

MINUTES

JOINT COMMITTEE ON ARTS AND CULTURAL RESOURCES

September 25, 2012
Room 548-S—Statehouse

Members Present

Senator Jean Schodorf, Chairperson
Representative John Rubin, Vice-chairperson
Senator Oletha Faust-Goudeau
Senator Marci Francisco
Representative Sydney Carlin
Representative Sheryl Spalding
Representative Vern Swanson
Representative Caryn Tyson

Members Absent

Senator Julia Lynn
Senator Dwayne Umbarger

Staff Present

Melissa Calderwood, Kansas Legislative Research Department
Shirley Morrow, Kansas Legislative Research Department
David Wiese, Office of the Revisor of Statutes
Tamera Lawrence, Office of the Revisor of Statutes
Ellen Martinez, Committee Assistant

Conferees

Peter Jasso, Director, Kansas Creative Arts Industries Commission (CAIC), Kansas
Department of Commerce
Sandra Kay Hartley, Vice-president, Kansas Arts Foundation
Robert Swain, Executive Committee member, Kansas Arts Foundation
Jennie Chinn, Executive Director, Kansas Historical Society
Julie Mulvihill, Executive Director, Kansas Humanities Council
Jo Budler, Kansas State Librarian
Becky Blake, Director, Tourism Division, Kansas Department of Wildlife, Parks and Tourism
Joyce Huser, Fine Arts Education Consultant, Kansas State Department of Education
Barry Greis, Statehouse Architect, Kansas Department of Administration

Others Attending

Paje Resnev, Hein Law Firm
Robert Swain, Kansas Arts Foundation
Sandra Hartley, Kansas Arts Foundation
Mary Kennedy, Mid-America Arts Alliance

Karen Campbell, Mid-America Arts Alliance
Julie Mulvihill, Kansas Humanities Council
Jo Budler, State Library of Kansas
Candace LaDuc, State Library of Kansas
Jennie Chinn, Kansas Historical Society
Barry Greis, Department of Administration

The meeting was called to order by Chairperson Schodorf at 9:00 a.m. The meeting opened with a welcome from the Chairperson and an introduction of the new members and the Committee staff.

State of the Arts

Public and Private Support for the Arts

Creative Arts Industries Commission – 2012 Legislation

Melissa Calderwood, Kansas Legislative Research Department (KLRD), gave a review of the 2012 legislation that enacted the Kansas Creative Arts Industries Commission (Attachment 1). 2012 Senate Sub. for HB 2454 created the Creative Arts Industries Commission (CAIC) within the Kansas Department of Commerce. The bill merged the existing powers, functions, and duties of the Kansas Arts Commission and the Kansas Film Commission. The CAIC is charged with promoting, supporting, coordinating, fostering, developing, and measuring the outcomes of the arts. The CAIC is administered under the authority of the Kansas Department of Commerce.

The bill created a new individual income tax checkoff program to provide an additional funding source for the CAIC. Beginning in tax year 2013, individual income taxpayers will have the option of donating to the Kansas Creative Arts Industries Commission Checkoff Fund. The CAIC may authorize the use of its logo to be affixed on license plates issued to support the Kansas arts. Any royalty payment to CAIC derived from the sale of the Kansas arts license plates will be credited to the CAIC special gifts fund.

The bill created the CAIC, a commission to measure, promote, support, and expand the creative industries to drive the Kansas economy, grow jobs, and enhance the quality of life for all Kansans. The CAIC consists of 11 members, who serve for terms of three years and could be reappointed to a term of three years. The members of the CAIC include: two members appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, two members appointed by the Speaker of the House, one member appointed by the Minority Leader of the House, and five members appointed by the Governor. The bill directed that members of the CAIC should broadly represent the major fields of the arts and related creative industries. The CAIC is to meet on the call of its chairperson, but no less than four times during each calendar year and meetings may take place in various locations across Kansas.

The bill established the Creative Industries Fund with the following designated sources: moneys appropriated by the Legislature and gifts, grants, or donations from private or public sources that the Commission is authorized to accept. The bill also designated the CAIC as the official state agency for the development and coordination of the arts and employment development in the creative arts industries.

