



IN THE HOUSE

MARCH 21, 1991

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 23, 1991

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 819  
 2 INTRODUCED BY Russell Smith Quinn Tracy  
 3 John Ray Forrester Paul Pack  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROMOTING STATE-TRIBAL  
 5 COOPERATION IN ECONOMIC DEVELOPMENT; PROVIDING FOR INDIAN  
 6 REPRESENTATION ON THE TOURISM ADVISORY COUNCIL; REQUIRING  
 7 THE DEPARTMENT OF COMMERCE TO WORK WITH TRIBAL GOVERNMENTS  
 8 IN PROMOTING TOURISM AND ECONOMIC DEVELOPMENT; AND AMENDING  
 9 SECTIONS 2-15-1816, 90-1-104, AND 90-1-105, MCA."

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

11 **Section 1.** Section 2-15-1816, MCA, is amended to read:

12 "2-15-1816. Tourism advisory council. (1) There is  
13 created a tourism advisory council.

14 (2) The council is composed of not less than 12 members  
15 appointed by the governor from Montana's private sector  
16 travel industry and from Indian tribal governments with  
17 representation from each tourism region initially  
18 established by executive order of the governor and as may be  
19 modified by the council under subsection (5).

20 (3) Members of the council shall serve staggered 3-year  
21 terms, subject to replacement at the discretion of the  
22 governor. The governor shall designate four of the initial  
23 members to serve 1-year terms and four of the initial  
24 members to serve 2-year terms.  
25

1 (4) The council shall:  
 2 (a) oversee distribution of funds to regional nonprofit  
 3 tourism corporations for tourism promotion and to nonprofit  
 4 convention and visitors bureaus in accordance with Title 15,  
 5 chapter 65, part 1, and this section;  
 6 (b) advise the department of commerce relative to  
 7 tourism promotion;  
 8 (c) advise the governor on significant matters relative  
 9 to Montana's travel industry;  
 10 (d) prescribe allowable administrative expenses for  
 11 which accommodation tax proceeds may be used by regional  
 12 nonprofit tourism corporations and nonprofit convention and  
 13 visitors bureaus;  
 14 (e) direct the university system regarding Montana  
 15 travel research; and  
 16 (f) approve all travel research programs prior to their  
 17 being undertaken; and  
 18 (g) encourage regional nonprofit tourism corporations  
 19 to promote tourist activities on Indian reservations in  
 20 their regions.  
 21 (5) The council may modify the tourism regions  
 22 established by executive order of the governor.  
 23 (6) The department of commerce shall adopt such rules  
 24 as may be necessary to implement and administer Title 15,  
 25 chapter 65, part 1, and this section."



1 **Section 2.** Section 90-1-104, MCA, is amended to read:

2 **"90-1-104. Functions of department of commerce --**  
3 **recreational development.** The department of commerce shall:

4 (1) exercise state responsibility for that part of  
5 recreational planning and development which is directly  
6 related to private investment in recreational facilities;

7 (2) assemble and correlate information which may  
8 influence the development of recreational enterprises and  
9 disseminate it to persons, firms, or corporations interested  
10 in constructing or maintaining recreational facilities open  
11 to the public; and

12 (3) serve as an ombudsman for the tourism industry and  
13 recreationists in all matters concerning the management and  
14 regulation of the level of Flathead ~~lake~~ Lake ; and

15 (4) coordinate the promotion of Indian tourism  
16 activities in the state in cooperation with the seven tribal  
17 governments and the coordinator of Indian affairs."

18 **Section 3.** Section 90-1-105, MCA, is amended to read:

19 **"90-1-105. Functions of department of commerce --**  
20 **economic development.** The department of commerce shall:

21 (1) provide coordinating services to aid state and  
22 local groups and Indian tribal governments in the promotion  
23 of new economic enterprises and conduct publicity and  
24 promotional activities in connection with new economic  
25 enterprises;

1 (2) collect and disseminate information regarding the  
2 advantages of developing agricultural, recreational,  
3 commercial, and industrial enterprises within this state;

4 (3) serve as the state's official liaison between  
5 persons interested in locating new economic enterprises in  
6 Montana and state and local groups and Indian tribal  
7 governments seeking new enterprises;

8 (4) aid communities and Indian tribal governments  
9 interested in obtaining new business or expanding existing  
10 business;

11 (5) study and promote means of expanding markets for  
12 Montana products;

13 (6) encourage and coordinate public and private  
14 agencies or bodies in publicizing the facilities and  
15 attractions of the state;

16 (7) explore the use of cooperative agreements, as  
17 provided in Title 18, chapter 11, part 1, for the promotion  
18 and enhancement of economic opportunities on the state's  
19 Indian reservations."

