

## HOUSE BILL NO. 170

INTRODUCED BY T. MILLETT, L. SCHUBERT, B. USHER, T. TEZAK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT APPLICATIONS FOR FEDERAL FINANCIAL ASSISTANCE FROM THE FEDERAL GOVERNMENT BE REVIEWED BY THE LEGISLATURE PRIOR TO SUBMISSION; AND ESTABLISHING REPORTING REQUIREMENTS."

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

**NEW SECTION. Section 1. Application for federal financial assistance -- review by legislature required prior to submission of application.** Except as provided in 10-3-203, and notwithstanding any other provision of law, prior to the submission of an application for financial assistance, including any funds or grants, from the United States or any agency of the United States by or on behalf of any agency of the state, the application must be submitted for legislative review in the following manner:

(1) If the application is to be submitted to the federal government when the legislature is in session, the application must first be submitted as a proposed joint resolution and be either concurred with or not concurred with by the legislature. After the resolution is passed, whether concurred with or not concurred with, the application may be submitted by the state agency to the appropriate federal agency.

(2) (a) If the application is to be submitted to the federal government when the legislature is not in session, the application must first be submitted to the energy and telecommunications interim committee. The interim committee shall review the application and vote on whether it concurs with or does not concur with the submission of the application.

(b) After the interim committee has reviewed and voted on the application, the committee shall request that the secretary of state poll the members of the legislature to determine whether each chamber concurs with or does not concur with the submission of the application by the state agency to the appropriate federal agency.

(c) After the mail poll has been conducted, whether concurred with or not concurred with, the application may be submitted by the state agency to the appropriate federal agency.

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**NEW SECTION. Section 2. Report of requested federal assistance.** (1) Each executive agency

that has submitted an application for federal assistance to the legislature for review, either when the legislature is in session or during the interim, shall submit a report to all members of the legislature and the governor in accordance with 5-11-210 by September 1 of each even-numbered year. The report must provide the following information for each request made during the preceding biennium:

- (a) the requesting state agency;
  - (b) the amount requested;
  - (c) the fiscal year or biennium the funds are requested for;
  - (d) the date the application was submitted to the legislature for review;
  - (e) the concurrence or nonconcurrence of each committee and chamber and the date of concurrence or nonconcurrence;
  - (f) whether the application was submitted to the federal government; and
  - (g) the date on which the application was submitted to the federal government, if applicable.
- (2) The report must be provided in an electronic format.
  - (3) By December 31 of each even-numbered year, the report must be submitted to all newly elected legislators and the governor.

**NEW SECTION. Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified

as an integral part of Title 17, chapter 3, and the provisions of Title 17, chapter 3, apply to [sections 1 and 2].

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