

1 HOUSE BILL NO. 12
 2 INTRODUCED BY M. HOPKINS
 3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FROM THE HISTORIC
 6 PRESERVATION GRANT PROGRAM ACCOUNT TO THE DEPARTMENT OF COMMERCE FOR HISTORIC
 7 PRESERVATION PROJECTS; AMENDING SECTION 22-3-1306, MCA; AUTHORIZING GRANTS FROM THE
 8 HISTORIC PRESERVATION GRANT PROGRAM ACCOUNT; PLACING CONDITIONS ON GRANTS AND
 9 FUNDS; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12

13 **Section 1.** Section 22-3-1306, MCA, is amended to read:

14 **"22-3-1306. Priorities for funding -- rulemaking.** (1) The department of commerce shall make
 15 recommendations for grants awarded under the historic preservation grant program to eligible public or private
 16 entities for the preservation of historic sites, historical societies, or history museums in the state.

17 (2) Projects funded under this act must provide a significant portion of the facility is open to public
 18 access and use. Projects which solely confer a private benefit are not eligible.

19 (3) The recommendations must be based on competitive criteria created by the department, as guided
 20 by the legislature. The criteria may include:

21 (a) the degree of economic stimulus or economic activity, including job creation and work creation for
 22 Montana contractors and service workers;

23 (b) the purpose of the project, including whether it provides features that establish or enhance
 24 security, climate control, or fire protection for museums or address infrastructure, maintenance, or building code
 25 issues;

26 (c) the timing of the project, including access to matching funds, if needed, and approval of permits so
 27 that work can be completed without delay;

28 (d) the historic or heritage value related to the state of Montana;

1 (e) the successful track record or experience of the organization directing the project; ~~and~~
 2 (f) the expected ongoing economic benefit to the state as a result of the project completion;
 3 ~~(g) the degree of local contribution to the project; and~~
 4 ~~(h) the anticipated public benefit, including the extent the site or building will be open to the public and~~
 5 ~~the degree of immediate facility use after project completion.~~

6 (42) The department of commerce shall adopt rules necessary to implement the historic preservation
 7 grant program. In adopting rules, the department shall look to the rules adopted for the Montana coal
 8 endowment program, the cultural and aesthetic grant program, and other similar state programs. To the extent
 9 feasible, the department shall make the rules compatible with those other programs."

11 NEW SECTION. Section 2. Section 1. **Appropriation for Montana historic grant program.** (1)

12 There is appropriated to the department of commerce \$8,501,314 for the biennium beginning July 1, 2023, from
 13 the historic preservation grant program account established in 22-3-1307 to finance projects authorized in
 14 subsection (2).

15 (2) The following projects and applicants are authorized for grants in ~~-ranked order~~ ~~their order of~~
 16 ~~priority:~~

Rank	Project/Applicant	Grant Amount
1	Harlowton Roundhouse Harlowton, City of	\$500,000
2	Fort Peck Theatre Fort Peck Fine Arts Council	\$500,000
3	Baker State Bank Building Southeastern Montana Area Revitalization Team (SMART)	\$160,000
4	Petroleum County Courthouse Petroleum County	\$498,720
5	Milligan Building Bighorn Valley Health Center, Inc. dba One Health	\$500,000
6	Ringling Church	

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0012.001.007

1		The Ringling Commons, LLC	\$141,773
2	7	National Museum of Forest Service History	
3		National Museum of Forest Service History	\$300,000
4	8	Historic Teslow Grain Elevator	
5		Project49	\$486,102
6	8	A.D. Whitcomb Garage	
7		Buses of Yellowstone Preservation Trust, Inc.	\$136,366
8	10	Havre Beneath the Streets	
9		Havre Beneath the Streets	\$359,672
10	11	Hockaday Museum of Art	
11		Hockaday Museum of Art	\$31,000
12	11	Historical Museum at Fort Missoula	
13		Friends of the Historical Museum at Fort Missoula	\$272,000
14	13	Shelby Town Hall	
15		Shelby, City of	\$5,600
16	14	Coggswell-Taylor House	
17		Montana Heritage Commission – Coggswell/Taylor House	\$176,562
18	15	Rocky Mountain Building	
19		Community Health Care Center, Inc. dba Alluvion Health	\$500,000
20	15	The History Museum	
21		Cascade County Historical Society dba The History Museum	\$340,000
22	15	Copper Village Museum and Arts Center	
23		Copper Village Museum and Arts Center	\$235,000
24	18	Historic Hotel Libby	
25		Friends of Historic Hotel Libby	\$173,659
26	18	Roosevelt Center	
27		Red Lodge Area Community Foundation	\$367,578
28	20	Kelly Block Building	

