

SENATE BILL NO. 173

INTRODUCED BY C. JUNEAU

BY REQUEST OF THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION; TRANSFERRING ADMINISTRATIVE ATTACHMENT FOR THE STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION FROM THE GOVERNOR'S OFFICE TO THE DEPARTMENT OF COMMERCE; ADDING A MEMBER TO THE COMMISSION; REPEALING THE TERMINATION DATE OF THE STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION; AMENDING SECTIONS 90-1-131 AND 90-1-135, MCA; REPEALING SECTION 19, CHAPTER 512, LAWS OF 1999, SECTION 5, CHAPTER 69, LAWS OF 2001, AND SECTIONS 3 AND 4, CHAPTER 460, LAWS OF 2005; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 90-1-131, MCA, is amended to read:

"90-1-131. ~~(Temporary)~~ State-tribal economic development commission -- composition -- compensation for members. (1) There is a state-tribal economic development commission administratively attached to the ~~office of the governor~~ department of commerce as prescribed in 2-15-121.

(2) The commission is composed of ~~40~~ 11 members, each appointed by the governor to 3-year staggered terms commencing on July 1 of each year of appointment, and must include:

(a) the state coordinator of Indian affairs;

(b) one member from the department of commerce;

(c) one member from the governor's office of economic development;

~~(e)(d)~~ one member from each of the seven federally recognized tribes in Montana and one member from the Little Shell band of Chippewa Indians. A tribal government may advertise for individuals interested in serving on the commission and develop a list of applicants from which it may choose its nominee to recommend to the governor. In place of choosing from a list of applicants, a tribal government may select an elected tribal official to recommend for membership on the commission. If a tribal government nominates or otherwise recommends more than one person for membership on the commission, the governor shall select one individual from among

1 those recommended persons.

2 (3) The members of the commission shall elect a presiding officer from among the members.

3 (4) Six members of the commission constitute a quorum, and the affirmative vote of the majority of the
4 members present is sufficient for any action taken by the commission.

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

6 (6) Each member of the commission is entitled to reimbursement for expenses as provided in 2-18-501
7 through 2-18-503. (~~Terminates June 30, 2009--secs. 3, 4, Ch. 460, L. 2005.~~)"

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9 **Section 2.** Section 90-1-135, MCA, is amended to read:

10 **"90-1-135. (Temporary) Special revenue accounts.** (1) There is an account in the state treasury for
11 the receipt of state and private funds and an account in the state treasury for the receipt of federal funds for
12 expenditure by the state-tribal economic development commission established in 90-1-131.

13 (2) Money in the accounts established in subsection (1) must be used to pay:

14 (a) the commission's administrative costs;

15 (b) the salary, benefits, and administrative expenses of the tribal business center coordinator and the
16 federal grants coordinator; and

17 (c) the costs of conducting or commissioning and periodically updating or otherwise modifying a
18 comprehensive assessment of economic development needs and priorities on each of the Indian reservations
19 in the state.

20 (3) Money in the accounts that is not expended for the purposes identified in subsection (2) may be used
21 for other purposes that the commission considers prudent or necessary.

22 (4) Interest and income earned on the money in the accounts must be deposited in the accounts for the
23 commission's use.

24 (~~(5) Money in the accounts that is not expended by June 30, 2005, must remain in the accounts for the~~
25 ~~commission's use. (Terminates June 30, 2009--secs. 3, 4, Ch. 460, L. 2005.)"~~)

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27 **NEW SECTION. Section 3. Repealer.** (1) Section 19, Chapter 512, Laws of 1999, is repealed.

28 (2) Section 5, Chapter 69, Laws of 2001, is repealed.

29 (3) Sections 3 and 4, Chapter 460, Laws of 2005, are repealed.
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NEW SECTION. **Section 4. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa.

NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2007.

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