

Amendment No. 176

Senate Amendment to Senate Bill No. 187	(BDR 33-267)
Proposed by: Senate Committee on Natural Resources	
Amends: Summary: Yes Title: Yes Preamble: Add Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EGO/BJE



Date: 4/9/2017

S.B. No. 187—Proposes to revise provisions relating to the preservation and promotion of the arts and museums in this State. (BDR 33-267)



SENATE BILL NO. 187—SENATOR SEGERBLOM

PREFILED FEBRUARY 13, 2017

Referred to Committee on Natural Resources

SUMMARY—~~[Proposes to revise provisions relating to the preservation and promotion of the arts and museums in this State.]~~ Makes an appropriation for the establishment of a fine arts museum in Las Vegas, Nevada, and the expansion of the Nevada Museum of Art in Reno, Nevada. (BDR ~~[23-267]~~ S-267)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 cultural resources; providing for the submission to the voters of the question whether the Nevada Revised Statutes should be amended to increase the duties of the Commission for Cultural Centers and Historic Preservation to include the preservation and promotion of the arts and museums in this State, to create in the State Treasury the Fund for the Preservation and Promotion of the Arts and Museums, to require the issuance of general obligation bonds to fund the preservation and promotion of the arts and museums in this State and to establish a Committee to Award Financial Assistance to approve awards of financial assistance from the Fund; enacting, upon approval of the question by voters, various provisions relating to the preservation and promotion of the arts and museums in this State;]~~ making an appropriation for the establishment of a fine arts museum in Las Vegas, Nevada, and the expansion of the Nevada Museum of Art in Reno, Nevada; and providing other matters properly relating thereto.

~~[Legislative Counsel's Digest—~~

~~Existing law creates the Commission for Cultural Centers and Historic Preservation, which acts in an advisory capacity to the State Department of Conservation and Natural Resources. The Commission is authorized to award financial assistance to governmental entities and certain organizations formed for educational or cultural purposes, including the preservation or promotion of objects, sites or information of historic, prehistoric, archeological, architectural or paleontological significance. The Commission is required to determine annually the amount of financial assistance it will grant, and the State Board of Finance is required to issue general obligation bonds in the amount to be granted by the Commission. Proceeds from the sale of bonds are required to be credited to the Fund for the Preservation and Promotion of Cultural Resources, and the Commission is authorized to expend money in the Fund only for projects identified in the Commission's plan to promote~~

~~and preserve the State's cultural resources and administrative services provided by the Commission. (NRS 282.500-282.540)~~

~~Sections 8-12 of this bill require a question to be submitted to the voters of Nevada as to whether the Nevada Revised Statutes should be amended to: (1) increase the duties of the Commission to include the preservation and promotion of the arts and museums in this State; (2) create in the State Treasury the Fund for the Preservation and Promotion of the Arts and Museums; (3) require the State Board of Finance to issue general obligation bonds, in an amount of approximately \$10,000,000 per year, but not to exceed \$100,000,000 over any 10-year period to fund the preservation and promotion of the arts and museums in this State; and (4) establish a Committee to Award Financial Assistance to approve awards of financial assistance from the Fund.~~

~~Sections 2-7 and 13 of this bill enact various provisions to implement the question, which become effective only upon approval of the question by the voters. Section 2 requires the Commission to establish and annually revise a 10-year plan to preserve and promote the arts and museums in this State. Section 4 creates the Fund for the Preservation and Promotion of the Arts and Museums and authorizes the Commission to expend money in the Fund on certain projects and limited expenses. Sections 5 and 6 create the Committee to Award Financial Assistance and authorize the Committee to approve grants to be awarded from the Fund in accordance with the Commission's plan and certain guidelines. Section 12 requires the initial appointment of the members of the Committee. Section 7 requires the State Board of Finance to issue general obligation bonds in an amount not to exceed \$10,000,000 per year, plus any unused amount carried over from previous years, but not more than \$100,000,000 within any 10-year period, to be deposited in the Fund. Such bonds are not exempt from the constitutional limit on the amount of debt of the State of Nevada. (Nev. Const. Art. 9, § 3)~~

