of the university system units.~~
 4 ~~(e) After consultation with the president of the~~
 5 ~~senate, the speaker of the house of representatives, and the~~
 6 ~~leaders of the minority parties in the senate and the house~~
 7 ~~of representatives, the director of the department of~~
 8 ~~commerce shall appoint the members provided for in~~
 9 ~~subsections (2)(a) and (2)(b) from the nominations presented~~
 10 ~~under subsections (2)(c) and (2)(d). The members shall serve~~
 11 ~~terms of 2 years. A vacancy on the commission must be filled~~
 12 ~~in the same manner as the original appointment.~~
 13 ~~(3) The commission shall develop a strategy to add~~
 14 ~~value, before exportation, to the state's basic commodities,~~
 15 ~~including coal, metal and nonfuel minerals, oil and gas,~~
 16 ~~timber, agriculture, tourism and travel, water, and~~
 17 ~~wildlife, in an effort to create new jobs and increase~~
 18 ~~profits.~~
 19 ~~(4) The commission members are entitled to compensation~~
 20 ~~and reimbursement in the same manner and amount as provided~~
 21 ~~in 37-1-133.~~
 22 ~~(5) The commission shall meet once every 3 months, or~~
 23 ~~more frequently as the members determine, at the office of~~
 24 ~~the department in Helena or elsewhere in Montana, as the~~
 25 ~~members determine.~~

1 ~~{6}--The commission shall report to the director of the~~
 2 ~~department of commerce when it develops a strategy, as~~
 3 ~~provided in subsection {3}, but no less frequently than each~~
 4 ~~December 31.~~

5 ~~NEW SECTION--Section 2--Codification-----instruction--~~
 6 ~~{Section 1} is intended to be codified as an integral part~~
 7 ~~of Title 2, chapter 15, part 18, and the provisions of Title~~
 8 ~~2, chapter 15, part 18, apply to {section 1}.~~

9 ~~{D}--TWO MEMBERS REPRESENTING AND NOMINATED BY STATEWIDE~~
 10 ~~LABOR ORGANIZATIONS AS DEFINED IN 49-2-101.~~

11 ~~{E}--ONE MEMBER REPRESENTING AND NOMINATED BY STATEWIDE~~
 12 ~~ENVIRONMENTAL ORGANIZATIONS~~

13 ~~{G} ONE MEMBER FROM THE GOVERNOR'S NOMINEES APPOINTED~~
 14 ~~BY THE GOVERNOR FROM THE TOURISM INDUSTRY;~~

15 ~~{H} TWO MEMBERS WHO ARE FULL-TIME ECONOMIC DEVELOPMENT~~
 16 ~~PROFESSIONALS NOMINATED BY LOCAL ECONOMIC DEVELOPMENT~~
 17 ~~CORPORATIONS;~~

18 ~~{I} ONE MEMBER REPRESENTING BUSINESSES WITH LESS THAN~~
 19 ~~10 EMPLOYEES NOMINATED APPOINTED BY THE GOVERNOR; AND~~

20 ~~{F}{J} FOUR MEMBERS OF THE LEGISLATURE, INCLUDING:~~

21 ~~{I} TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES,~~
 22 ~~INCLUDING ONE MEMBER OF EACH PARTY, APPOINTED BY THE SPEAKER~~
 23 ~~OF THE HOUSE; AND~~

24 ~~{II} TWO MEMBERS OF THE SENATE, INCLUDING ONE MEMBER OF~~
 25 ~~EACH PARTY, APPOINTED BY THE PRESIDENT OF THE SENATE.~~

1 ~~(3) THE SPEAKER OF THE HOUSE, AND THE PRESIDENT OF THE~~
 2 ~~SENATE, THE MINORITY LEADER OF THE HOUSE, AND THE MINORITY~~
 3 ~~LEADER OF THE SENATE SHALL JOINTLY APPOINT THE MEMBERS OF~~
 4 ~~THE COMMISSION PROVIDED FOR IN SUBSECTIONS (2)(A) THROUGH~~
 5 ~~{2}{E} (2)(J), WHO ARE NOT APPOINTED BY THE GOVERNOR, AFTER~~
 6 ~~CONSULTATION WITH THE MINORITY LEADERS OF THE HOUSE AND THE~~
 7 ~~SENATE.~~

