

1 House BILL NO. 130
2 INTRODUCED BY Hayne
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE AUTHORITY OF THE BOARD OF OIL AND
5 GAS CONSERVATION TO SET THE ANNUAL SALARY OF FOUR PROFESSIONAL STAFF POSITIONS;
6 AMENDING SECTIONS 2-15-3303 AND 2-18-103, MCA; AND PROVIDING AN EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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10 Section 1. Section 2-15-3303, MCA, is amended to read:

11 "2-15-3303. Board of oil and gas conservation -- composition -- allocation -- quasi-judicial. (1)

12 There is a board of oil and gas conservation.

13 (2) The board consists of seven members, three of whom shall must be from the oil and gas
14 industry and have had at least 3 years' experience in the production of oil and gas and two of whom shall
15 must be landowners residing in oil or gas producing counties of the state but not actively associated with
16 the oil and gas industry, ~~but one~~ One of the two landowners shall must ~~be one who owns the own~~ mineral
17 rights with the surface, and the other ~~shall be one who does~~ may not own the mineral rights.

18 (3) The board is allocated to the department for administrative purposes only as prescribed in
19 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply. ~~The board~~
20 ~~may also prescribe the duties and annual salary of four professional staff positions.~~

21 (4) The board is designated as a quasi-judicial board for purposes of 2-15-124."
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23 Section 2. Section 2-18-103, MCA, is amended to read:

24 "2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions
25 in state government:

- 26 (1) elected officials;
- 27 (2) county assessors and their chief deputy;
- 28 (3) officers and employees of the legislative branch;
- 29 (4) judges and employees of the judicial branch;
- 30 (5) members of boards and commissions appointed by the governor, the legislature, or other

- 1 elected state officials;
- 2 (6) officers or members of the militia;
- 3 (7) agency heads appointed by the governor;
- 4 (8) academic and professional administrative personnel with individual contracts under the authority
- 5 of the board of regents of higher education;
- 6 (9) academic and professional administrative personnel and live-in houseparents who have entered
- 7 into individual contracts with the state school for the deaf and blind under the authority of the state board
- 8 of public education;
- 9 (10) teachers under the authority of the department of corrections and human services or family
- 10 services;
- 11 (11) investment officer, assistant investment officer, executive director, and three professional staff
- 12 positions of the board of investments;
- 13 ~~(12) four professional staff positions under the board of oil and gas conservation;~~
- 14 ~~(13)~~(12) assistant director for security of the Montana state lottery;
- 15 ~~(14)~~(13) executive director and senior investment officer of the Montana board of science and
- 16 technology development;
- 17 ~~(15)~~(14) executive director and employees of the state compensation insurance fund;
- 18 ~~(16)~~(15) state racing stewards employed by the executive secretary of the Montana board of
- 19 horseracing;
- 20 ~~(17)~~(16) executive director of the Montana wheat and barley committee; and
- 21 ~~(18)~~(17) commissioner of banking and financial institutions."

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23 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 1995.

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