

SENATE BILL NO. 170—SENATORS RAWSON, JAMES, WIENER, TITUS,
MCGINNESS AND SHAFFER

FEBRUARY 15, 2001

JOINT SPONSORS: ASSEMBLYMEN ARBERRY, MORTENSON,
MANENDO, DINI AND PERKINS

Referred to Committee on Finance

SUMMARY—Creates endowment fund for arts and humanities and revises powers and duties
of state arts council. (BDR 18-133)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive
Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the promotion of culture; creating an endowment fund for arts and
humanities; revising the powers and duties of the state arts council; making an
appropriation; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 233C of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2, 3 and 4 of this act.
3 **Sec. 2. 1. *The endowment fund for arts and humanities is hereby***
4 *created as a special revenue fund. Except as otherwise provided in*
5 *subsection 3, the fund is a continuing fund without reversion. The money*
6 *in the fund must be invested as the money in other state funds is invested.*
7 *The interest and income earned on the money in the fund, after*
8 *deducting any applicable charges, must be credited to the fund. Claims*
9 *against the fund must be paid as other claims against the state are paid.*
10 2. *The council may accept gifts, grants and donations from any*
11 *source for deposit in the fund.*
12 3. *The state board of examiners may, upon making a determination*
13 *that any portion of any amount appropriated by the legislature for*
14 *deposit in the fund is necessary to meet existing or future obligations of*
15 *the state, recommend to the interim finance committee that the amount*
16 *so needed be transferred from the fund to the state general fund. Upon*



1 *approval of the interim finance committee, the money may be so*
2 *transferred.*

3 **Sec. 3.** 1. *The council shall administer the endowment fund for*
4 *arts and humanities and may expend only the amount of any gifts,*
5 *grants, donations, interest and income credited to the fund. Except as*
6 *otherwise provided in subsection 2, the council may use:*

7 (a) *Not more than 5 percent of that amount for administrative*
8 *expenses of the council; and*

9 (b) *The remainder of that amount to:*

10 (1) *Obtain grants from the National Endowment for the Arts and*
11 *the National Endowment for the Humanities; and*

12 (2) *Provide funding for projects, endowments and programs for the*
13 *promotion of arts and humanities in this state.*

14 2. *The council:*

15 (a) *Shall not provide funding pursuant to this section for any project,*
16 *endowment or program until after it has secured, from sources other*
17 *than the state, an equal amount of money, without consideration of any*
18 *contributions in kind, to match the amount to be expended from the*
19 *endowment fund for arts and humanities for the particular project,*
20 *endowment or program; and*

21 (b) *Must provide funding pursuant to this section in the approximate*
22 *ratio of:*

23 (1) *Eighty percent for projects, endowments and programs for the*
24 *promotion of arts; and*

25 (2) *Twenty percent for projects, endowments and programs for the*
26 *promotion of humanities.*

27 *One-eighth of the funding allocated pursuant to subparagraph (1) must*
28 *be provided to Nevada Arts Advocates unless that organization ceases to*
29 *exist or to qualify as a tax-exempt organization pursuant to 26 U.S.C. §*
30 *501(c)(3).*

31 **Sec. 4.** *The council shall:*

32 1. *Adopt regulations establishing criteria and standards for the*
33 *eligibility for and use of any funding to be provided by the council*
34 *pursuant to section 3 of this act. The regulations must ensure that no*
35 *recipient of that funding may expend more than 5 percent of the total*
36 *amount received, including the matching money, for administrative*
37 *expenses.*

38 2. *Report to each regular session of the legislature:*

39 (a) *The amount of money expended from the endowment fund for arts*
40 *and humanities;*

41 (b) *The specific purposes for which the money was expended; and*

42 (c) *The sources from which the matching money was obtained.*

43 **Sec. 5.** NRS 233C.090 is hereby amended to read as follows:

44 233C.090 1. The council shall stimulate throughout the state the
45 presentation of the performing and fine arts and encourage artistic
46 expression essential for the well-being of the arts, and shall make, before
47 September 1 of each even-numbered year, a report covering the biennium
48 ending June 30 of that year to the governor and the legislature on its
49 progress in this regard.



- 1 2. The council ~~is hereby authorized to;~~ *may:*
2 (a) Hold public and private hearings;
3 (b) Enter into contracts, within the limit of money available therefor,
4 with:
5 (1) Natural persons, organizations and institutions for services
6 furthering the educational objectives of the council; and
7 (2) Local and regional associations for cooperative endeavors
8 furthering the educational objectives of the council's programs;
9 (c) Accept gifts, contributions and bequests of unrestricted money from
10 natural persons, foundations, corporations and other organizations and
11 institutions ~~for the purpose of furthering~~ *to further* the educational
12 objectives of the council's programs; ~~and~~
13 (d) Make any agreement appropriate to carry out the purposes of this
14 chapter ~~;~~ *; and*
15 (e) *Perform any acts necessary to carry out section 3 of this act.*
16 3. The council is the sole and official agency of this state to receive
17 and disburse any money made available to the state by ~~the~~ :
18 (a) *The National Endowment for the Arts pursuant to 20 U.S.C. § 954*
19 ~~;~~ *and*
20 (b) *The National Endowment for the Humanities pursuant to 20*
21 *U.S.C. § 956.*
22 4. The council may request and must receive from any department,
23 division, board, bureau, commission or agency of the state such assistance
24 and data, as feasible and available, as will enable the council properly to
25 carry out the purposes of this chapter.
26 5. The council shall cooperate with the state public works board and
27 the buildings and grounds division of the department of administration to
28 plan the potential purchase and placement of works of art inside or on the
29 grounds surrounding a state building.
30 **Sec. 6.** There is hereby appropriated from the state general fund to the
31 endowment fund for arts and humanities created by section 2 of this act the
32 sum of \$5,000,000.
33 **Sec. 7.** This act becomes effective upon passage and approval.