8 ~~{4} THE COMMISSION SHALL IDENTIFY AND STUDY PRINCIPAL~~
 9 ~~VALUE-ADDED OPPORTUNITIES IN THE INDUSTRIES IDENTIFIED IN~~
 10 ~~SUBSECTION {2}{A} AND SHALL DEVELOP A STRATEGY FOR~~
 11 ~~ENCOURAGING THE DEVELOPMENT OF NEW AND EXPANDING INDUSTRIES~~
 12 ~~THE COMMISSION SHALL DEVELOP A CONSENSUS OF THE VARIOUS~~
 13 ~~GROUPS REPRESENTED ON THE COMMISSION IN REGARD TO THE~~
 14 ~~DEVELOPMENT AND PREPARATION OF A STATE ECONOMIC DEVELOPMENT~~
 15 ~~AND VALUE-ADDING PLAN. THE PLAN MUST:~~

16 ~~{A} BE CONSISTENT WITH THE STRATEGIC PLANS AND ECONOMIC~~
 17 ~~DEVELOPMENT PLANS OF THE CITIES, TOWNS, COUNTIES, AND~~
 18 ~~REGIONS OF THE STATE;~~

19 ~~{B} ADDRESS ALL SEGMENTS OF MONTANA'S BASIC SECTOR~~
 20 ~~ECONOMY INCLUDING BUT NOT LIMITED TO MANUFACTURING, TOURISM,~~
 21 ~~RESEARCH AND DEVELOPMENT, TECHNOLOGY-BASED BUSINESS,~~
 22 ~~COMMUNICATIONS, TRANSPORTATION, DISTRIBUTION, WAREHOUSING,~~
 23 ~~AND NATURAL RESOURCE-BASED VALUE-ADDING;~~

24 ~~{C} ADDRESS ALL SOURCES OF ECONOMIC DEVELOPMENT~~
 25 ~~CAPITAL;~~

1 (D) CONSIDER THE NEEDS OF BUSINESSES AND WORKERS IN
 2 REGARD TO EDUCATION, JOB TRAINING, VOCATIONAL TRAINING, AND
 3 APPRENTICESHIPS;

4 (E) ADDRESS THE STATE'S ECONOMIC INFRASTRUCTURE
 5 STRENGTHS AND DEFICIENCIES; AND

6 (F) RECOMMEND REVISION OF LAWS OR CHANGES IN POLICY TO
 7 OVERCOME OBSTACLES TO ECONOMIC DEVELOPMENT AS IDENTIFIED BY
 8 THE COMMISSION.

9 (5) MEMBERS OF THE COMMISSION SHALL SELECT A CHAIRMAN
 10 AND A VICE CHAIRMAN FROM THEIR MEMBERSHIP. THE COMMISSION
 11 SHALL MEET AT THE CALL OF THE CHAIRMAN OR AS A MAJORITY OF
 12 THE MEMBERS DETERMINE.

13 (6) A VACANCY ON THE COMMISSION MUST BE FILLED IN THE
 14 SAME MANNER AS THE ORIGINAL APPOINTMENT.

15 (7) THE COMMISSION SHALL SUBMIT IN WRITING TO THE 53RD
 16 LEGISLATURE A FINAL REPORT WITH RECOMMENDATIONS AND ANY
 17 PROPOSED LEGISLATION NECESSARY TO IMPLEMENT THE
 18 RECOMMENDATIONS.

19 (8) THE MEMBERS OF THE COMMISSION ARE ENTITLED TO
 20 COMPENSATION AND REIMBURSEMENT IN THE MANNER AND AMOUNT
 21 PROVIDED IN 5-2-302.

