

SENATE BILL NO. 232  
INTRODUCED BY MAHLUM

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE MONTANA HERITAGE PRESERVATION AND DEVELOPMENT COMMISSION TO THE DEPARTMENT OF COMMERCE FOR ADMINISTRATIVE PURPOSES; ALLOWING NEGOTIATIONS FOR AN INDIRECT ADMINISTRATIVE RATE; ~~AND~~ AMENDING SECTION 22-3-1002, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 22-3-1002, MCA, is amended to read:

**"22-3-1002. Montana heritage preservation and development commission.** (1) There is a Montana heritage preservation and development commission. The commission is attached to the ~~Montana historical society~~ department of commerce for administrative purposes only, pursuant to 2-15-121. The commission and the department shall negotiate a specific indirect administrative rate annually, with biennial review by a designated, appropriate legislative interim committee.

(2) The commission consists of 14 members. The members shall broadly represent the state. Nine members must be appointed by the governor, one member must be appointed by the president of the senate, and one member must be appointed by the speaker of the house. The director of the Montana historical society, the director of the department of fish, wildlife, and parks, and the director of the department of commerce shall serve as members.

———(2) Of the members appointed by the governor:

- (a) one member must have extensive experience in managing facilities that cater to the needs of tourists;
- (b) one member must have experience in community planning;
- (c) one member must have experience in historic preservation;
- (d) two members must have broad experience in business;
- (e) one member must be a member of the tourism advisory council established in 2-15-1816;
- (f) one member must be a Montana historian; and
- (g) two members must be from the public at large.

(3) Except for the initial appointments, members appointed by the governor shall serve 3-year terms. Legislative appointees shall serve 2-year terms. If a vacancy occurs, the appointing authority shall make an

appointment for the unexpired portion of the term.

(4) (a) The commission may employ:

(i) an executive director who has general responsibility for the selection and management of commission staff, developing recommendations for the purchase of property, and overseeing the management of acquired property;

(ii) a curator who is responsible for the display and preservation of the acquired property; and

(iii) other staff that the commission and the executive director determine are necessary to manage and operate commission properties.

(b) The commission shall prescribe the duties and annual salary of the executive director, the curator, and other commission staff."

NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL JULY 1, 2003.

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