The statutory role of the Joint Committee, Ms. Calderwood noted, was updated with the enactment of Senate Sub. for HB 2454. Under this revision, the Joint Committee is charged to “study, investigate, and analyze” the following matters:

- The goals appropriate to the future of the arts and cultural life in Kansas including, but not limited to, the following: Public art; individual artists; films; video, radio and music; and historic preservation;
- The role the Legislature and state government should play in the achievement of these goals;
- Arts legislation in other states and at the federal level;
- The budget and programs of the Kansas Creative Arts Industries Commission and other state supported cultural programs and agencies;
- The present status of arts education in Kansas; and
- The economic impact of arts and cultural resources in Kansas.

*Kansas Creative Arts Industries Commission
Kansas Department of Commerce*

Peter Jasso, Director, Kansas Creative Arts Industries Commission, appeared before the Committee with a report on the Kansas Creative Arts Industries Commission ([Attachment 2](#)). The CAIC is a program in the Kansas Department of Commerce’s Business and Community Development Division that is focused on the creative industries sector of the economy. The CAIC is dedicated to measuring, promoting, supporting, and expanding the creative industries to grow the state’s economy and create creative industry-related jobs in film, arts, culture, and design. The CAIC merges the former Kansas Film Commission and Kansas Arts Commission. The goal of the CAIC is to further economic development through promotion and expansion of the creative industries in Kansas by providing fast growth, dynamic industry cluster; helping mature industries become more competitive; providing critical ingredients of innovative places, catalyzing community revitalization, and delivering a better prepared workforce. In the past two and a half months, the Department has worked to logistically integrate and consolidate previous Kansas Arts Commission assets into the Department and is working on merging communication avenues to serve creative businesses and organizations across all disciplines. The CAIC will soon begin a strategic planning process that will result in a statewide plan of the creative industries in Kansas. The CAIC also is working with the Kansas Department of Revenue to carry forward the former Arts Commission’s efforts to raise private dollars with the selling of arts license plates and the KCAIC Checkoff Fund.

Following his presentation, Mr. Jasso responded to questions from the Committee about the status of National Endowment for the Arts (NEA) moneys for local arts organizations, sources of funding and the status of the Arts’ license plate sales, budget projections, and planned expenditures for the current fiscal year, and the status of the Poet Laureate program. Mr. Jasso also was asked to comment on the current and planned film projects in Kansas. His responses to Committee questions included the following:

- The Commission is on track with the NEA and relevant deadlines, including an October 1 deadline. Mr. Jasso noted the Commission is in a unique position, essentially starting from scratch. Prospects of NEA funding were termed as “good.”
- The strategic planning process, part of the NEA application, would help identify the portion of grant dollars that could be matched. It is anticipated that the strategic plan will be completed by the end of the first quarter, 2013.
- The current budget (current Fiscal Year) expenditures include funding for strategic planning, website design, and the operational budget, *i.e.* salaries, computers, and rent.
- The Poet Laureate program will be placed in the Kansas Humanities Council. (Mr. Jasso was directed to provide a letter of clarification to the Committee. A copy of the signed agreement ceding the Poet Laureate program to the Kansas Humanities Council was transmitted to the Committee Chairperson on October 15, 2012.)

Committee members requested further information from the CAIC (this request is documented under the Committee discussion and recommendations).

Kansas Arts Foundation

Sandra Hartley, Vice-president, Kansas Arts Foundation (Foundation), appeared before the Committee with a report on the activities of the Foundation (Attachment 3). The Foundation is a 501(c)(3) private charitable organization created in February 2011, and is solely funded by private donations. The Foundation sees abundant evidence that local arts organizations through volunteer efforts have been emboldened since 2011 to strengthen local private support for their arts and cultural programs. Ms. Hartley cited an event in Dodge City that has created interest in local arts programs from an entirely new sector of potential arts supporters and plans for next year’s event are already underway. There also were programs in Marysville, McPherson, Liberal, Iola, Paola, and Salina. This provides evidence, Ms. Hartley continued, of the vitality and imagination of private support, local initiative and volunteerism in Kansas.

The Foundation adds the power of a statewide endowment program run by a dedicated and talented board of directors with a mission to secure the future of Kansas arts and improve the commercial viability of Kansas artists while supporting local initiatives through a regional grant program. In assessing the future, Ms. Hartley emphasized the importance of recognizing that Kansas already has an existing network of local volunteer arts organizations and a wealth of talented visual and performing artists across the entire state. Through statewide fund raising and launching new initiatives supporting the commercial viability of Kansas artists, the Foundation seeks to engage new donors and expand support among Kansans.