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0012.001.007

1		75 Park Street LLC	\$500,000
2	20	Montana Club	
3		Original Montana Club Cooperative Association	\$90,040
4	20	Charles Krug House	
5		Sonja Maxwell	\$145,000
6	23	Glendive Greenhouse at Bloom Coffeehouse and Eatery	
7		Bloom Coffeehouse and Eatery	\$250,000
8	23	Edwards & McLellan Block	
9		SGS Properties, LLC	\$221,590
10	25	Hickman House	
11		Montana Heritage Commission – Hickman House	\$166,073
12	25	Paris Gibson Square Museum of Art	
13		Paris Gibson Square Museum of Art	\$300,979
14	25	Billings Depot	
15		Billings Depot, Inc.	\$414,400
16	28	Babcock Theatre	
17		Cine Billings dba Art House Cinema	\$236,000
18	29	Wheeler Cabin	
19		Glacier National Park Conservancy	\$493,200
20	30	Gilbert House	
21		Montana Heritage Commission – Gilbert House	\$297,000
22	30	Stillwater County Courthouse	
23		Stillwater County	\$500,000
24	30	Waite House	
25		Yogo Mansion LLC	\$390,000
26	33	Moss Manion	
27		Billings Preservation Society	\$500,000
28	34	Ouellette Place	

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0012.001.007

1		Homeword, Inc. (Ouellette Place)	\$287,300
2	34	Acme Building	
3		Homeword, Inc. (Acme Historic Hotel)	\$321,100
4	36	Great Falls Civic Center	
5		Great Falls, City of	\$500,000
6	37	Miles City Convent Keepers Community Center	
7		Miles City Convent Keepers	\$119,688
8	38	Lenox Flats Building	
9		Homeword, Inc. (Lenox Flats)	\$288,330
10	38	Miles City Elks Lodge #537	
11		Miles City Elks Lodge #537	\$200,000
12	40	Daly Mansion	
13		Daly Mansion Preservation Trust	\$266,400
14	40	Fountain Terrace Condominiums	
15		Fountain Terrace Condominiums Inc.	\$500,000
16	40	Garfield County Museum	
17		Garfield County	\$500,000
18	43	Deer Lodge City Hall	
19		Deer Lodge, City of	\$283,500
20	44	Pollard Hotel	
21		Spofford Hotel Company	\$118,720
22	45	Joliet Town Hall and Courthouse	
23		Joliet, Town of	\$83,000
24	46	Lakeside Distillery	
25		Lakeside Distillery	\$65,000
26	47	Miracle of America Museum	
27		Miracle of America Museum	\$92,623
28	48	Legal Tender Bar and Hotel Building	

1 Montana Consulting, LLC \$255,938

2 (3) Funding for the projects in subsection (2) will be provided in the order of priority as long as
3 there are sufficient funds available from the amount that was deposited into the historic preservation grant
4 program account during the biennium beginning July 1, 2023. The funds in this subsection must be awarded for
5 the projects and in amounts not to exceed the amounts set out in subsection (2) subject to the conditions set
6 forth in [section 3]. However, any of the projects listed in subsection (2) that have not completed the conditions
7 described in [section 53(1)] by September 1, 2024, must be reviewed by the next regular legislature to
8 determine if the authorized grant should be withdrawn.

9 (4) If sufficient funds are available, this section constitutes a valid obligation of funds to the grant
10 projects listed in subsection (2) for purposes of encumbering the funds in the historic preservation grant
11 program account established in 22-3-1307 for the biennium beginning July 1, 2023, pursuant to 17-7-302. A
12 grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the
13 conditions described in [section 53] and on the availability of funds.