22 NEW SECTION. SECTION 3. STAFF ASSISTANCE -- COMMISSION
 23 SUPPORT. (1) THE ~~LEGISLATIVE-COUNCIL~~ DEPARTMENT OF COMMERCE
 24 SHALL PROVIDE STAFF ASSISTANCE TO THE COMMISSION, AND THE
 25 STAFF SHALL OPERATE UNDER THE DIRECTION OF THE COMMISSION.

1 (2) THE OFFICE OF THE GOVERNOR, THE DEPARTMENT OF
 2 ADMINISTRATION, THE DEPARTMENT OF COMMERCE, THE DEPARTMENT
 3 OF HIGHWAYS, THE DEPARTMENT OF REVENUE, THE PUBLIC SERVICE
 4 COMMISSION, THE MONTANA UNIVERSITY SYSTEM, AND ANY OTHER
 5 AGENCY CONCERNED WITH ECONOMIC RESEARCH AND ECONOMIC
 6 DEVELOPMENT SHALL ASSIST AND COOPERATE WITH THE COMMISSION
 7 AS MAY BE REQUIRED FOR THE COMMISSION TO CARRY OUT ITS
 8 DUTIES.

9 (3) THE COMMISSION MAY CONTRACT FOR SERVICES NECESSARY
 10 TO COMPLETE ITS DUTIES UNDER [SECTION 2] WITHIN THE LIMITS
 11 OF THE APPROPRIATION AND THE EXPENDITURE AUTHORITY PROVIDED
 12 IN [SECTION 4].

13 (4) THE DEPARTMENT OF COMMERCE IS DIRECTED TO APPLY FOR
 14 ECONOMIC DEVELOPMENT PLANNING FUNDS AVAILABLE FROM THE
 15 FEDERAL GOVERNMENT, INCLUDING THE U.S. ECONOMIC DEVELOPMENT
 16 ADMINISTRATION. PLANNING PROJECTS FUNDED FROM THE
 17 APPLICATIONS MUST BE DESIGNED AND CARRIED OUT UNDER THE
 18 DIRECTION OF THE COMMISSION AND IN COORDINATION WITH THE
 19 COMMISSION'S OTHER PLANNING ACTIVITIES.

20 NEW SECTION. SECTION 4. APPROPRIATION -- EXPENDITURE
 21 AUTHORITY CONTINGENT ON PRIVATE CONTRIBUTIONS -- REFUND OF
 22 UNEXPENDED CONTRIBUTIONS. (1) THERE IS APPROPRIATED TO THE
 23 ~~LEGISLATIVE--COUNCIL~~ DEPARTMENT OF COMMERCE FROM THE GENERAL
 24 FUND \$10,000 \$25,000 TO BE EXPENDED AS PROVIDED IN
 25 SUBSECTIONS (2) AND (3) TO SUPPORT THE ACTIVITIES OF THE

1 MONTANA LEGISLATIVE ECONOMIC DEVELOPMENT AND VALUE-ADDED
 2 PLANNING COMMISSION DURING THE BIENNIUM ENDING JUNE 30,
 3 1993.

4 (2) THE LEGISLATIVE-COUNCIL DEPARTMENT MAY DISBURSE THE
 5 MONEY APPROPRIATED IN SUBSECTION (1) ONLY IF THERE IS
 6 DEPOSITED IN AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND TO
 7 THE CREDIT OF THE COMMISSION BEFORE JULY-17-1991 OCTOBER 1,
 8 1991.

9 {A} MATCHING CONTRIBUTIONS OF \$107000 \$25,000 PROVIDED
 10 BY EACH OF THE PRIVATE SOURCES IDENTIFIED IN {SUBSECTIONS
 11 {2}{A} THROUGH {2}{D}-AND-{2}{E} OF SECTION 2} AND.