In 2012, the Foundation conducted its first photographic competition for Kansas photographers designed to raise awareness of the Foundation and support the commercial success of the participating photographers. The Foundation has adopted an Artist in Residence program and a Creative Connections Program. This will provide professional mentoring of videographer students in Kansas colleges by pairing them with Kansas artists for the purpose of

creating web videos promoting and marketing individual arts and their work. Mentors will donate their services and equipment .

The Foundation has held events in various Kansas communities with plans for more. The Foundation has office space in Topeka, a monitored web site and responsible monetary management from the Trust Company of Manhattan. They are unencumbered by debt or operating expenses and have no paid staff. Less than 10 percent of donated money has been spent on operations and events. They are growing a permanent endowment fund. The Foundation has openly endorsed the establishment of public-private partnerships to stimulate Kansas arts efforts and reduce the burden of transitioning from a taxpayer funded model to private funding.

Following her presentation, Ms. Hartley responded to questions from the Committee about the Foundation's website, fundraising efforts and disclosure of expenditures, local arts organizations and festivals, and the issue of "transparency" in a public-private partnership for support of the arts. Ms. Hartley's responses included the following:

- The Foundation website is up and running and includes contact information. A Committee member encouraged the Foundation to provide phone contact information, in addition to directing potential donors to the website.
- As a 501(c)(3), the Foundation files a form with the IRS. The most recent report does not include 2012. Ms. Hartley responded to Committee requests for further information about donations and planned disbursements by directing the Committee to the required IRS reporting. Ms. Hartley later confirmed the amount of \$105,000 was reported to the IRS.
- In terms of support for and eligibility of local arts organizations, Ms. Hartley referred the Committee to the Foundation grant policy. The Board determines such policy on an annual basis and two types of grants will be available—eight regions have been established.
- A clarification—the check-off funds for the Arts will be directed to the Commission (CAIC).
- The Foundation holds "friendraisers" and wants to be part of a rich, cultural fabric, including programming, *i.e.* Creative Connection and Artist in Residence.

The Committee requested staff review and comment on transparency requirements and disclosure for public-private partnerships. A discussion was then held between Committee members, Foundation representatives, and the CAIC director. The Foundation representatives reiterated that the Foundation is a private foundation and, to date, the Foundation has not been asked to provide funds (for matching purposes). The Foundation regions have not yet been disclosed and fundraising will be statewide. Discussion followed about the role of the CAIC and available funds for local arts organizations. (Requested information is noted later in the Committee's recommendations.)

Robert Swain, Executive Committee member, Kansas Arts Foundation, appeared before the Committee ([Attachment 4](#)). Mr. Swain stressed two thoughts that he has on the arts in Kansas:

- The arts can and should be an integral part of our Kansas culture; and
- If it is financially viable to do so, a strong majority of Kansans would prefer a private arts funding model over a public arts funding model.

The Foundation has been working to make a privately funded arts organization a reality. The next challenge is to start offering arts programming and awarding grants while at the same time ramping up their fundraising efforts. He believes that an artist in residence program which matches artists with communities be one of the first programming efforts to come to fruition. The Foundation will ultimately mount a statewide capital campaign that will support the bulk of all future funding for the Foundation.

Agency Budget Report

Kansas Historical Society Overview

Jennie Chinn, Executive Director, Kansas Historical Society, appeared before the Committee (Attachment 5). In FY 2012, the agency programs and services drew more than 6,000,000 people, with nearly an additional 6,000,000 through a partnership with Ancestry.com. The Historical Society is the repository and caretaker of state records. The agency administers both state and federal historic preservation programs that bring economic development to communities across the state. The Kansas Historical Society is the state agency that provides curriculum materials on state history and government to our K-12 schools helping them to meet their state-required coursework.