-End-

APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 819

INTRODUCED BY RUSSELL, FRITZ, GERVAIS, HARPER, STEPLER, SCHYE, J. BROWN, FORRESTER, SCOTT, PECK, STICKNEY, COCCHIARELLA, REAM, DARKO, BACHINI, ELLIOTT, DOHERTY, YELLOWTAIL, JERGESON, SVRCEK, NATHE, GAGE

A BILL FOR AN ACT ENTITLED: "AN ACT PROMOTING STATE-TRIBAL COOPERATION IN ECONOMIC DEVELOPMENT; PROVIDING FOR INDIAN REPRESENTATION ON THE TOURISM ADVISORY COUNCIL; REQUIRING THE DEPARTMENT OF COMMERCE TO WORK WITH TRIBAL GOVERNMENTS IN PROMOTING TOURISM AND ECONOMIC DEVELOPMENT; AND AMENDING SECTIONS 2-15-1816, 90-1-104, AND 90-1-105, MCA."

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

Section 1. Section 2-15-1816, MCA, is amended to read:

"2-15-1816. Tourism advisory council. (1) There is created a tourism advisory council.

(2) The council is composed of not less than 12 members appointed by the governor from Montana's private sector travel industry and INCLUDES AT LEAST ONE MEMBER from Indian tribal governments with representation from each tourism region initially established by executive order of the governor and as may be modified by the council under subsection (5).

(3) Members of the council shall serve staggered 3-year

terms, subject to replacement at the discretion of the governor. The governor shall designate four of the initial members to serve 1-year terms and four of the initial members to serve 2-year terms.

(4) The council shall:

(a) oversee distribution of funds to regional nonprofit tourism corporations for tourism promotion and to nonprofit convention and visitors bureaus in accordance with Title 15, chapter 65, part 1, and this section;

(b) advise the department of commerce relative to tourism promotion;

(c) advise the governor on significant matters relative to Montana's travel industry;

(d) prescribe allowable administrative expenses for which accommodation tax proceeds may be used by regional nonprofit tourism corporations and nonprofit convention and visitors bureaus;

(e) direct the university system regarding Montana travel research; and

(f) approve all travel research programs prior to their being undertaken; and

(g) encourage regional nonprofit tourism corporations to promote tourist activities on Indian reservations in their regions.

(5) The council may modify the tourism regions



1 established by executive order of the governor.

2 (6) The department of commerce shall adopt such rules  
3 as may be necessary to implement and administer Title 15,  
4 chapter 65, part 1, and this section."

5 **Section 2.** Section 90-1-104, MCA, is amended to read:

6 **"90-1-104. Functions of department of commerce --**  
7 **recreational development.** The department of commerce shall:

8 (1) exercise state responsibility for that part of  
9 recreational planning and development which is directly  
10 related to private investment in recreational facilities;

11 (2) assemble and correlate information which may  
12 influence the development of recreational enterprises and  
13 disseminate it to persons, firms, or corporations interested  
14 in constructing or maintaining recreational facilities open  
15 to the public; and

16 (3) serve as an ombudsman for the tourism industry and  
17 recreationists in all matters concerning the management and  
18 regulation of the level of Flathead ~~lake~~ Lake; and

19 (4) coordinate the promotion of Indian tourism  
20 activities in the state in cooperation with the seven tribal  
21 governments and the coordinator of Indian affairs."

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6 advantages of developing agricultural, recreational,  
7 commercial, and industrial enterprises within this state;

8 (3) serve as the state's official liaison between  
9 persons interested in locating new economic enterprises in  
10 Montana and state and local groups and Indian tribal  
11 governments seeking new enterprises;

12 (4) aid communities and Indian tribal governments  
13 interested in obtaining new business or expanding existing  
14 business;

15 (5) study and promote means of expanding markets for  
16 Montana products;

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18 agencies or bodies in publicizing the facilities and  
19 attractions of the state;

20 (7) explore the use of cooperative agreements, as  
21 provided in Title 18, chapter 11, part 1, for the promotion  
22 and enhancement of economic opportunities FOR TOURISM on the  
23 state's Indian reservations."

-End-

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5 **Section 2.** Section 90-1-104, MCA, is amended to read:

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9 recreational planning and development which is directly  
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14 in constructing or maintaining recreational facilities open  
15 to the public; and

16 (3) serve as an ombudsman for the tourism industry and  
17 recreationists in all matters concerning the management and  
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-End-



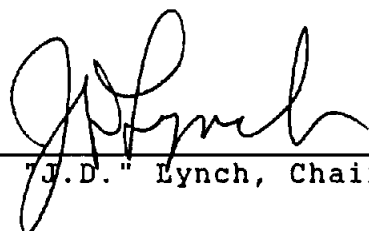
SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 11, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 819 (third reading copy -- blue), respectfully report that House Bill No. 819 be amended and as so amended be concurred in:

1. Page 4, line 22.  
Strike: "FOR TOURISM"

Signed:   
John "J.D." Lynch, Chairman

*JAL* 3-11-91  
Amd. Coord.

SB 3-11-91 2:20  
Sec. of Senate

SENATE  
HB 819

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-End-