12 {B}-CUMULATIVE-PRIVATE-CONTRIBUTIONS-TOTALING-FIVE
 13 TIMES-THE-GENERAL-FUND-APPROPRIATION-IN-SUBSECTION-{1}.

14 (3) MONEY FROM THE GENERAL FUND APPROPRIATION IN
 15 SUBSECTION (1) MAY BE EXPENDED ONLY IF ACCOMPANIED BY AN
 16 EXPENDITURE FOR THE SAME PURPOSE FIVE THREE TIMES AS LARGE
 17 FROM THE ACCOUNT ESTABLISHED IN SUBSECTION (2).

18 {4}-THE-DEPARTMENT-OF-COMMERCE-SHALL-DEPOSIT-ANY
 19 ECONOMIC-DEVELOPMENT-PLANNING-FUNDS-RECEIVED-FROM-THE
 20 FEDERAL-GOVERNMENT-INCLDING-THE-U.S.-ECONOMIC-DEVELOPMENT
 21 ADMINISTRATION-AFTER-APRIL-17-1991-INTO-THE-SPECIAL
 22 REVENUE-ACCOUNT-ESTABLISHED-IN-SUBSECTION-{2}.

23 {4}{5}{4} AN UNEXPENDED AND UNOBLIGATED BALANCE ON JULY
 24 1, 1993, IN THE ACCOUNT ESTABLISHED IN SUBSECTION (2) MUST
 25 BE REFUNDED TO THE CONTRIBUTORS OF RECORD IN AMOUNTS IN

1 DIRECT PROPORTION TO THE AMOUNTS CONTRIBUTED BY EACH.

2 NEW SECTION. SECTION 5. COORDINATION INSTRUCTION. IF
 3 SENATE BILL NO. 164 IS PASSED AND APPROVED AND IF IT
 4 CONTAINS PROVISIONS INCLUDING THE DEPARTMENT OF HIGHWAYS
 5 WITHIN A DEPARTMENT OF TRANSPORTATION, THE CODE COMMISSIONER
 6 IS INSTRUCTED TO CHANGE "DEPARTMENT OF HIGHWAYS" IN {SECTION
 7 3} TO "DEPARTMENT OF TRANSPORTATION".

8 NEW SECTION. Section 6. Effective date DATES --
 9 TERMINATION. {This-act-is (1) {SECTIONS 1 THROUGH 3, 5, AND
 10 THIS SECTION} ARE effective on passage and approval.

11 (2) {SECTION 4} IS EFFECTIVE JULY 1, 1991.

12 (3) EXCEPT FOR THE PROVISIONS OF {SECTION 4(4)}, {THIS
 13 ACT} TERMINATES JULY 1, 1993.

-End-

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 196
(REFERENCE COPY, AS AMENDED)
April 29, 1991

1. Title, line 6
Following: "MONTANA"
Strike: "LEGISLATIVE"
2. Page 2, line 1.
Following: "CONSENSUS"
Strike: "OF THE MAIN ECONOMIC GROUPINGS"
3. Page 2, lines 2 and 3.
Following: "SECTOR"
Strike: ", LEGISLATIVE BRANCH, EXECUTIVE BRANCH, AND ECONOMIC DEVELOPMENT PROFESSIONALS"
Insert: "and public sector"
4. Page 2, line 8.
Following: "MONTANA"
Strike: "LEGISLATIVE"
5. Page 2, line 11.
Following: "Montana"
Strike: "LEGISLATIVE"
6. Page 2, line 14.
Following: "Montana"
Strike: "LEGISLATIVE"
7. Page 2, lines 17 and 18.
Following: "15"
Strike: "22 members, including:"
Insert: "15 members to be appointed by the governor."
8. Page 2, line 19 through page 6, line 7.
Strike: page 2, line 19 through page 6, line 7 in their entirety
Insert: "(3) Membership on the commission shall include at least one representative from the private business sector; organized labor; the Montana Indian Tribes; organized conservation groups; the tourism industry; local economic development corporations; and the state university system and such other interests as the governor deems appropriate."
9. Page 6, line 15.
Following: "THE PLAN"
Strike: "MUST"
Insert: "may"

