

March 27, 1967

Passed on File

By COMMITTEE ON GOVERNMENTAL AFFAIRS

*On calendar 3/29
State Government affairs 4-12 Pass 4-25*

Passed Senate, Date 4-7-67 Passed House, Date 5-26-67

Vote: Ayes 41 Nays 2 Vote: Ayes 88 Nays 19

Approved June 14, 1967 *Motion to reconsider filed 5-26
lost 6-1*

A BILL FOR

An Act relating to the establishment of a state arts council and defining the powers and duties thereof.

WHEREAS, there is a growing interest among the citizens of Iowa in the practice and enjoyment of the arts, and that with increasing leisure time, rising education levels, and the rapid growth of science and technology, the arts are of increasing importance to the spiritual well-being of all individuals; and

WHEREAS, many of the citizens of this state desire more opportunities to view, enjoy, or participate in living theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibits, examples of fine architecture, and the performing and visual arts, generally; and

WHEREAS, many of our citizens possess talents of an artistic and creative nature not fully utilized under existing conditions; and

WHEREAS, the general welfare of the state will be promoted by:

1. Giving further recognition to the arts as a vital part of our culture and heritage.
2. Expanding the scope of opportunity for citizen participation in the arts.
3. Providing in-state professional opportunity for Iowa artists.
4. Stimulating the economic growth of Iowa through its cultural activities; and

WHEREAS, it is the policy of the state to join with private patrons and with institutions and professional organizations concerned with the arts, to insure that the role of the arts in the life of our community will continue to grow and to play an ever more significant part in the welfare and educational experience of our citizens; and

WHEREAS, all arts activities undertaken by the state shall be directed toward encouraging and assisting, rather than in any way limiting, the freedom of artistic expression which is essential

for the well-being of the arts; NOW THEREFORE

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. There is hereby created a state advisory agency,
2 to be known as the Iowa state arts council which shall consist
3 of fifteen (15) members, to be appointed by the governor from
4 among citizens of Iowa who are recognized for their interest
5 or experience in connection with the performing and fine arts.
6 In making such appointments, due consideration shall be given
7 to the recommendations made by representative civic, educa-
8 tional, and professional associations and groups concerned
9 with or engaged in the production or presentation of the per-
10 forming and fine arts generally.

1 Sec. 2. The term of office of each member of the Iowa state
2 arts council shall be three (3) years; provided, however, that
3 of the members first appointed, five (5) shall be appointed
4 for terms of three (3) years, five (5) for terms of two (2)
5 years, five (5) for terms of one (1) year. The governor shall
6 designate a chairman and a vice chairman from the members of
7 the council to serve as such at the pleasure of the governor.
8 All vacancies shall be filled for the balance of any unexpired
9 term in the same manner as original appointments. The members
10 of the council shall not receive any compensation for their
11 services, but shall be reimbursed for their actual and neces-
12 sary expenses incurred in the performance of their duties
13 as members of the council.

1 Sec. 3. The council shall have a single executive who
2 shall be known as the director of the Iowa state arts council
3 and who shall be attached to the office of the governor. The
4 director shall be nominated by the council and appointed by
5 the governor with the consent of two-thirds (2/3) of the senate
6 to serve at the pleasure of the governor for a term which
7 shall be coterminous with the term for which the governor was
8 elected.

1 Sec. 4. The council shall:

2 1. Advise the director with respect to policies, programs,
3 and procedures for carrying out his functions, duties, or re-
4 sponsibilities under the provisions of this Act.

5 2. Review programs to be supported under this Act and make
6 recommendations thereon to the director. The director shall not
7 approve or disapprove any such program until he has received
8 the recommendation of the board on such program, unless the
9 board fails to make a recommendation thereon within a reasonable
10 time.

1 Sec. 5. The duties of the director shall be to:

2 1. Stimulate and encourage throughout the state the study
3 and presentation of the performing and fine arts and public
4 interest and participation therein.

5 2. Determine the legitimate cultural and artistic needs
6 and aspirations of citizens in all parts of the state.

7 3. Make such surveys as may be deemed advisable of existing
8 artistic and cultural programs and activities within the state,
9 including but not limited to music, theatre, dance, painting,
10 sculpture, architecture, and allied arts and crafts.

11 4. Ascertain how the state resources, including those
12 already in existence and those which should be brought to exis-
13 tence, are to serve the cultural needs and aspirations of the
14 citizens of the state.

15 5. Submit a report to the governor and to the general
16 assembly not later than ten (10) calendar days following the
17 commencement of each general session of the general assembly
18 concerning such studies as have been undertaken during the
19 biennium and recommending such legislation and other action as
20 is necessary for the implementation and enforcement of this Act.

1 Sec. 6. The director shall have the powers and authority
2 necessary to carry out the duties imposed upon him by this Act
3 including the power to:

4 1. Employ such administrative, professional, and other
5 personnel as may be necessary for the performance of his powers
6 and duties and fix such personnel's compensation within the

7 amounts made available for such purposes.

8 2. Make and sign any agreements and perform any acts which
9 may be necessary, desirable, or proper to carry out the pur-
10 pose of this Act.

11 3. Request and obtain from any department, division, board,
12 bureau, commissions, or agency of the state such assistance
13 and data as will enable him properly to carry out his assigned
14 powers and duties.

15 4. Appoint such advisory committees as he deems advisable
16 and necessary to the carrying out of his assigned powers and
17 duties.

18 5. Accept any federal funds granted, by Act of Congress
19 or by executive order, for all or any purposes of this Act, and
20 receive and disburse as the official agency of the state any
21 funds made available by the national foundation on the arts.

22 6. Accept gifts, contributions, or bequests for all or
23 any of the purposes of this Act.

1 Sec. 7. In the course of carrying out his powers and duties
2 under this Act, the director shall avoid any actions which may
3 interfere with the freedom of artistic expression or with the
4 established or contemplated programs in any local community.