

HOUSE BILL NO. 523

INTRODUCED BY K. SULLIVAN, K. DUDIK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TRADE AND MARKETING ACTIVITIES BY THE STATE; EXPANDING DEPARTMENT OF COMMERCE ACTIVITIES NATIONALLY AND INTERNATIONALLY; INCORPORATING TRADE PROMOTION AND MARKETING INTO STATE WORKFORCE INNOVATION BOARD ACTIVITIES; ~~ADDING A FOCUS ON RURAL, VETERAN, MINORITY, AND WOMEN-OWNED BUSINESSES;~~ AND AMENDING SECTIONS 53-2-1203, 90-1-101, 90-1-105, 90-1-112, AND 90-1-144, MCA."

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

NEW SECTION. **Section 1. Trade activities.** The department of commerce through its state trade expansion program or an equivalent program shall:

(1) promote the state through trade show delegations at key events regionally, nationally, and globally;

(2) work with the Montana agriculture development council, the tourism advisory council, the Montana manufacturing extension center, the Montana board of research and commercialization technology, the state workforce innovation board, and other state and national entities to improve funding for and access to supportive services ~~for rural-based, veteran-, minority-, and women-owned~~ TO THE EXTENT POSSIBLE WITHIN EXISTING RESOURCES TO HELP ALL businesses.

(3) work with local chambers of commerce, the governor's office of economic development, certified regional development corporations, and other economic development organizations in this state to inform citizens in this state IN THE MOST COST-EFFECTIVE MANNER POSSIBLE of the services available through the department.

**Section 2.** Section 53-2-1203, MCA, is amended to read:

**"53-2-1203. Montana state workforce innovation board -- membership -- duties.** (1) There is a Montana state workforce innovation board.

(2) The board:

(a) must consist of individuals who fulfill the membership roles and selection criteria required by section 101(b)(1) of the Act, 29 U.S.C. 3111(b)(1); and

(b) may include individuals who fulfill the membership roles and selection criteria permitted by section



1 101(b)(1) of the Act, 29 U.S.C. 3111(b)(1).

2 (3) The governor shall consider the special needs of Montana's hard-to-serve Indian population and the  
3 state's relationship with tribal governments when making appointments to the board.

4 (4) The board shall perform the functions described in section 101(d) of the Act, 29 U.S.C. 3111(d), and  
5 assist the department of commerce in coordinating with local businesses in activities related to trade promotion  
6 and marketing."

7

8 **Section 3.** Section 90-1-101, MCA, is amended to read:

9 **"90-1-101. Declaration of necessity and public policy.** (1) It is hereby declared to be a necessity and  
10 the public policy of the state to promote, stimulate, and encourage the planning and development of the economy  
11 of the state in order to provide for the social and economic prosperity of its citizens. Such promotion and  
12 development of industry, commerce, agriculture, labor, and natural resources of the state require that cognizance  
13 be taken of the continuing migration of people to the urban areas in search of job opportunities and the fact that  
14 Montana is making a needed transition to a diversified economy. Community planning, greater diversification of  
15 industry and attraction of additional industry, accelerated development of natural resources, expansion of existing  
16 industry, creation of new uses for agricultural products, greater emphasis on scientific research, development of  
17 new markets for the products of the state, and the attainment of a proper balance in the overall economic base,  
18 without leaving behind those who remain in rural areas, are all necessary in order to create additional  
19 employment opportunities, increase personal income, retain quality of life for rural Montana, and promote the  
20 general welfare of the people of this state.

21 (2) The legislature recognizes that consistency and continuity in the adoption and application of  
22 environmental rules are essential to the protection and enhancement of Montana's economic well-being, that  
23 consistency and continuity are particularly important to those persons who have made a financial commitment  
24 after completing an application for an environmental permit based on the existence of certain environmental rules,  
25 and that those persons are entitled to a reasonable expectation that requirements in such a permit will not be  
26 changed to their detriment. Therefore, when a person makes a financial commitment after having completed an  
27 application for an environmental permit, it is the policy of the state not to change the requirements for such permit  
28 to the detriment of the applicant or permittee without having first taken into account and given consideration to  
29 previous expenditures made by the applicant or permittee.

30 (3) The department of commerce shall be regarded as performing a governmental function in carrying

1 out the provisions of 90-1-102 through 90-1-109."

2

3 **Section 4.** Section 90-1-105, MCA, is amended to read:

4 **"90-1-105. Functions of department of commerce -- economic development.** The department of  
5 commerce shall:

6 (1) provide coordinating services to aid state and local groups and Indian tribal governments in the  
7 promotion of new economic enterprises and conduct publicity and promotional activities within the state,  
8 nationally, and internationally in connection with new economic enterprises;

9 (2) collect and disseminate information regarding the advantages of developing agricultural, recreational,  
10 commercial, and industrial enterprises within this state;

11 (3) serve as an official state liaison between persons interested in locating new economic enterprises  
12 in Montana and state and local groups and Indian tribal governments seeking new enterprises;

13 (4) aid communities and Indian tribal governments interested in obtaining new business or expanding  
14 existing business;

15 (5) (a) study and promote means of expanding markets for Montana products within the state, nationally,  
16 and globally; and

17 (b) provide training and assistance for Montana small businesses and entrepreneurs to expand markets  
18 for made-in-Montana products;

19 (6) encourage and coordinate public and private agencies or bodies in publicizing the facilities and  
20 attractions of the state;

21 (7) explore the use of cooperative agreements, as provided in Title 18, chapter 11, part 1, for the  
22 promotion and enhancement of economic opportunities on the state's Indian reservations; and

23 (8) assist the state-tribal economic development commission established in 90-1-131 in:

24 (a) identifying federal government and private sector funding sources for economic development on  
25 Indian reservations in Montana; and

26 (b) fostering and providing assistance to prepare, develop, and implement cooperative agreements, in  
27 accordance with Title 18, chapter 11, part 1, with each of the tribal governments in Montana."

