

SENATE BILL NO. 8

INTRODUCED BY NEUMAN

BY REQUEST OF INTERIM JOINT SUBCOMMITTEE NO. 3

IN THE SENATE

January 7, 1985	Introduced and referred to Committee on State Administration.
January 15, 1985	Committee recommend bill do pass as amended. Report adopted.
January 16, 1985	Bill printed and placed on members' desks.
January 17, 1985	Second reading, do pass.
January 18, 1985	Considered correctly engrossed.
January 19, 1985	Third reading, passed. Ayes, 31; Noes, 12.
	Transmitted to House.

IN THE HOUSE

January 21, 1985	Introduced and referred to Committee on State Administration.
March 6, 1985	Committee recommend bill be concurred in. Report adopted.
March 8, 1985	Second reading, concurred in.
March 9, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

March 11, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

1                                    SENATE BILL NO. 8  
 2    INTRODUCED BY NEUMAN  
 3                    BY REQUEST OF INTERIM JOINT SUBCOMMITTEE NO. 3  
 4  
 5    A BILL FOR AN ACT ENTITLED:    "AN ACT PROVIDING  
 6    REPRESENTATION FROM THE RETIREMENT SYSTEMS ON THE BOARD OF  
 7    INVESTMENTS; AMENDING SECTION 2-15-1005, MCA; AND PROVIDING  
 8    AN IMMEDIATE EFFECTIVE DATE."  
 9

10    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11        Section 1. Section 2-15-1005, MCA, is amended to read:  
 12        "2-15-1005. Board of investments -- allocation --  
 13        composition -- quasi-judicial. (1) There is a board of  
 14        investments.  
 15        (2) Except as otherwise provided in this subsection,  
 16        the board is allocated to the department for administrative  
 17        purposes only as prescribed in 2-15-121. Personnel for the  
 18        board shall be appointed by the department subject to the  
 19        approval of the board, except that the board may employ an  
 20        investment officer and assistant investment officer who will  
 21        have general responsibility for management of the board's  
 22        staff and directing investment activity. The investment  
 23        officer and assistant investment officer serve at the  
 24        pleasure of the board, and the board may prescribe the  
 25        duties and annual salary of both.

1                    (3) The board is composed of ~~five~~ seven members,  
 2        ~~appointed by the governor as prescribed in 2-15-124,~~  
 3                    (a) The governor shall, in accordance with 2-15-124,  
 4        appoint five members who are informed and experienced in the  
 5        subject of investments.  
 6                    (b) The governor shall appoint one member from the  
 7        public employees' retirement board provided for in 2-15-1009  
 8        and one member from the teachers' retirement board provided  
 9        for in 2-15-1010, and these appointments are not subject to  
 10        confirmation by the senate.  
 11                    (c) If a member appointed to the board of investments  
 12        under subsection (3)(b) ceases to be a member of the  
 13        retirement board, a vacancy is created on the board of  
 14        investments, which the governor shall fill, in accordance  
 15        with 2-15-124, from the members of the retirement board  
 16        concerned.  
 17                    (4) The board is designated as a quasi-judicial board  
 18        for the purposes of 2-15-124."  
 19                    NEW SECTION. Section 2. Terms of initial appointees  
 20        -- successors. (1) The provisions of 2-15-124  
 21        notwithstanding:  
 22                    (a) the member of the public employees' retirement  
 23        board initially appointed by the governor on or after [the  
 24        effective date of this act] shall serve on the board of  
 25        investments until January 1, 1989, and until a successor is



1 appointed; and

2 (b) the member of the teachers' retirement board  
3 initially appointed by the governor on or after [the  
4 effective date of this act] shall serve on the board of  
5 investments until January 1, 1987, and until a successor is  
6 appointed.

7 (2) At the completion of each of the initial terms  
8 provided for in subsection (1), the governor shall appoint a  
9 successor from the concerned retirement board for a term in  
10 accordance with 2-15-124.

11 NEW SECTION. Section 3. Effective date. This act is  
12 effective on passage and approval.

-End-

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

SENATE BILL NO. 8

INTRODUCED BY NEUMAN

BY REQUEST OF INTERIM JOINT SUBCOMMITTEE NO. 3

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING REPRESENTATION FROM THE RETIREMENT SYSTEMS ON THE BOARD OF INVESTMENTS; AMENDING SECTION 2-15-1005, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-1005, MCA, is amended to read:

"2-15-1005. Board of investments -- allocation -- composition -- quasi-judicial. (1) There is a board of investments.

(2) Except as otherwise provided in this subsection, the board is allocated to the department for administrative purposes only as prescribed in 2-15-121. Personnel for the board shall be appointed by the department subject to the approval of the board, except that the board may employ an investment officer and assistant investment officer who will have general responsibility for management of the board's staff and directing investment activity. The investment officer and assistant investment officer serve at the pleasure of the board, and the board may prescribe the duties and annual salary of both.

(3) The board is composed of five seven members ~~appointed by the governor as prescribed in 2-15-124,~~ APPOINTED BY THE GOVERNOR AS PRESCRIBED IN 2-15-124.

(a) The governor shall, in accordance with 2-15-124, appoint five members who are informed and experienced in the subject of investments.

