



AN ACT PROVIDING FOR A FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION; PROVIDING FOR MEMBERS AND DUTIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

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

Section 1. Economic stimulus program oversight commission. (1) There is an economic stimulus program oversight commission.

(2) The commission is composed of 10 members. The members are appointed as follows:

(a) five members of the house of representatives appointed by the speaker of the house from the following committees:

(i) one republican member from the revenue and transportation committee;

(ii) one democratic member from the education and local government committee;

(iii) one republican member from the children, families, health, and human services committee;

(iv) one democratic member from the legislative finance committee; and

(v) one democratic member from the legislative council; and

(b) five members of the senate appointed by the president of the senate from the following committees:

(i) one democratic member from the revenue and transportation committee;

(ii) one republican member from the education and local government committee;

(iii) one democratic member from the children, families, health, and human services committee;

(iv) one republican member from the legislative finance committee; and

(v) one republican member from the legislative council.

(3) The presiding officer of the commission must be elected by the legislative members of the commission.

(4) Legislative members of the commission are entitled to receive compensation and expenses as provided in 5-2-301 for each day actually spent on commission business.

(5) The legislative services division shall provide staff assistance to the committee, and the committee may receive staff assistance from the legislative fiscal division, the legislative audit division, and the office of budget and program planning. Agencies of the executive branch shall provide information on the receipt and expenditure of federal economic stimulus program funds upon request. The commission may contract for expertise in the areas necessary to provide adequate oversight of state governmental processes. The commission may request specific audits from the legislative audit committee.

(6) For the purposes of [sections 1 and 2], "federal economic stimulus program funds" means any funds received by the state pursuant to the American Recovery and Reinvestment Act of 2009 of the 111th congress.

Section 2. Commission oversight duties -- agency reporting. (1) The commission shall provide oversight on the distribution and use of any federal economic stimulus program funds.

(2) In order to ensure that the stimulus money is being used effectively and efficiently, the duties of the commission may include but are not limited to the following:

- (a) evaluating the coordination of projects within the state;
- (b) determining if the legislative intent in funding the project is being followed;
- (c) determining the adequacy of public notice and opportunity for comment and input;
- (d) determining the transparency in bidding and the contracting process;
- (e) evaluating the implementation and the maintenance of integrity of the programs; and
- (f) determining the extent to which duplication and waste is prevented.

(3) At the time a budget amendment to appropriate federal economic stimulus program funds is submitted as provided in 17-7-402(4), the amendment must be submitted to the commission. A state agency that receives federal economic stimulus program funds that is required to report on the funds shall forward a copy of the report to the commission.

(4) The commission may act as a clearinghouse for all aspects of the economic stimulus program and provide a website to foster greater accountability and transparency. The website must provide:

- (a) materials explaining the economic stimulus program to citizens;
- (b) data on relevant economic, financial, and grant information provided to the commission;
- (c) links to federal and state government websites that contain information on opportunities for citizen participation and input; and

(d) any other information that the commission considers relevant.

(5) The commission shall prepare a final report of its findings and conclusions based on its duties. The commission shall submit the final report to the legislative finance committee, the legislative council, and the legislative audit committee.

Section 3. Effective date. [This act] is effective on passage and approval.

Section 4. Termination. [This act] terminates upon full expenditure or reversion of the federal economic stimulus funds and fulfillment of all reporting requirements.

- END -

I hereby certify that the within bill,
SB 0460, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 460

INTRODUCED BY STORY, ZINKE, J. PETERSON, R. BROWN, BARKUS, MCGEE, BALES, LAIBLE,
HINKLE, BRENDEN, BLACK, ESP, TUTVEDT, BRUEGGEMAN, GEBHARDT, LEWIS, SHOCKLEY, KERNS,
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