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FIRST REPRINT

S.B. 170

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 Nevada cultural fund 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 culture; creating the Nevada cultural fund; revising the powers and duties of the state arts council; 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 Nevada cultural fund is hereby created as a special***
- 4 ***revenue fund. The purposes of the fund are to:***
- 5 ***(a) Ensure a stable and healthy cultural climate in this state;***
- 6 ***(b) Advance and promote a meaningful role of the arts and***
- 7 ***humanities in the lives of individual persons, families and communities***
- 8 ***throughout this state; and***
- 9 ***(c) Stimulate the provision of additional funding from private sources***
- 10 ***to carry out the provisions of paragraphs (a) and (b).***
- 11 ***The money in the fund must be used to augment and must not be used to***
- 12 ***replace or supplant any legislative appropriations to the council.***
- 13 **2. *Except as otherwise provided in subsection 4, the fund is a***
- 14 ***continuing fund without reversion. The money in the fund must be***
- 15 ***invested as the money in other state funds is invested. The interest and***
- 16 ***income earned on the money in the fund, after deducting any applicable***



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1 *charges, must be credited to the fund. Claims against the fund must be*
2 *paid as other claims against the state are paid.*

3 *3. The council may accept gifts, grants and donations from any*
4 *source for deposit in the fund.*

5 *4. The state board of examiners may, upon making a determination*
6 *that any portion of any amount appropriated by the legislature for*
7 *deposit in the fund is necessary to meet existing or future obligations of*
8 *the state, recommend to the interim finance committee that the amount*
9 *so needed be transferred from the fund to the state general fund. Upon*
10 *approval of the interim finance committee, the money may be so*
11 *transferred.*

12 **Sec. 3.** *The council shall administer the Nevada cultural fund and*
13 *may expend only the amount of any gifts, grants, donations, interest and*
14 *income credited to the fund to:*

15 *1. Provide resources for developing the artistic, administrative and*
16 *financial stability of cultural organizations that serve and enrich*
17 *communities throughout this state regarding the arts and humanities;*

18 *2. Support programs and projects that provide residents of and*
19 *visitors to this state with access to a broad range of activities regarding*
20 *the arts and humanities;*

21 *3. Encourage cultural organizations to reduce their deficits, to*
22 *establish cash reserves and endowments and to engage in capital projects*
23 *that will aid in their stabilization; and*

24 *4. Support initiatives and organizations that encourage access to, the*
25 *awareness of and education in the arts.*

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

27 *1. Adopt regulations establishing criteria and standards for the*
28 *eligibility for and use of any funding to be provided by the council*
29 *pursuant to section 3 of this act.*

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

31 *(a) The amount of money expended from the Nevada cultural fund;*

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

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

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

35 233C.090 1. The council shall stimulate throughout the state the
36 presentation of the performing and fine arts and encourage artistic
37 expression essential for the well-being of the arts, and shall make, before
38 September 1 of each even-numbered year, a report covering the biennium
39 ending June 30 of that year to the governor and the legislature on its
40 progress in this regard.

41 2. The council ~~is hereby authorized to:~~ *may:*

42 (a) Hold public and private hearings;

43 (b) Enter into contracts, within the limit of money available therefor,
44 with:

45 (1) Natural persons, organizations and institutions for services
46 furthering the educational objectives of the council; and

47 (2) Local and regional associations for cooperative endeavors
48 furthering the educational objectives of the council's programs;



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1 (c) Accept gifts, contributions and bequests of unrestricted money from
2 natural persons, foundations, corporations and other organizations and
3 institutions ~~for the purpose of furthering~~ *to further* the educational
4 objectives of the council's programs; ~~and~~

5 (d) Make any agreement appropriate to carry out the purposes of this
6 chapter ~~++~~ *; and*

7 *(e) Perform any acts necessary to carry out section 3 of this act.*

8 3. The council is the sole and official agency of this state to receive
9 and disburse any money made available to the state by the National
10 Endowment for the Arts pursuant to 20 U.S.C. § 954.

11 4. The council may request and must receive from any department,
12 division, board, bureau, commission or agency of the state such assistance
13 and data, as feasible and available, as will enable the council properly to
14 carry out the purposes of this chapter.

15 5. The council shall cooperate with the state public works board and
16 the buildings and grounds division of the department of administration to
17 plan the potential purchase and placement of works of art inside or on the
18 grounds surrounding a state building.

19 **Sec. 6.** This act becomes effective upon passage and approval.