WHEREAS, The arts and cultural assets such as museums enhance the quality of life of, create equity between and unite diverse people in a community; and

WHEREAS, The arts and cultural assets act as powerful drivers of the economy, with the capability of creating jobs, attracting and generating investments and stimulating a local economy through tourism and commerce; and

WHEREAS, Access to quality arts and cultural assets is an important factor considered by businesses when locating or relocating to a community and attracting and retaining workers; and

WHEREAS, Education in the arts is necessary for the cultivation of a competitive workforce from among the pupils in this State; and

WHEREAS, Nevada is committed to celebrating and enhancing the arts, culture and heritage of this State; and

WHEREAS, Las Vegas, Nevada, is the largest metropolitan area in the United States without a fine arts museum; and

WHEREAS, The City of Las Vegas has agreed to provide the Art Museum at Symphony Park, a nonprofit organization formed by local community leaders and advocates to establish a fine arts museum in southern Nevada, with land for the development of the fine arts museum; and

WHEREAS, The Nevada Museum of Art, including the Donald W. Reynolds Center for the Visual Arts and E.L. Wiegand Gallery, located in Reno, Nevada, has earned local, national and international financial support and recognition as the oldest cultural institution in this State and is the only nationally accredited art museum in this State; and

WHEREAS, The Nevada Museum of Art and the Art Museum at Symphony Park are discussing a merger to unify the organizations into an accredited nonprofit entity responsible for establishing and operating fine arts museums and educational programs in this State; and

WHEREAS, Funding for the arts and cultural assets is a responsibility shared by private individuals, businesses, charitable foundations and the government at all levels; now, therefore,

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

Delete existing sections 1 through 15 of this bill and replace with the following new sections 1 through 4:

Section 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of \$10,000,000 for allocation pursuant to section 2 of this act to the nonprofit corporation formed to establish a fine arts museum in Las Vegas, Nevada, and to expand the Nevada Museum of Art in Reno, Nevada, upon a showing to the Committee:

1. That the corporation has been incorporated under the laws of this State as a nonprofit corporation; and

2. That the purpose of the corporation is to establish a fine arts museum in Las Vegas, Nevada, and to expand the Nevada Museum of Art in Reno, Nevada.

Sec. 2. 1. Allocation of the money appropriated by section 1 of this act must be contingent upon matching money being obtained by the nonprofit corporation described in section 1 of this act, including without limitation, gifts, grants and donations to the nonprofit corporation from private and public sources of money other than the appropriation made by section 1 of this act. The Interim Finance Committee shall not direct the transfer of any portion of money from the appropriation made pursuant to section 1 of this act until the nonprofit corporation submits to the Committee proof satisfactory to the Committee that matching money in an equivalent amount has been committed.

2. Upon acceptance of the money allocated pursuant to subsection 1, the nonprofit corporation shall:

(a) Prepare and transmit a report to the Interim Finance Committee on or before December 21, 2018, that describes each expenditure made from the money allocated pursuant to subsection 1 from the date on which the money was received by the nonprofit corporation through December 1, 2018;

(b) Prepare and transmit a final report to the Interim Finance Committee on or before September 20, 2019, that describes each expenditure made from the money allocated pursuant to subsection 1 from the date on which the money was received by the nonprofit corporation through June 30, 2019; and

(c) Upon request of the Legislative Commission, make available to the Legislative Auditor any of the books, accounts, claims, reports, vouchers or other records of information, confidential or otherwise, of the nonprofit corporation, regardless of their form or location, that the Legislative Auditor deems necessary to conduct an audit of the use of the money allocated pursuant to subsection 1.

Sec. 3. Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 2019, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2019, by either the entity to which the money was

appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2019.

Sec. 4. This act becomes effective on July 1, 2017.