

HOUSE BILL NO. 110

INTRODUCED BY WINSLOW, ROUSH, SCHULTZ, KEYSER, ELLIOTT

IN THE HOUSE

January 6, 1983	Introduced and referred to Committee on Education and Cultural Resources.
January 26, 1983	Committee recommend bill do pass as amended. Report adopted. Statement of Intent attached.
January 27, 1983	Bill printed and placed on members' desks.
January 28, 1983	Second reading, do pass as amended.
January 29, 1983	Correctly engrossed.
January 31, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 1, 1983	Introduced and referred to Committee on Education and Cultural Resources.
March 5, 1983	Committee recommend bill be concurred in. Report adopted.
March 8, 1983	Second reading, concurred in.
March 10, 1983	Third reading, concurred in. Ayes, 48; Noes. 1.

IN THE HOUSE

March 10, 1983

Returned to House.

March 11, 1983

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 110 *Enacted*
 2 INTRODUCED BY Winters, Roush - Shultz - Boyer
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE CULTURAL
 5 AND AESTHETIC GRANTS PROGRAM; ESTABLISHING A CULTURAL AND
 6 AESTHETIC PROJECTS ADVISORY COMMITTEE; PROVIDING THAT THE
 7 COMMITTEE SUBMIT RECOMMENDATIONS TO THE LEGISLATURE ON
 8 CULTURAL AND AESTHETIC GRANT PROPOSALS FUNDED FROM THE COAL
 9 SEVERANCE TAX TRUST FUND FOR PARKS AND CULTURAL PROJECTS;
 10 AMENDING SECTION 22-3-112, MCA."
 11

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

13 Section 1. Section 22-3-112, MCA, is amended to read:

14 "22-3-112. Cultural and aesthetic projects grants. (1)

15 Any person, association, or representative of a governing
 16 unit seeking a grant for a cultural or aesthetic project
 17 from the income of the trust fund created in 15-35-108 must
 18 submit a grant proposal to the ~~board of trustees~~ cultural
 19 and aesthetic projects advisory committee, in care of the
 20 Montana historical society, by ~~December~~ September 1 of the
 21 year preceding the convening of a regular legislative
 22 session.

23 (2) ~~The board of trustees of the Montana historical~~
 24 ~~society shall present to the legislature by the 15th day of~~
 25 ~~any legislative session a list of grant proposals to be made~~

1 ~~from the cultural and aesthetic projects account to any~~
 2 ~~department, agency, board, commission, or other division of~~
 3 ~~the state government or to any local government unit. These~~
 4 ~~grant~~ Grant proposals shall ~~must~~ be for the purpose of
 5 protecting works of art in the state capitol or other
 6 cultural and aesthetic projects.

7 ~~(3) The legislature must appropriate funds from this~~
 8 ~~account before any grant is awarded.~~

9 ~~(4) The grant proposals approved by the legislature~~
 10 ~~shall be administered by the Montana historical society."~~

11 NEW SECTION. Section 2. Cultural and aesthetic
 12 projects advisory committee -- terms and compensation. (1)
 13 There is a cultural and aesthetic projects advisory
 14 committee.

15 (2) The committee consists of 16 members, appointed as
 16 follows:

17 (a) eight members appointed by the Montana historical
 18 society board of trustees; and

19 (b) eight members appointed by the Montana arts
 20 council.

21 (3) Members shall hold office for 4 years beginning
 22 January 1 following their appointment.

23 (4) A member may be removed by the appointing
 24 authority.

25 (5) All vacancies shall be filled by the original

-2- INTRODUCED BILL
 HB 110

1 appointing authority.

2 (6) The committee shall elect a chairman and
3 vice-chairman.

4 (7) Members of the committee are entitled to
5 compensation of \$25 a day and travel expenses, as provided
6 for in 2-18-501 through 2-18-503, for each day in attendance
7 at a committee meeting.

8 NEW SECTION. Section 3. Advisory committee — powers
9 and duties. (1) The cultural and aesthetic projects
10 advisory committee shall review all proposals for cultural
11 and aesthetic project grants before they are submitted to
12 the legislature.

13 (2) Consistent with the rules adopted in accordance
14 with [section 5], the committee shall make recommendations
15 to the legislature on each proposal submitted to the
16 committee.

17 (3) The committee's recommendations to the legislature
18 are advisory only.

19 (4) The committee shall present its recommendations to
20 the appropriations committee of the legislature by the 15th
21 day of any regular legislative session.

22 NEW SECTION. Section 4. Cultural and aesthetic
23 project appropriations — administration. (1) The
24 legislature must appropriate funds from the income of the
25 trust fund created in 15-35-108(2)(h) before any grant for a

1 cultural or aesthetic project is awarded.

