

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 780

Introduced by Stinner, 48.

Read first time January 08, 2020

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend section
- 2 82-332, Reissue Revised Statutes of Nebraska; to change provisions
- 3 relating to expenditures for administrative costs for cultural
- 4 preservation activities; to repeal the original section; and to
- 5 declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 82-332, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 82-332 (1) The Nebraska Arts and Humanities Cash Fund is created.
4 The fund shall consist of all funds credited from the Nebraska Cultural
5 Preservation Endowment Fund pursuant to section 82-331. The Nebraska Arts
6 Council shall administer and distribute the Nebraska Arts and Humanities
7 Cash Fund. The Nebraska Arts Council and may, through the end of fiscal
8 year 2019-20, use up to thirty thousand dollars annually to defray costs
9 directly related to the administration of sections 82-330 to 82-333.
10 Beginning in fiscal year 2020-21 and each fiscal year thereafter, the
11 Nebraska Arts Council may use from the Nebraska Arts and Humanities Cash
12 Fund an amount equivalent to one-half of one percent of the balance of
13 the Nebraska Cultural Preservation Endowment Fund to defray costs
14 directly related to the administration of sections 82-330 to 82-333. The
15 annual calculation of the administrative-costs limit shall be carried out
16 in conjunction with the budget division of the Department of
17 Administrative Services. The calculation shall be carried out no later
18 than September 10 of each fiscal year and shall be based upon the balance
19 of the Nebraska Cultural Preservation Endowment Fund as it existed on
20 June 30 of the previous year. Expenditures designated as administrative
21 costs shall not be subject to the private matching fund requirements set
22 forth in subsection (2) of this section.

23 (2) All disbursements from the Nebraska Arts and Humanities Cash
24 Fund that are to support arts and humanities projects, endowments, or
25 programs shall be matched dollar-for-dollar by sources other than state
26 funds. The match funds shall be new money generated for endowments
27 established by the Nebraska Arts Council or Nebraska Humanities Council
28 or qualified endowments of their constituent organizations, new money
29 generated as a result of seed grants to recipients, or new money
30 generated by the Nebraska Arts Council or Nebraska Humanities Council for
31 arts or humanities education. Matching funds shall also include earnings

1 generated by qualified private endowments formed in accordance with this
2 section. For purposes of this section, new money means a contribution to
3 a qualified endowment generated after July 1, 2011. Contributions not
4 fully matched by state funds shall be carried forward to succeeding years
5 and remain available to provide a dollar-for-dollar match for state
6 funds. For an endowment to be a qualified endowment (a) the endowment
7 must meet the standards set by the Nebraska Arts Council or Nebraska
8 Humanities Council, (b) the endowment must be intended for long-term
9 stabilization of the organization, and (c) the funds of the endowment
10 must be endowed and only the earnings thereon expended. An organization
11 is a constituent organization if it receives funding from the Nebraska
12 Arts Council or Nebraska Humanities Council and is tax exempt under
13 section 501 of the Internal Revenue Code. The match funds required by
14 this section shall not include in-kind contributions. The budget division
15 of the Department of Administrative Services shall approve allotment and
16 disbursement of funds from the Nebraska Arts and Humanities Cash Fund
17 that are governed by this subsection only to the extent the Nebraska Arts
18 Council has provided documentation of the dollar-for-dollar match
19 required by this section. Funds from the Nebraska Arts and Humanities
20 Cash Fund may be used for the purpose of obtaining challenge grants from
21 the National Endowment for the Humanities or the National Endowment for
22 the Arts.

23 (3) Rules and regulations of the Nebraska Arts Council shall provide
24 that the ultimate use of disbursements from the Nebraska Arts and
25 Humanities Cash Fund authorized under subsection (2) of this section
26 shall be in a ratio of seventy percent to projects, endowments, or
27 programs designated by the Nebraska Arts Council and thirty percent to
28 projects, endowments, or programs designated by the Nebraska Humanities
29 Council.

30 (4) Any money in the fund available for investment shall be invested
31 by the state investment officer pursuant to the Nebraska Capital

1 Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 2. Original section 82-332, Reissue Revised Statutes of
3 Nebraska, is repealed.

4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.