In the last eight years, the agency has seen a steady decrease in State General Fund (SGF) moneys, resulting in a total decrease of nearly \$2,000,000 or 29 percent. To meet the need to reduce resources, the agency has employed the following strategies: increased efficiencies; elimination of programs not directly relate to state statute; lay-offs and agency reorganization; elimination of any services that may overlap with programs of other agencies or organizations; formed partnerships where possible; increased user fees (earned income); and seeking private dollars and in-kind donations for appropriate programs. The FY 2014 base budget of SGF equals only 42 percent of the agency's overall budget, with the remaining funds coming from federal sources, earned income, Heritage Trust Fund, and private donations.

Historic Sites. As budgets have shrunk, Ms. Chinn noted, the agency has employed a variety of strategies to operate the sites. It is the aim of the agency to stabilize a funding base for the historic sites that will capitalize on earned income and private donations to more fully utilize these valuable state resources. For this reason, the agency would like to start a dialogue to explore the possibility of a dedicated funding source for the State Historic Sites to provide them with a stable base while at the same time increasing their earned income.

Ms. Chinn's testimony highlighted some of the agency's contributions toward Governor Brownback's goals, including:

- Goal: Increase private sector employment: The agency created 3,073 jobs through historic preservation tax credits.

- Goal: Increase the percentage of fourth graders reading at grade level: The agency assists school districts in teaching of Kansas history and government by providing curriculum materials. Read Kansas! promotes reading and language arts skills using Kansas history content. The agency provides curriculum assistance to teachers involved in teaching expository comprehension.
- Goal: Increase the percentage of high school graduates who are college or career ready. The agency makes research materials available online and works with teachers to develop curriculum materials that teach research and interpretation skills.

Budget. The agency's current services budget request is \$8,270,193 from all funds for FY 2014. Of this amount, \$4,803,705 is the SGF allocation. The agency, Ms. Chinn's testimony notes, is requesting two enhancements—\$44,747 from agency fee funds for the restart of the historic highway markers program (\$10,000) and a capital improvement request for the William Allen White House State Historic Site (\$34,757). The agency was requested to submit a reduced resources budget that would reduce the SGF budget by \$480,371 (10 percent). In order to meet this target, the agency would need to:

- Reduce pass-through fund to the Kansas Humanities Council (\$6,089) and the Kansas Heritage Center (\$2,078) by 10 percent;
- Reduce hours at the State Historic Sites, limiting public access;
- Reduce hours in the Topeka research room, limiting access to state records;
- Reduce IT funding, preventing the agency from developing computer applications to provide wider access to the State's collections; and
- Layoff a projected 7 FTE and 13 part-time positions.

Following Ms. Chinn's presentation, Committee members inquired about the agency's Historic Sites budget and reduced resources budget request. Committee members suggested a continued dialogue about the funding of the State Historic Sites and solutions for the communities and the State. Ms. Chinn also responded to a question regarding hours in the research room and whether appointments could be limited to an "on appointment only" basis.

Agency Budget Requests

Kansas Humanities Council

Julie Mulvihill, Executive Director, Kansas Humanities Council (KHC), next appeared before the Committee ([Attachment 6](#)). Ms. Mulvihill first addressed the KHC budget request; the KHC is requesting \$60,886 for both FY 2013 and FY 2014. With the reduced resources package (Historical Society), the KHC will experience a 33 percent cut (allocation would be \$54,797). The KHC is a 501(c)(3) non-profit organization with the goal to provide support for, and access to, high-quality, engaging, cultural programs—humanities programs that encourage Kansans to make connections between history, literature, ethics and the daily decisions made on the job, at

home and in civic life. Primary support for KHC comes from the National Endowment for the Humanities with money from private fundraising and the state providing matching funds for federal dollars. In 2011, KHC supported 618 humanities activities with participation by 264,270 Kansans.

State funds do not support staff salaries, rent, utilities, or other overhead expenses. All KHC awards are matched at the local level with cost share or in-kind services. Funding from the state supports two categories: Heritage Grants and Humanities Outreach Support Grants. The 10 percent reduction in state funds is a reduction in outreach services to Kansans; using data from the KHC Speakers Bureau and book discussions, Ms. Mulvihill continued, the impact of additional funding cuts will be felt statewide, with rural communities taking the hardest hit.