2 (2) Costs incurred by the Montana historical society
3 and the Montana arts council for accounting, correspondence,
4 project visits, and solicitation of proposals related to
5 cultural and aesthetic project grants and the costs of the
6 advisory committee established in [section 2] shall be paid
7 from appropriations from the income of the trust fund.

8 (3) Grant proposals approved by the legislature shall
9 be administered by the:

10 (a) Montana historical society when they are
11 predominately of a historical nature; or

12 (b) Montana arts council when they are predominately
13 related to artistic endeavors.

14 (4) The legislature shall designate in the
15 appropriation authorization the responsible administering
16 agency.

17 NEW SECTION. Section 5. Rulemaking authority. The
18 Montana historical society and the Montana arts council
19 shall adopt rules that specify the criteria the advisory
20 committee shall use when evaluating and making
21 recommendations on cultural and aesthetic grant proposals
22 submitted to the legislature.

23 NEW SECTION. Section 6. Initial appointments. The
24 initial appointments made under the provisions of [section
25 2] shall be staggered in the following manner:

1 (1) Two of the members appointed by the Montana
2 historical society and four of the members appointed by the
3 Montana arts council shall serve 2-year terms.

4 (2) Two of the members appointed by the Montana
5 historical society and two of the members appointed by the
6 Montana arts council shall serve 3-year terms.

7 (3) Four of the members appointed by the Montana
8 historical society and two of the members appointed by the
9 Montana arts council shall serve 4-year terms.

-End-

STATE OF MONTANA

REQUEST NO. 067-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 10, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 110 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 110 proposes to establish a Cultural and Aesthetic Projects Advisory Committee and provides for appropriations for administrative costs incurred by the Montana Historical Society and the Montana Arts Council.

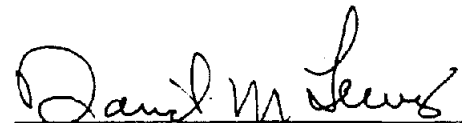
ASSUMPTIONS:

- 1) Committee meetings will be held three times during the biennium. The meetings will be of one day in duration.
- 2) Committee members will be representative of all geographical regions of the state.
- 3) The cost of the project visits will be absorbed by each agency's budget.

FISCAL IMPACT:

	<u>FY 84</u>	<u>FY 85</u>	<u>Total Biennium</u>
Expenditures Under Proposed Law			
Personal Services	20,705	20,860	41,565
Operating Expenses	<u>2,320</u>	<u>4,210</u>	<u>6,530</u>
TOTAL	<u>23,025</u>	<u>25,070</u>	<u>48,095</u>
Less: Expenditures Under Current Law	<u>0</u>	<u>0</u>	<u>0</u>
Increased Expenditures For Cultural and Aesthetic Project	<u>23,025</u>	<u>25,070</u>	<u>48,095</u>

FISCAL NOTE3:0/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-13-83

STATE OF MONTANA

REQUEST NO. 492-83

FISCAL NOTE

Form BD-15

In compliance with a written request received March 3, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 110, Amended, pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 110, Amended, establishes a Cultural and Aesthetic Projects Advisory Committee and provides appropriations for administrative costs incurred by the Montana Arts Council.

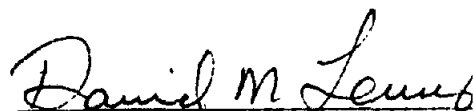
ASSUMPTIONS:

- 1) There will be three committee meetings in the biennium and will each be one day duration (1 day in FY 84 and 2 days in FY 85).
- 2) Committee members will be representative of all geographical regions of the state. There will be 16 members paid at \$25/day.
- 3) The duties and responsibilities of the .5 FTE are: publicity and advertisement for solicitation of proposals; interviewing and selection of review committee; scheduling and attendance at meetings; receipt, organization and tracking of proposals; handling of correspondence and inquiries; and supervision of receipt and disbursement of funds.

FISCAL IMPACT:

	<u>FY84</u>	<u>FY85</u>
Expenditures:		
Personal Services		
. 5 FTE Grade 12	\$ 10,216	\$ 10,263
Panel compensation	400	800
Total Personal Services	<u>\$ 10,616</u>	<u>\$ 11,063</u>
Operating Expenses:		
Supplies	170	180
Communications (phone & postage)	300	330
Panel Travel	<u>1,650</u>	<u>3,300</u>
Total Operating Expenses	<u>2,120</u>	<u>3,810</u>
Total Expenditures to Earmarked Revenue	<u>\$ 12,736</u>	<u>\$ 14,873</u>

FISCAL NOTE 17:J/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-3-83

App. by comm. on education
and cultural resources

1 STATEMENT OF INTENT

2 HOUSE BILL 110

3 House Education Committee

4
5 A statement of intent is required for this bill because
6 it grants rulemaking authority to the Montana Historical
7 Society and the Montana Arts Council for the purpose of
8 specifying the criteria the advisory committee shall use
9 when evaluating and making recommendation on cultural and
10 aesthetic grant proposals submitted to the legislature.