Gov Amend
HB 196

10. Page 7, lines 9 and 10.

Following: "(5)"

Strike: "MEMBERS OF THE COMMISSION SHALL SELECT A CHAIRMAN AND A VICE CHAIRMAN FROM THEIR MEMBERSHIP"

Insert: "The governor shall appoint a chairman and a vice chairman for the commission"

11. Page 8, line 1.

Following: "(2)"

Strike: "THE OFFICE OF THE GOVERNOR, THE DEPARTMENT OF ADMINISTRATION, THE DEPARTMENT OF COMMERCE, THE DEPARTMENT OF HIGHWAYS, THE DEPARTMENT OF REVENUE, THE PUBLIC SERVICE COMMISSION, THE MONTANA UNIVERSITY SYSTEM, AND ANY OTHER AGENCY"

Insert: "All state agencies, including the state university system"

12. Page 8, line 13.

Following: line 12

Strike: subsection (4) in its entirety

13. Page 8, line 20.

Following: "APPROPRIATION"

Strike: "-- EXPENDITURE AUTHORITY CONTINGENT ON PRIVATE CONTRIBUTIONS -- REFUND OF UNEXPENDED CONTRIBUTIONS"

14. Page 8, line 24.

Following: "EXPENDED"

Strike: "AS PROVIDED IN SUBSECTIONS (2) AND (3)"

15. Page 9, line 4 through page 10, line 1.

Following: line 3

Strike: page 9, line 4 through page 10, line 1 in its entirety

16. Page 10, line 8.

Following: line 7

Strike: Section 6 in its entirety

Insert: "NEW SECTION. Section 6. Effective date and termination. [This act] is effective July 1, 1991 and terminates July 1, 1993."



AN ACT TO ESTABLISH THE MONTANA LEGISLATIVE ECONOMIC DEVELOPMENT AND VALUE-ADDED PLANNING COMMISSION; TO EMPOWER THE COMMISSION TO CREATE AN ECONOMIC DEVELOPMENT AND VALUE-ADDING PLAN FOR SUBMISSION TO THE 53RD LEGISLATURE; TO PROVIDE AN APPROPRIATION AND AUTHORIZATION FOR EXPENDITURE CONTINGENT ON PRIVATE CONTRIBUTIONS; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

WHEREAS, experts in economic development have emphasized that the State of Montana adds little value to the state's basic commodities before exportation; and

WHEREAS, adding value to products in Montana can create new jobs and increase profits; and

WHEREAS, Montana is in economic difficulty and needs to create economic growth; and

WHEREAS, the existence of a formal state economic development plan is essential to creating economic growth; and

WHEREAS, the plan, in order to be valid, must reflect a consensus of the main economic groupings of the private sector, legislative branch, executive branch, and economic development professionals.

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

Section 1. Definition. As used in [sections 1 through 3], unless the context clearly requires otherwise, "commission" means

the Montana legislative economic development and value-added planning commission established in [section 2].

Section 2. Montana legislative economic development and value-added planning commission -- composition -- duties -- terms -- meetings -- reports. (1) There is a Montana legislative economic development and value-added planning commission.

(2) The commission consists of 22 members, including:

(a) three members representing business interests and nominated by statewide organizations of value-adding industries, including:

(i) wood products;

(ii) oil and gas;

(iii) coal mining;

(iv) metal and nonfuel mineral mining;

(v) livestock, including cattle and sheep; and

(vi) grain producers;

(b) three members nominated by statewide labor organizations representing workers in the construction, retail, industrial, public, and service sectors;

(c) three members of organized conservation groups nominated by statewide organizations representing water, air, land, agricultural conservation, and other environmental concerns;

(d) three resident members of the Indian tribes of this state nominated by the governing bodies of the tribes;

(e) one member appointed by the governor from the university

research and development programs within the university system;

(f) one member specializing in economic development from the department of commerce appointed by the governor;

(g) one member appointed by the governor from the tourism industry;

(h) two members who are full-time economic development professionals nominated by local economic development corporations;

(i) one member representing businesses with less than 10 employees appointed by the governor; and

(j) four members of the legislature, including:

(i) two members of the house of representatives, including one member of each party, appointed by the speaker of the house; and

(ii) two members of the senate, including one member of each party, appointed by the president of the senate.