Ms. Mulvihill next commented on 2012 highlights. The Smithsonian Institution traveling exhibition, "The Way We Worked" began its nine-month tour in Kansas sponsored by the Kansas Humanities Council after Labor Day. Six sites were selected for the exhibition with sixteen communities joined as partner sites (a total of 66 applicants). This is expected to have a cultural impact and significant economic impact on the selected communities. The Council's partnership with the State Library and the Center for the Book's annual "All Kansas Reads" program has resulted in the selection of a work-themed book for discussion statewide. Various grants from the public and private sector helped with this initiative.

A Committee member inquired about the selection of Smithsonian sites. Ms. Mulvihill indicated all six were new to hosting, but likely applied before. A Committee member inquired about a potential alignment with the CAIC, noting the implementing legislation's goals of employment and economic development. Ms. Mulvihill responded that the KHC will be interested in the CAIC activities and programming, as potential partnerships.

State Library of Kansas

Jo Budler, State Librarian, appeared before the Committee ([Attachment 7](#)). Ms. Budler began her remarks by noting the impact of a 10 percent reduction—the Library would experience a reduction of \$388,099 for FY 14; additionally, with the \$800,000 of KAN-ED removed from the Library's FY 13 budget, the change from FY 2013 to FY 2014, would total a reduction of \$1,196,638. The State Library of Kansas: provides research and reference to legislators and other state employees; negotiates statewide subscriptions to electronic content including databases and eBook content so that all Kansans may have access; coordinates statewide programs which enhance library service to all Kansans; promotes early literacy so that children are ready to read when they enter kindergarten; encourages reading so all Kansans can be lifelong learners; and provides reading material in a multitude of formats to all Kansans. Once again this November, Ms. Budler continued, the State Library will coordinate the Ready to Read ("6 by 6") program. This program makes caregivers aware of the importance of helping the children in their care to develop the six skills they need to be prepared to read in kindergarten. This was made possible by a grant from the Children's Cabinet. The State Library also is partnering with the Kansas Pediatric Foundation for the Turn a Page, Touch a Mind program wherein pediatricians distribute books to parents when they bring their children in for baby checkups.

The Summer Reading Program is a 50-state collaboration to encourage children of all ages to read during summer break so that they do not lose any of their reading skills over the summer. Approximately 88,000 children participate in public libraries all across the state. The

public libraries this year also participated in the Governor's summer reading program, "Read Kansas Read."

The State Library funds a statewide catalog so that the collections of all Kansas libraries may be accessible to all Kansans. The library also helps to fund a courier service that allows libraries to ship material around the state in a cost-effective manner.

Since 2005, the State Library has coordinated and helped fund a consortium for a service which provides downloadable eBooks and audiobooks to all Kansans. The Library has recently gotten permission to enter into a contract with Baker and Taylor for downloadable eBook service. This service makes available, at no charge, software which will allow blind individuals to listen to eBooks. The State Library continues to administer the Talking Book program through the federal National Library Service program.

Ms. Budler concluded her testimony noting the Library's issuance of an RFP for a statewide contract of electronic content accessible to all Kansans; one resource highlighted was Mango, the language database. The Library was able to get this statewide subscription due to the \$800,000 of funding put in the Library's budget. If the funding is not restored, most of the eContent available to residents and schools will not be renewed. A Committee member noted the handout, "Online Resources," and the projected statewide cost avoidance of nearly \$51 million (the cost if individual libraries purchased the same databases) and inquired whether these databases could be accessed elsewhere on the web. Ms. Budler confirmed this information can be accessed, but there is usually a charge. A Committee member commented on efforts to increase fourth grade reading and providing incentives to read, especially in the home. The Committee then discussed the impact of a 10 percent cut and associated budget instructions with the State Librarian and Executive Director of the Kansas Historical Society.

The Committee recessed at 12:20 p.m.

State of Kansas Tourism—FY 2012 Report

Becky Blake, Director, Tourism Division, Kansas Department of Wildlife, Parks and Tourism, appeared before the Committee ([Attachment 8](#)). Ms. Blake reviewed the impact of tourism in Kansas, highlighting key indicators—lodging rates and sales tax revenue. Ms. Blake also pointed to partnerships in the tourism industry, including those with Kansas communities.

The Division has invested with various social media outlets as more individuals are using search engines when planning vacations. The campaign through broadcast and cable marketing has delivered 45.6 million impressions. There is a new website, LikeKansas.com and there will be five new different TV spots, with Bill Curtis donating his time for the campaign.

