



AN ACT ESTABLISHING REQUIREMENTS FOR PROFESSIONAL INVESTMENT EXPERIENCE FOR CERTAIN MEMBERS OF THE BOARD OF INVESTMENTS; ESTABLISHING CONTINUING EDUCATION REQUIREMENTS FOR BOARD OF INVESTMENTS MEMBERS; AMENDING SECTION 2-15-1808, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY 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 -- qualifications -- continuing education -- quasi-judicial.** (1) There is a board of investments within the department of commerce.

(2) Except as otherwise provided in this subsection, the board is allocated to the department for administrative purposes as prescribed in 2-15-121. The board may employ a chief investment officer and an executive director who have general responsibility for selection and management of the board's staff and for direct investment and economic development activities. 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.

(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) At least three of the nine members must each have at least 5 years of professional investment experience as an investment professional.

(5) (a) Each member of the board and the legislative liaisons to the board shall attend an orientation to be provided by the board's staff that, at a minimum, educates the member about:

(i) program governance;

(ii) the board's fiduciary duty; and

(iii) the retirement systems and plans provided for in Title 19.

(b) Each board member shall annually participate in a minimum of 8 hours of flexible, cost-effective, and geographically accessible basic or continuing education that functions to ensure that each member attains an appropriate level of knowledge and understanding of:

(i) best practices in:

(A) the monitoring of investment pools and accounts, the composition of asset class, and investment managers; and

(B) investment strategy; and

(ii) key institutional investment management concepts, including:

(A) portfolio management theory and strategies;

(B) asset class attributes and investment strategies; and

(C) financial performance evaluation concepts.

~~(4)~~(6) The board is designated as a quasi-judicial board for the purposes of 2-15-124."

**Section 2. Effective date -- applicability.** [This act] is effective July 1, 2017, and applies to appointments on or after December 31, 2018.

- END -

I hereby certify that the within bill,  
HB 0533, originated in the House.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2017.

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Chief Clerk of the House

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2017.

HOUSE BILL NO. 533

INTRODUCED BY V. COURT, D. BARTEL, R. BRODEHL, D. BROWN, T. BURNETT, T. GAUTHIER,  
K. HOLMLUND, N. SWANDAL

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