(3) The speaker of the house and the president of the senate shall jointly appoint the members of the commission provided for in subsections (2)(a) through (2)(j), who are not appointed by the governor, after consultation with the minority leaders of the house and the senate.

(4) The commission shall develop a consensus of the various groups represented on the commission in regard to the development and preparation of a state economic development and value-adding plan. The plan must:

(a) be consistent with the strategic plans and economic development plans of the cities, towns, counties, and regions of the state;

(b) address all segments of Montana's basic sector economy including but not limited to manufacturing, tourism, research and development, technology-based business, communications, transportation, distribution, warehousing, and natural resource-based value-adding;

(c) address all sources of economic development capital;

(d) consider the needs of businesses and workers in regard to education, job training, vocational training, and apprenticeships;

(e) address the state's economic infrastructure strengths and deficiencies; and

(f) recommend revision of laws or changes in policy to overcome obstacles to economic development as identified by the commission.

(5) Members of the commission shall select a chairman and a vice chairman from their membership. The commission shall meet at the call of the chairman or as a majority of the members determine.

(6) A vacancy on the commission must be filled in the same manner as the original appointment.

(7) The commission shall submit in writing to the 53rd legislature a final report with recommendations and any proposed legislation necessary to implement the recommendations.

(8) The members of the commission are entitled to compensation and reimbursement in the manner and amount provided in 5-2-302.

Section 3. Staff assistance -- commission support. (1) The department of commerce shall provide staff assistance to the commission, and the staff shall operate under the direction of the commission.

(2) The office of the governor, the department of administration, the department of commerce, the department of highways, the department of revenue, the public service commission, the Montana university system, and any other agency concerned with economic research and economic development shall assist and cooperate with the commission as may be required for the commission to carry out its duties.

(3) The commission may contract for services necessary to complete its duties under [section 2] within the limits of the appropriation and the expenditure authority provided in [section 4].

(4) The department of commerce is directed to apply for economic development planning funds available from the federal government, including the U.S. economic development administration. Planning projects funded from the applications must be designed and carried out under the direction of the commission and in coordination with the commission's other planning activities.

Section 4. Appropriation -- expenditure authority contingent on private contributions -- refund of unexpended contributions.

(1) There is appropriated to the department of commerce from the general fund \$25,000 to be expended as provided in subsections (2) and (3) to support the activities of the Montana legislative economic development and value-added planning commission during the biennium ending June 30, 1993.

(2) The department may disburse the money appropriated in subsection (1) only if there is deposited in an account in the state special revenue fund to the credit of the commission before October 1, 1991, matching contributions of \$25,000 provided by each of the sources identified in [subsections (2)(a) through (2)(d) of section 2].

(3) Money from the general fund appropriation in subsection (1) may be expended only if accompanied by an expenditure for the same purpose three times as large from the account established in subsection (2).

(4) An unexpended and unobligated balance on July 1, 1993, in the account established in subsection (2) must be refunded to the contributors of record in amounts in direct proportion to the amounts contributed by each.

Section 5. Coordination instruction. If Senate Bill No. 164 is passed and approved and if it contains provisions including the department of highways within a department of transportation, the code commissioner is instructed to change "department of highways"

HB 0196

in [section 3] to "department of transportation".

Section 6. Effective dates -- termination. (1) [Sections 1 through 3, 5, and this section] are effective on passage and approval.

(2) [Section 4] is effective July 1, 1991.

(3) Except for the provisions of [section 4(4)], [this act] terminates July 1, 1993.