

Amendment - 2nd Reading/2nd House-tan - Requested by: Matt Regier - (S) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Julie Johnson,

HB0863.001.012

HOUSE BILL NO. 863

INTRODUCED BY L. JONES, J. ESP, C. GLIMM, D. BEDEY, B. MERCER, E. TILLEMAN, K. WALSH

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING STATE FINANCE LAWS; PROVIDING THAT THE EXECUTIVE DIRECTOR OF THE BOARD OF INVESTMENTS IS APPOINTED BY THE GOVERNOR AND SUBJECT TO SENATE CONFIRMATION; PROVIDING AN APPROPRIATION; AMENDING SECTION SECTIONS 2-15-1808 AND 17-7-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-15-1808, MCA, is amended to read:

"2-15-1808. Board of investments -- allocation -- composition -- quasi-judicial. (1) There is a board of investments within the department of commerce.

(2) (a) Except as otherwise provided in this subsection (2), the board is allocated to the department for administrative purposes as prescribed in 2-15-121.

(b) The executive director, who has general responsibility for selection and management of the board's staff and for direct investment and economic development activities, is appointed by the governor subject to confirmation by the senate to hold office until the end of the governor's term, unless removed sooner by the governor.

(c) The board may employ a chief investment officer ~~and an executive director who have~~ who has general responsibility for selection and management of the board's staff and for direct investment and economic development activities.

(d) The board shall prescribe the duties and annual salaries of the chief investment officer, executive director, and six professional staff positions. The chief investment officer, ~~executive director~~, and six professional staff serve at the pleasure of the board. The executive director serves at the pleasure of the governor.

(3) The board is composed of nine members appointed by the governor, as prescribed in 2-15-

124, and two ex officio, nonvoting members. The members are:

(a) one member from the public employees' retirement board, provided for in 2-15-1009, and one member from the teachers' retirement board provided for in 2-15-1010. If either member of the respective retirement boards ceases to be a member of the retirement board, the position of that member on the board of investments is vacant, and the governor shall fill the vacancy in accordance with 2-15-124.

(b) seven members who will provide a balance of professional expertise and public interest and accountability, who are informed and experienced in the subject of investments, and who are representatives of:

(i) the financial community;

(ii) small business;

(iii) agriculture; and

(iv) labor; and

(c) two ex officio, nonvoting legislative liaisons to the board, of which one must be a senator appointed by the president of the senate and one must be a representative appointed by the speaker of the house. The liaisons may not be from the same political party. Preference in appointments is to be given to legislators who have a background in investments or finance. The legislative liaisons shall serve from appointment through each even-numbered calendar year and may attend all board meetings. Legislative liaisons appointed pursuant to this subsection (3)(c) are entitled to compensation and expenses, as provided in 5-2-302, to be paid by the legislative council.

(4) The board is designated as a quasi-judicial board for the purposes of 2-15-124."

Section 2. Section 17-7-102, MCA, is amended to read:

"17-7-102. (Temporary) Definitions. As used in this chapter, the following definitions apply:

(1) "Additional services" means different services or more of the same services.

(2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.