

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 264

Introduced by Stinner, 48.

Read first time January 12, 2021

Committee:

- 1 A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend
- 2 sections 82-312, 82-313, and 82-334, Revised Statutes Cumulative
- 3 Supplement, 2020; to state intent for the Legislature to appropriate
- 4 funds for and to change provisions relating to the competitive grant
- 5 program; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 82-312, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 82-312 The duties of the council shall be:

4 (1) To stimulate and encourage throughout the state the study and
5 presentation of the performing and fine arts and public interest and
6 participation therein;

7 (2) To make such surveys as may be deemed advisable of public and
8 private institutions within the state engaged in artistic and cultural
9 activities, including, but not limited to, music, theatre, dance,
10 painting, sculpture, architecture, and allied arts and crafts, and to
11 make recommendations concerning appropriate methods to encourage
12 participation in and appreciation of the arts to meet the legitimate
13 needs and aspirations of persons in all parts of the state;

14 (3) To take such steps as may be necessary and appropriate to
15 encourage public interest in the cultural heritage of our state and to
16 expand the state's cultural resources;

17 (4) To encourage and assist freedom of artistic expression essential
18 for the well-being of the arts; and

19 (5) To recommend to the Legislature a plan to divide the state into
20 cultural ~~creative~~ districts and certify them based on geographically
21 contiguous area, artistic or cultural activities or facilities, promotion
22 and preservation of artistic or cultural sites or events, educational
23 uses of artistic or cultural activities or sites, and unique or niche
24 areas, activities, events, facilities, or sites.

25 Sec. 2. Section 82-313, Revised Statutes Cumulative Supplement,
26 2020, is amended to read:

27 82-313 (1) The Nebraska Arts Council may:

28 (a) Hold public and private hearings;

29 (b) Enter into contracts, within the limit of funds available
30 therefor, with individuals, organizations, and institutions for services
31 furthering the educational objectives of the council's programs;

1 (c) Enter into contracts, within the limit of funds available
2 therefor, with local and regional associations for cooperative endeavors
3 furthering the educational objectives of the council's programs;

4 (d) Accept gifts, contributions, and bequests of unrestricted funds
5 from individuals, foundations, corporations, and other organizations or
6 institutions for the purpose of furthering the educational objectives of
7 the council's programs;

8 (e) Distribute funds appropriated by the Legislature to any
9 organization which has been designated as the state affiliate of the
10 National Endowment for the Humanities for the period covered by the
11 appropriation;

12 (f) Make and sign any agreements and do and perform any acts that
13 may be necessary to carry out the purposes of sections 82-309 to 82-316;

14 (g) Enter into contracts, make and sign any agreements, and perform
15 any acts that may be necessary to stabilize funding for the arts and
16 humanities and to carry out the intent of sections 82-330 to 82-333;

17 (h) Prepare and implement a plan that would permit, ~~to the extent~~
18 ~~that funds are available,~~ the establishment of a competitive grant
19 program to award a grant to any cultural creative district that is
20 certified pursuant to the plan adopted by the Legislature under
21 subdivision (5) of section 82-312 and that meets the criteria for the
22 competitive grant, including eligibility criteria, application and appeal
23 processes, conditions on receipt of a grant, and consequences of failure
24 to meet the conditions. It is the intent of the Legislature to
25 appropriate one hundred thousand dollars each fiscal year from the
26 General Fund for carrying out the purposes of the competitive grant
27 program; and

28 (i) Adopt and promulgate rules and regulations to carry out its
29 powers and duties.

30 (2) The council may request from any department, division, board,
31 bureau, commission, or agency of the state such assistance and data as

1 will enable it properly to carry out its powers and duties.

2 Sec. 3. Section 82-334, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 82-334 (1) The Support the Arts Cash Fund is created. The fund shall
5 consist of all money credited to the fund pursuant to section 60-3,252.
6 The Nebraska Arts Council shall administer and distribute the Support the
7 Arts Cash Fund. The fund shall be expended by the Nebraska Arts Council
8 to provide aid to communities that designate a focus area of the city for
9 arts and cultural development, to provide money for a competitive grant
10 program that awards a grant to any cultural ~~creative~~ district that meets
11 the criteria for the competitive grant, if such program exists, and to
12 defray costs directly related to the administration of the fund.

13 (2) Any money in the fund available for investment shall be invested
14 by the state investment officer pursuant to the Nebraska Capital
15 Expansion Act and the Nebraska State Funds Investment Act.

16 Sec. 4. Original sections 82-312, 82-313, and 82-334, Revised
17 Statutes Cumulative Supplement, 2020, are repealed.