

## LEGISLATIVE BILL 121

Approved by the Governor May 3, 1973

Introduced by Appropriations Committee, Marvel, 33,  
Chmn.; Clark, 47; Nore, 22; Johnson, 15;  
Whitney, 44; Simpson, 46; Savage, 10

AN ACT to create the Nebraska Arts Council; and to repeal  
Chapter 82, article 3, Reissue Revised  
Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby created the Nebraska Arts Council to consist of fifteen members to be appointed by the Governor with the approval of the Legislature from among citizens of Nebraska who are known for their professional competence and experience in connection with the arts. In making such appointments, consideration shall be given to recommendations made by representative civic, educational, and professional associations and groups concerned with or engaged in the production or presentation of the arts generally.

Sec. 2. The term of office of each member shall be three years with the terms of one-third of the members expiring every year. No member of the council who serves two consecutive three-year periods shall be eligible for reappointment during a one-year period following the expiration of his term. The Governor shall designate a chairman and a vice-chairman from the members of the council, to serve as such at the pleasure of the Governor. The chairman shall be the chief executive officer of the council. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments are made. The members of the council shall not receive any compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

Sec. 3. The chairman may, with the approval of the council, employ such officers, experts, and other employees as may be needed and shall fix their compensation within the amounts made available for such purposes.

Sec. 4. The duties of the council shall be:

(1) To stimulate and encourage throughout the state the study and presentation of the performing and

fine arts and public interest and participation therein;

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

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

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

Sec. 5. The council may (1) hold public and private hearings, (2) enter into contracts, within the limit of funds available therefor, with individuals, organizations, and institutions for services furthering the educational objectives of the council's programs, (3) enter into contracts, within the limit of funds available therefor, with local and regional associations for cooperative endeavors furthering the educational objectives of the council's programs, (4) accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the council's programs, and (5) make and sign any agreements and do and perform any acts that may be necessary to carry out the purposes of this act. The council may request from any department, division, board, bureau, commission, or agency of the state such assistance and data as will enable it properly to carry out its powers and duties.

Sec. 6. The council shall be the official agency of this state to receive and disburse any funds made available by the federal government for programs related to the performing and fine arts.

Sec. 7. All funds received by the council under sections 5 and 6 of this act shall be deposited in the state treasury to the credit of the Nebraska Arts Council Trust Fund which is hereby created and which, when appropriated by the Legislature, shall be expended strictly in accord with any conditions that may be attached at the time of their receipt.



Sec. 8. That Chapter 82, article 3, Reissue  
Revised Statutes of Nebraska, 1943, is repealed.