28

29 **Section 5.** Section 90-1-112, MCA, is amended to read:

30 **"90-1-112. Policy -- purpose.** (1) It is the policy of this state to:

1 (a) strengthen the foundations of the state's business environment and diversify and expand existing  
2 economic endeavors to achieve long-term economic stability;

3 (b) cooperate with business enterprises, local governments, other public organizations, and the federal  
4 government and use all practical means and measures, including financial and technical assistance, to:

5 (i) establish an economic climate in which the state's natural resources and agricultural operations  
6 remain constant contributors to the state's economic welfare;

7 (ii) articulate a coherent economic development vision for the future, taking into account both rural and  
8 urban demands and the availability of entrepreneurs who formerly might have faced disadvantages, DUE TO LACK  
9 OF ECONOMIC DEVELOPMENT RESOURCES, MIGHT BENEFIT FROM THIS POLICY; and

10 (iii) take a proactive role to ensure that Montana has the flexibility and resources to be an effective  
11 competitor in the changing global marketplace.

12 (2) The purpose of 2-15-218, 2-15-219, and 90-1-112 through 90-1-114 is to provide a vision and a  
13 direction through the development of strategies and initiatives to ensure that the state's role in expanding the  
14 economy takes place in an orderly and effective manner."

15

16 **Section 6.** Section 90-1-144, MCA, is amended to read:

17 **"90-1-144. Financial assistance center -- department responsibilities.** (1) There is a financial  
18 assistance center within the department of commerce.

19 (2) The center shall:

20 (a) compile and include a comprehensive list of all state financial assistance programs, including but not  
21 limited to:

22 (i) eligible recipients;

23 (ii) conditions required for an award of a loan or grant;

24 (iii) limits on the amount of funds available;

25 (iv) application information; and

26 (v) lending or granting cycles;

27 (b) maintain and provide information related to nonstate loan and grant programs by cooperating and  
28 coordinating with federal loan and grant programs, commercial lenders, and nonprofit economic development  
29 lending organizations; and

30 (c) provide regular opportunities for financial institutions, loan and grant applicants, local economic

1 development organizations, business enterprises, and other federal, state, and local governmental entities to  
2 review the center and provide advice and recommendations regarding the expansion or modification of the center.

3 (3) The department shall:

4 (a) develop an internet website specifically designed to assist loan and grant applicants in gathering  
5 information. The website must, at a minimum, contain the following features:

6 (i) a prominently placed world wide web link representing the financial assistance programs that allows  
7 for multiple methods for website navigation;

8 (ii) a comprehensive list of the types of loans and grants available from the state, outlined by agency,  
9 subject, area, or speciality; and

10 (iii) an agency-specific loan and grant list with appropriate links to personnel responsible for administering  
11 the program;

12 (b) cooperate with the office of the secretary of state to ensure that rules governing electronic  
13 transactions, digital signatures, and digital notary can be applied to electronic loan and grant applications;

14 (c) provide direct and individual service to interested applicants to ensure that:

15 (i) adequate information regarding eligibility requirements for financial assistance is received and  
16 understood;

17 (ii) contacts and appointments are made with the various state agencies administering financial  
18 assistance programs;

19 (iii) technical and professional assistance is provided to facilitate the accurate and timely completion of  
20 business feasibility plans and financial assistance applications; and

21 (iv) periodic updates are provided to applicants regarding the status of financial assistance applications  
22 and new or emerging financial assistance opportunities;

23 (d) develop a marketing plan to provide information about the center to individuals, commercial financial  
24 institutions, local economic development organizations, business enterprises, and local governments;

25 (e) coordinate with the department of revenue to provide:

26 (i) information related to applicable business licensing and registration requirements; and

27 (ii) relevant information related to tax credits and tax incentive programs for economic development  
28 activities;

29 (f) collect and maintain a supply of loan and grant application forms and information for all state loans  
30 and grants and actively assist interested applicants in answering application questions;

1 (g) collect and maintain a master list of state loan opportunities by type of loan, eligibility requirements,  
2 lending cycles, and availability; and

3 (h) review rules, application forms and processes, and lending cycles of loan and grant programs  
4 administered by other state agencies and make recommendations to those agencies related to the development  
5 of uniform loan and grant requirements.

6 (4) The department may gather and disseminate information related to nonstate loan sources and  
7 perform other administrative tasks delegated to the department to improve state lending processes and loan and  
8 grant program administration.

9 (5) The department shall work with other state agencies as provided in 90-1-145, particularly with the  
10 department of agriculture, the department of labor and industry, the department of military affairs, and the  
11 governor's office of economic development in promoting marketing, trade assistance, and workforce development;  
12 with an emphasis on rural-based, veteran-, minority-, and women-owned businesses FOR BUSINESSES IN THIS  
13 STATE."

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15 **NEW SECTION. Section 7. Notification to tribal governments.** The secretary of state shall send a  
16 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
17 Chippewa tribe.

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19 **NEW SECTION. Section 8. Codification instruction.** [Section 1] is intended to be codified as an  
20 integral part of Title 90, chapter 1, and the provisions of Title 90, chapter 1, apply to [section 1].

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