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**MEMORANDUM**

To: The Senate committee on Ways and Means  
From: Daniel Yoza, Assistant Revisor  
Date: March 7, 2012  
Re: Senate Bill 440

Senate bill 440 abolishes the Kansas arts commission and the Kansas film commission and replaces them with the Kansas creative arts industries commission within the department of commerce.

Section 1 provides for the composition of the commission. The commission will be comprised of 11 members with experience in the arts and related fields or business leaders with an interest in promoting arts, each serving for terms of 3 years. One member would be appointed by each of the legislative appointing authorities which are the president of the senate, the minority leader of the senate, the speaker of the house, and the minority leader of the house. Seven members will be appointed by the governor. The executive director of the commission will be appointed by the secretary of commerce. The commission will meet at least 4 times per year.

Section 2 creates the creative industries fund, to be administered by the commission.

Section 3 broadly lays out the powers and duties of the commission. The commission is authorized to appoint advisory committees, accept gifts, grants and donations, promote the arts in Kansas, create literature promoting the arts, coordinate artistic activities, enter into agreements to promote the arts, promote employment in the arts, and adopt rules and regulations. The duties of the commission include developing the arts, encouraging public interest in the arts, promoting expression, assisting communities in creating arts programs, studying how to advance the arts, developing strategies to attract film-making enterprises, assisting in arts in residence programs, developing metrics showing the economic benefit of the arts, and reporting its recommendations to the governor, the legislature and the secretary of commerce.

Section 4 is the section which transfers the powers, functions and duties of the current arts and film commissions to the new arts and creative industries commission. This transfer includes transferring any property rights the current commission may have, any arts funds that exist and any employees of the current commission.

Section 5 amends the references from “arts commission” to “creative arts industries commission” in the current statute which creates the arts license plate. Section 6 amends the references from “arts commission” to “creative arts industries commission” in the current statute which creates joint committee on arts and cultural resources. Sections 7 and 8 amend the references from “arts commission” to “creative arts industries commission” in the current statutes which deal with the commemorative coin commission. Section 9 amends the references from “arts commission” to “creative arts industries commission” in the current statute which creates wildlife arts council. Section 10 amends the references from “arts commission” to “creative arts industries commission” in the current statute which allows the state to receive gifts and grants for the sculpture atop the state capitol. Section 11 amends the references from “arts commission” to “creative arts industries commission” in the current statute which creates the capitol preservation committee. Section 12 amends the references from “arts commission” to “creative arts industries commission” in the current statute which creates governor's hometown signs program.

The effective date of the bill is July 1, 2012.