**Montana Arts Council A.R.M. Proposed Revisions (Draft) 2024**

10.111.101

10.111.201

10.111.601

10.111.611

[**10.111.101**](https://rules.mt.gov/gateway/ruleno.asp?RN=10%2E111%2E101)    ORGANIZATIONAL RULE

1. The Montana Arts Council was established by executive order in 1965 and codified by the Montana legislature in 1967. [22-2-101](http://leg.mt.gov/bills/mca/title_0220/chapter_0020/part_0010/section_0010/0220-0020-0010-0010.html) . The Council is attached to the Board of Education for administrative purposes. [2-15-1513](http://leg.mt.gov/bills/mca/title_0020/chapter_0150/part_0150/section_0130/0020-0150-0150-0130.html) The Council is the agency of state government established to:
   1. Develop the creative potential of all Montanans;
   2. Advance education;
   3. Spur economic vibrancy and;
   4. Revitalize communities; through involvement in the arts.

(2) The Council consists of fifteen members appointed by the Governor for five-year terms.

(3) The Council may employ such administrative staff as it deems advisable to carry out the Council’s programs.

(4) The Council has created an Executive Committee of five members and may delegate to it such functions to assist in the administration of the Council’s affairs as the Council deems appropriate. The Council may create additional committees to perform such functions as the Council deems appropriate.

(5) The following chart depicts the organization of the Council.

Diagram

Description automatically generated

History: Sec. [2-4-201](http://leg.mt.gov/bills/mca/title_0020/chapter_0040/part_0020/section_0010/0020-0040-0020-0010.html) MCA; IMP, Sec. [2-4-201](http://leg.mt.gov/bills/mca/title_0020/chapter_0040/part_0020/section_0010/0020-0040-0020-0010.html) MCA; Eff. 12/31/72.

[**10.111.201**](https://rules.mt.gov/gateway/ruleno.asp?RN=10%2E111%2E201)    INCORPORATION OF MODEL RULES

(1) The Montana Arts Council adopts the Attorney General’s Model Rules of Administrative Procedure as they may be amended from time to time.

History: Sec. [2-4-202](http://leg.mt.gov/bills/mca/title_0020/chapter_0040/part_0020/section_0020/0020-0040-0020-0020.html) MCA, IMP, Sec. [2-4-202](http://leg.mt.gov/bills/mca/title_0020/chapter_0040/part_0020/section_0020/0020-0040-0020-0020.html) MCA; Eff. 12/31/72.

[**10.111.601**](https://rules.mt.gov/gateway/ruleno.asp?RN=10%2E111%2E601)    ELIGIBILITY FOR GRANTS

(1) Nonprofit organizations and government agencies are eligible to receive grants..

(2) Each organization seeking general support grants (grants intended for general operating expenses) must have available evidence of its non-profit status and a financial statement comparable to IRS Form 990.

(3) Individuals may receive grants from the Montana Arts Council and are eligible to be contracted for professional services

(4) Academic institutions are not eligible to receive grants for projects or programs which are, or clearly should be, part of their normal, educational function.

(5) No grant request will be considered which contains costs incurred from any previous grant agreement.

(6) Council members or immediate family members of council members (parent, spouse, child, child of spouse, member of household) are not eligible for grants.

(7) Grants awarded by the Council are made at the sole discretion of the Council.

History: Sec. [22-2-102](http://leg.mt.gov/bills/mca/title_0220/chapter_0020/part_0010/section_0020/0220-0020-0010-0020.html) MCA; IMP, Sec. [22-2-102](http://leg.mt.gov/bills/mca/title_0220/chapter_0020/part_0010/section_0020/0220-0020-0010-0020.html) MCA; Eff. 12/31/72.

[**10.111.611**](https://rules.mt.gov/gateway/ruleno.asp?RN=10%2E111%2E611)    GRANT CONDITIONS

1. The Montana Arts Council shall establish guidelines for the making of grants.
2. No award shall be issued if the grantee fails to accept the conditions of the grant.
3. No award shall be issued if the grantee fails to have reported appropriately on any previous grant.

(4) The grantee shall return unexpended or unobligated grant funds to the Council.

(5) The grantee shall maintain accounts, records, and other evidence pertaining to the costs incurred and revenues acquired under a grant.

(5) Thegrantee shall submit periodic reports of expenditures and such other financial reports and descriptive reports as the Council may require. Federal and state government shall have access to and the right to examine relevant documents and records of the grantee involving transactions related to a grant.

(7) The grantee shall comply with all applicable federal and state laws.

(8) The grantee shall include promotion credit to the funders of the grant as referenced by the Council.

(9) When it appears that a grantee is not acting in compliance with grant conditions, the grant may be terminated in whole or in part.

History: Sec. [22-2-102](http://leg.mt.gov/bills/mca/title_0220/chapter_0020/part_0010/section_0020/0220-0020-0010-0020.html) MCA; IMP, Sec. [22-2-102](http://leg.mt.gov/bills/mca/title_0220/chapter_0020/part_0010/section_0020/0220-0020-0010-0020.html) MCA; Eff. 12/31/72.