

HOUSE BILL 484

Introduced by Wiseman

2/05	Introduced
2/05	Referred to Appropriations
2/05	First Reading
2/18	Tabled in Committee

1 House BILL NO. 484
2 INTRODUCED BY Wiseman
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
5 THE MONTANA BOARD OF SCIENCE AND TECHNOLOGY DEVELOPMENT FROM
6 THE PERMANENT COAL TAX TRUST FUND FOR SCIENCE AND TECHNOLOGY
7 DEVELOPMENT PROJECTS; AMENDING SECTION 17-6-308, MCA; AND
8 PROVIDING AN EFFECTIVE DATE."
9

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

11 NEW SECTION. Section 1. Appropriation. Notwithstanding
12 the provisions of 17-6-308 and 17-6-309 and recognizing that
13 the provisions of Title 90, chapter 3, are consistent with
14 17-6-304 and 17-6-305 and that the provisions of Title 90,
15 chapter 3, will result in long-term benefits to the economy
16 of the state, there is appropriated \$15.5 million to the
17 Montana board of science and technology development from the
18 permanent coal tax trust fund for the biennium ending June
19 30, 1995, for the accomplishment of economic benefits to the
20 state by supporting the priorities, criteria, and goals
21 delineated in 90-3-501, 90-3-502, and 90-3-505.

22 NEW SECTION. Section 2. Allocation of funds. The \$15.5
23 million appropriated to the Montana board of science and
24 technology development pursuant to [section 1] must be used
25 for research and development projects and is allocated for

1 investment as follows:

2 (1) no more than \$2 million to special research
3 centers;

4 (2) no more than \$4 million for biotechnology research
5 and development for uses such as support for biotechnology
6 research chairs and specific biotechnology projects;

7 (3) no more than \$6 million for basic research for uses
8 such as matching funds for federal programs and providing
9 equipment and other infrastructure, excluding building
10 construction, and for special projects, including but not
11 limited to science and math projects and graduate student
12 support; and

13 (4) no more than \$3.5 million to Montana
14 industry-specific projects, such as resource inventories,
15 value-added research projects, technology transfer support,
16 technology deployment into Montana industries and the
17 upgrading of communications, and networking between and
18 among industry, education, and government.

19 **Section 3.** Section 17-6-308, MCA, is amended to read:

20 ***17-6-308. Authorized investments.** (1) Except as
21 provided in subsections (2) and (3) and subject to the
22 provisions of 17-6-201, the Montana permanent coal tax trust
23 fund must be invested as authorized by rules adopted by the
24 board.

25 (2) The board may make loans from the permanent coal

1 tax trust fund to the capital reserve account created
 2 pursuant to 17-5-1515 to establish balances or restore
 3 deficiencies in the account. The board may agree in
 4 connection with the issuance of bonds or notes secured by
 5 the account or fund to make the loans. Loans must be on
 6 terms and conditions as the board determines and must be
 7 repaid from revenues of the board realized from the exercise
 8 of its powers under 17-5-1501 through 17-5-1518 and
 9 17-5-1521 through 17-5-1529, subject to the prior pledge of
 10 the revenues to the bonds and notes.

11 (3) The board shall allow the Montana board of science
 12 and technology development provided for in 2-15-1818 to
 13 administer \$7.5 million of the permanent coal tax trust fund
 14 for seed capital project loans and \$5.1 million of the
 15 permanent coal tax trust fund for research and development
 16 project loans pursuant only to the provisions of Title 90,
 17 chapter 3. This authority does not extend beyond June 30,
 18 1994, for seed capital project loans and for research and
 19 development project loans. Until the Montana board of
 20 science and technology development makes a loan pursuant to
 21 the provisions of Title 90, chapter 3, the funds under its
 22 administration must be invested by the board of investments
 23 pursuant to the provisions of 17-6-201.

24 (4) The Montana board of science and technology
 25 development may require payback to the permanent coal tax

1 trust fund from any research and development projects funded
 2 pursuant to [section 2] when it determines that
 3 commercialization is reasonably foreseeable or that the
 4 particular project presents reasonable potential for payback
 5 and is in compliance with 90-3-506, 90-3-521, 90-3-522,
 6 90-3-524, and 90-3-525.

7 (4)(5) The board shall adopt rules to allow a nonprofit
 8 corporation to apply for economic assistance. The rules must
 9 recognize that different criteria may be needed for
 10 nonprofit corporations than for for-profit corporations."

11 NEW SECTION. Section 4. Three-fourths vote required.
 12 Because [section 1] appropriates money from the permanent
 13 coal tax trust fund, a vote of three-fourths of the members
 14 of each house of the legislature is required for passage,
 15 pursuant to Article IX, section 5, of the Montana
 16 constitution.

17 NEW SECTION. Section 5. Effective date. [This act] is
 18 effective July 1, 1993.

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