

HOUSE BILL NO. 493

INTRODUCED BY D. VILLA

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE BOARD OF RESEARCH AND COMMERCIALIZATION TECHNOLOGY; PROVIDING THE GOVERNOR WITH AUTHORITY TO APPOINT ALL MEMBERS OF THE BOARD; REQUIRING THE DEPARTMENT OF COMMERCE TO PROVIDE NECESSARY STAFFING; AMENDING SECTIONS 2-15-1819 AND 90-3-1005, MCA; REPEALING SECTION 90-3-1006, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-15-1819, MCA, is amended to read:

"2-15-1819. Board of research and commercialization technology. (1) There is a Montana board of research and commercialization technology.

(2) The board consists of six seven members. ~~One member must be appointed by the president of the senate, one member must be appointed by the minority leader of the senate, one member must be appointed by the speaker of the house, one member must be appointed by the minority leader of the house, and two members must be appointed by the governor. One of the members~~ appointed by the governor as follows:

- (a) one member with expertise in production agriculture;
- (b) one member with expertise in clean coal research and development or renewable resource research and development;
- (c) one member with expertise in statewide economic development;
- (d) one member associated with the Montana university system;
- (e) one member who must be an enrolled member of a Montana tribal government; and
- (f) two at-large members who are citizens of Montana.

(3) A member who ceases to live in the state is disqualified from membership, and the position becomes vacant. If a vacancy occurs, the position must be filled in the manner of the original appointment.

~~(4) The board shall hire an executive director and shall prescribe the executive director's salary and duties.~~

~~(5)~~(4) (a) The board is a quasi-judicial entity subject to the provisions of 2-15-124, except that none of

1 the members are required to be licensed to practice law in the state.

2 (b) The board shall elect a presiding officer from among its members at an annual election. The presiding
3 officer may be reelected.

4 (c) ~~Except for the original appointments, members shall serve 2-year terms.~~ Members shall serve 4-year
5 terms, except that the governor shall designate three of the initial members to serve 2-year terms, with the
6 remaining four initial members to serve 4-year terms. All the initial terms are to begin on July 1, 2009.

7 ~~(6)(5)~~ The board is attached to the department of commerce for administrative purposes only, and the
8 department of commerce shall provide suitable office facilities and the necessary staff for the board."

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10 **Section 2.** Section 90-3-1005, MCA, is amended to read:

11 **"90-3-1005. Meetings -- compensation.** (1) The Montana board of research and commercialization
12 technology may determine the time and place of its meetings but shall meet at least once each quarter.

13 (2) Each member of the board, ~~except legislative members,~~ is entitled to receive compensation of \$50
14 a day plus travel expenses, pursuant to 2-18-501 through 2-18-503, for each day spent conducting official board
15 business."

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17 NEW SECTION. **Section 3. Repealer.** Section 90-3-1006, MCA, is repealed.

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19 NEW SECTION. **Section 4. Notification to tribal governments.** The secretary of state shall send a
20 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
21 Chippewa tribe.

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23 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2009.

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