11 It is contemplated that the Montana Historical Society
12 and the Montana Arts Council will adopt rules that specify
13 the following general criteria that the advisory committee
14 will consider in making recommendations:

15 (1) Quality - ability/experience of project staff;
16 excellence of performers.

17 (2) Cultural impact - how important is the project to
18 the cultural development of the state? Will the project
19 stimulate a large number of people or a number of
20 communities?

21 (3) Project diversity - a variety of different
22 interests and disciplines should be served.

23 (4) Geographical diversity - to the extent possible,
24 the grants should assist the entire state.

25 (5) Project costs - if grant funds are limited, some

1 preference should be given to projects requiring smaller
2 grants.

3 (6) Seed money requests - will a grant enable the
4 project or its sponsors to generate other funds or otherwise
5 to make the project self-supporting?

6 (7) Availability/appropriateness - have applicants
7 attempted to procure other funds? Are there other sources
8 that are appropriate?

9 (8) Self-help - does the applicant seek full funding
10 from coal tax funds, or has he arranged alternate financing
11 to the extent possible?

12 (9) Creativity - is the project so innovative,
13 beneficial, and practical that by example it will stimulate
14 other projects?

SECOND READING

HOUSE BILL NO. 110

INTRODUCED BY WINSLOW, ROUSH, SCHULTZ, KEYSER, ELLIOTT

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE CULTURAL AND AESTHETIC GRANTS PROGRAM; ESTABLISHING A CULTURAL AND AESTHETIC PROJECTS ADVISORY COMMITTEE; PROVIDING THAT THE COMMITTEE SUBMIT RECOMMENDATIONS TO THE LEGISLATURE ON CULTURAL AND AESTHETIC GRANT PROPOSALS FUNDED FROM THE COAL SEVERANCE TAX TRUST FUND FOR PARKS AND CULTURAL PROJECTS; AMENDING SECTION 22-3-112, MCA."

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

Section 1. Section 22-3-112, MCA, is amended to read:

"22-3-112. Cultural and aesthetic projects grants. (1)

Any person, association, or representative of a governing unit seeking a grant for a cultural or aesthetic project from the income of the trust fund created in 15-35-108 must submit a grant proposal to the ~~board of trustees~~ cultural and aesthetic projects advisory committee, in care of the Montana historical society, by ~~December~~ September 1 of the year preceding the convening of a regular legislative session.

(2) ~~The board of trustees of the Montana historical society shall present to the legislature by the 15th day of any legislative session a list of grant proposals to be made~~

~~from the cultural and aesthetic projects account to any department, agency, board, commission, or other division of the state government or to any local government unit. These grant proposals shall must be for the purpose of protecting works of art in the state capitol or other cultural and aesthetic projects.~~

~~(3) The legislature must appropriate funds from this account before any grant is awarded.~~

~~(4) The grant proposals approved by the legislature shall be administered by the Montana historical society."~~

NEW SECTION. Section 2. Cultural and aesthetic projects advisory committee -- terms and compensation. (1) There is a cultural and aesthetic projects advisory committee.

(2) The committee consists of 16 members, appointed as follows:

(a) eight members appointed by the Montana historical society board of trustees; and

(b) eight members appointed by the Montana arts council.

(3) Members shall hold office for 4 years beginning January 1 following their appointment.

(4) A member may be removed by the appointing authority.

(5) All vacancies shall be filled by the original

1 appointing authority.

2 (6) The committee shall elect a chairman and
3 vice-chairman.

4 (7) Members of the committee are entitled to
5 compensation of \$25 a day and travel expenses, as provided
6 for in 2-18-501 through 2-18-503, for each day in attendance
7 at a committee meeting.

8 NEW SECTION. Section 3. Advisory committee -- powers
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15 ~~appropriation authorization the responsible administering~~
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17 SUBCOMMITTEE THAT HEARS THE BUDGET REQUESTS OF THE MONTANA
18 ARTS COUNCIL AND THE MONTANA HISTORICAL SOCIETY.

19 (4) GRANT PROPOSALS APPROVED BY THE LEGISLATURE ARE
20 ADMINISTERED BY THE MONTANA ARTS COUNCIL.

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22 Montana historical society and the Montana arts council
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-End-

REFERENCE BILL

MISSING