14 (5) The legislature, pursuant to 22-3-1305, authorizes the grants for the projects listed in
15 subsection (2).

16 (6) Except as provided in subsections (6)(a) and (6)(b), a grant recipient must enter into a
17 definitive, binding contract with a qualified contractor to construct the project prior to September 30 of the even
18 numbered year preceding the next regularly scheduled legislative session. If the grant recipient fails to meet the
19 deadline, any obligation to the grant recipient will cease, and the funds will revert to the historic preservation
20 grant program account established in 22-3-1307 for use in the next biennium. A grant recipient who fails to
21 meet the contract deadline because of following reasons may request one, two-year extension during which
22 time, the project must be placed under contract, or any obligation to the grant will cease:

23 (a) The project was damaged by fire or other form of casualty.

24 (b) The grant recipient failed to find a qualified contractor to construct the project and diligently pursued
25 all reasonable avenues to find a qualified contractor.

26 ~~(7)~~ Grant recipients must complete all of the conditions described in [section 53(1)] by September
27 30, 2026, or any obligation to the grant recipient will cease.

28

1 **NEW SECTION. ~~Section 3.~~~~Section 2.~~ Supplemental Appropriations.** In the event that the total
2 project cost exceeds the amount of the grant and matching funds, the grant recipient is fully responsible for
3 funding the cost overrun. No supplemental appropriation will be granted to complete the project.
4

5 **NEW SECTION. ~~Section 4.~~~~Section 2.~~ Approval of grants -- completion of biennial appropriation.**

6 (1) The legislature, pursuant to 22-3-1305, authorizes grants for the projects identified in [section ~~24~~(2)].

7 (2) The authorization of these grants completes a biennial appropriation from the historic
8 preservation grant program account established in 22-3-1307.

9 (3) Grants to entities from prior bienniums are reauthorized for completion of contract work.
10

11 **NEW SECTION. ~~Section 5.~~~~Section 3.~~ Condition of grants -- disbursement of funds.** (1) The
12 disbursement of grant funds for the projects specified in [section ~~24~~(2)] is subject to completion of the following
13 conditions:

14 (a) The grant recipient shall document that other matching funds required for the completion of the
15 project are firmly committed.

16 (b) The grant recipient must have a project management plan that is approved by the department
17 of commerce.

18 (c) The grant recipient must be in compliance with the auditing and reporting requirements
19 provided for in 2-7-503 and have established a financial accounting system that the department can reasonably
20 ensure conforms to generally accepted accounting principles. Tribal governments shall comply with auditing
21 and reporting requirements provided for in 2 CFR 200.

22 (d) The grant recipient shall satisfactorily comply with any conditions described in the application
23 (project) summaries section of the Montana historic preservation grant program 2025 biennium report to the
24 68th legislature.

25 (e) The grant recipient shall satisfy other specific requirements considered necessary by the
26 department of commerce to accomplish the purpose of the project as evidenced by the application to the
27 department.

28 (f) The grant recipient shall execute a grant agreement with the department of commerce.

1 (2) Recipients of Montana historic preservation grant program funds are subject to the
2 requirements of the department of commerce as described in the most recent edition of the Montana Historic
3 Preservation Grant Program Project Administration Manual adopted by the department through the
4 administrative rulemaking process.

5

6 NEW SECTION. ~~Section 6.~~~~Section 4.~~ **Other powers and duties of the department of commerce.**

7 (1) The department of commerce must disburse grant funds on a reimbursement basis as grant recipients incur
8 eligible project expenses.

9 (2) If actual project expenses are lower than the projected expense of the project, the department
10 may, at its discretion, reduce the amount of grant funds provided to grant recipients in proportion to all other
11 project funding sources.

12

13 NEW SECTION. ~~Section 7.~~~~Section 5.~~ **Notification to tribal governments.** The secretary of state
14 shall send a copy of [this act] to each federally recognized tribal government in Montana.

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16 NEW SECTION. ~~Section 8.~~~~Section 6.~~ **Effective date.** [This act] is effective July 1, 2023.

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- END -