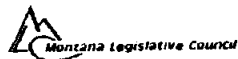
(b) The governor shall appoint one member from the public employees' retirement board provided for in 2-15-1009 and one member from the teachers' retirement board provided for in 2-15-1010, and these appointments are not subject to confirmation by the senate.

(c) If a member appointed to the board of investments under subsection (3)(b) ceases to be a member of the retirement board, a vacancy is created on the board of investments, which the governor shall fill, in accordance with 2-15-124, from the members of the retirement board concerned.

(4) The board is designated as a quasi-judicial board for the purposes of 2-15-124."

NEW SECTION. Section 2. Terms of initial appointees -- successors. (1) The provisions of 2-15-124 notwithstanding:

(a) the member of the public employees' retirement board initially appointed by the governor on or after [the effective date of this act] shall serve on the board of



1 investments until January 1, 1989, and until a successor is  
2 appointed; and

3 (b) the member of the teachers' retirement board  
4 initially appointed by the governor on or after [the  
5 effective date of this act] shall serve on the board of  
6 investments until January 1, 1987, and until a successor is  
7 appointed.

8 (2) At the completion of each of the initial terms  
9 provided for in subsection (1), the governor shall appoint a  
10 successor from the concerned retirement board for a term in  
11 accordance with 2-15-124.

12 NEW SECTION. Section 3. Effective date. This act is  
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13 composition -- quasi-judicial. (1) There is a board of  
14 investments.

15 (2) Except as otherwise provided in this subsection,  
16 the board is allocated to the department for administrative  
17 purposes only as prescribed in 2-15-121. Personnel for the  
18 board shall be appointed by the department subject to the  
19 approval of the board, except that the board may employ an  
20 investment officer and assistant investment officer who will  
21 have general responsibility for management of the board's  
22 staff and directing investment activity. The investment  
23 officer and assistant investment officer serve at the  
24 pleasure of the board, and the board may prescribe the  
25 duties and annual salary of both.

1 (3) The board is composed of five seven members;  
2 ~~appointed by the governor as prescribed in 2-15-124,~~  
3 APPOINTED BY THE GOVERNOR AS PRESCRIBED IN 2-15-124.

4 (a) The governor shall, in accordance with 2-15-124,  
5 appoint five members who are informed and experienced in the  
6 subject of investments.

7 (b) The governor shall appoint one member from the  
8 public employees' retirement board provided for in 2-15-1009  
9 and one member from the teachers' retirement board provided  
10 for in 2-15-1010, and these appointments are not subject to  
11 confirmation by the senate.

12 (c) If a member appointed to the board of investments  
13 under subsection (3)(b) ceases to be a member of the  
14 retirement board, a vacancy is created on the board of  
15 investments, which the governor shall fill, in accordance  
16 with 2-15-124, from the members of the retirement board  
17 concerned.

18 (4) The board is designated as a quasi-judicial board  
19 for the purposes of 2-15-124."

20 NEW SECTION. Section 2. Terms of initial appointees  
21 -- successors. (1) The provisions of 2-15-124  
22 notwithstanding:

23 (a) the member of the public employees' retirement  
24 board initially appointed by the governor on or after [the  
25 effective date of this act] shall serve on the board of

1 investments until January 1, 1989, and until a successor is  
2 appointed; and

3 (b) the member of the teachers' retirement board  
4 initially appointed by the governor on or after [the  
5 effective date of this act] shall serve on the board of  
6 investments until January 1, 1987, and until a successor is  
7 appointed.

8 (2) At the completion of each of the initial terms  
9 provided for in subsection (1), the governor shall appoint a  
10 successor from the concerned retirement board for a term in  
11 accordance with 2-15-124.

12 NEW SECTION. Section 3. Effective date. This act is  
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 19 approval of the board, except that the board may employ an  
 20 investment officer and assistant investment officer who will  
 21 have general responsibility for management of the board's  
 22 staff and directing investment activity. The investment  
 23 officer and assistant investment officer serve at the  
 24 pleasure of the board, and the board may prescribe the  
 25 duties and annual salary of both.

1 (3) The board is composed of five seven members ~~77~~  
 2 ~~appointed--by--the--governor--as--prescribed--in--2-15-1247,~~  
 3 APPOINTED BY THE GOVERNOR AS PRESCRIBED IN 2-15-124.

4 (a) ~~The governor shall--in--accordance--with--2-15-1247~~  
 5 appoint five members who are informed and experienced in the  
 6 subject of investments.

7 (b) The governor shall appoint one member from the  
 8 public employees' retirement board provided for in 2-15-1009  
 9 and one member from the teachers' retirement board provided  
 10 for in 2-15-10107-and-these-appointments-are-not-subject-to  
 11 confirmation-by-the-senate.

12 (c) If a member appointed to the board of investments  
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 14 retirement board, a vacancy is created on the board of  
 15 investments, which the governor shall fill, in accordance  
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 24 board initially appointed by the governor on or after [the  
 25 effective date of this act] shall serve on the board of



1 investments until January 1, 1989, and until a successor is  
2 appointed; and

3 (b) the member of the teachers' retirement board  
4 initially appointed by the governor on or after [the  
5 effective date of this act] shall serve on the board of  
6 investments until January 1, 1987, and until a successor is  
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