The Division has used 23 print advertising publications with a combined circulation of 15.9 million through magazines and regional publications. A partnership with Blue Cross Blue Shield promoting healthy Kansas vacations was done at no cost to the state. For destinations on-line, the Division has used Google, Yahoo and Bing. There are over 10,000 followers on Facebook, Twitter, Flickr, YouTube and Pinterest. There have been 582,000 deliveries of the twice monthly target E-Blasts. TravelKS.com is a redeveloped website that has been viewed over two million times. The Division launched a Blog last year that has been well received. There are monthly themes with two postings per week. The Faces and Places Tour has a van that logged over 15,000 miles to more than 50 locations or events that was extremely successful.

The Tourism Division also has expanded the schedule of travel shows its representatives attend. The Division participated in a variety of media relations events and is bidding to host a future meeting of the Midwest Travel Writers Association. Kansas has partnered with Oklahoma to target wholesale tour operators, retail travel agencies, travel media and traveling consumers from Germany, Austria, Switzerland, United Kingdom and Ireland. Sixty percent of the program funds are from Oklahoma, allowing Kansas to enjoy 148 percent leveraged funding for European marketing from out-of-state sources. The international program has been growing.

The Division will be going back to publishing an annual Visitors Guide. This is supported mainly by advertising and they expect to produce 300,000 copies. The Great Outdoors Guide will be published in 2013 with a distribution of 100,000.

The Division also has a successful partnership with the Kansas Lottery which involves a \$1.00 scratch off ticket. Non-winning tickets may be redeemed for special offers at various attractions and businesses throughout Kansas. The website information is on the back of ticket. Another partnership highlight was the Attraction Development Grants; Ms. Blake's testimony indicated that \$70,274 has leveraged \$789,274.

Major initiatives noted include state support for recreational trails, an EZ pass and pocket-ranger App for Kansas parks, expanding camping opportunities, and Native American heritage. Ms. Blake then responded to questions from the Committee about recreational trails and publicity for historic sites and signage.

Agency Reports

Fine Arts Education

Joyce Huser, Fine Arts Education Consultant for the Kansas State Department of Education (KSDE), testified before the Committee ([Attachment 9](#)). The Next Generation Fine Arts Standards are currently being worked on; Ms. Huser serves as a writer on the Visual Arts Committee. Arts training, music, theater and dance are all components to Arts standards. There are career pathways in the Fine Arts which is important for education in Kansas. Ms. Huser also noted the progress of the Kansas Model Curricular Standards for Theatre Education; this should be completed in mid-2013.

The Consultant next noted the Kansas Alliance for the Arts in Education was formed in January 2012 and feels that the Arts are an integral part of K-12 education. (Ms. Huser serves as resource to the Alliance). The Alliance is comprised of various arts organizations across the state in order to help give them one voice. Kansas Poetry Out Loud has a KSDE grant to help students learn great poetry. This will improve students' speaking skills, confidence, and to learning about their heritage. The Poetry Out Loud program was housed this year by the KSDE. Ms. Huser stated she would like to see it moved to the CAIC next year. Ms. Huser then reviewed Common Core and Fine Arts standards and college and career readiness and the Fine Arts.

Committee members and the conferee discussed theatre standards and the interaction with Kansas community colleges, arts education emphasis, and the Poetry Out Loud grant. Ms. Huser indicated the NEA representatives had met with the CAIC and herself regarding the grant topic.

Capitol Tour and Renovation Update

Barry Greis, Statehouse Architect, Kansas Department of Administration, conducted a tour of the renovations of the Capitol ([Attachment 10](#)). A representative of J.E. Dunn and the Project Architect also were present for the tour. The Committee began its tour on the fifth floor and toured all floors of the Capitol. The tour also included the ground floor North Wing and discussion about the Visitor's Center, auditorium, school tours, and exhibit locations for artifacts associated with Kansas and its governance.

Committee Discussion; Recommendations for Report to 2013 Legislature; and Possible Introduction of Legislation

David Wiese, Assistant Revisor, Office of Revisor of Statutes, answered questions posed by the Committee regarding the Kansas Arts Foundation and disclosure of records under the Kansas Open Records Act ([Attachment 11](#)). The Kansas Arts Foundation does not meet the definition of "public agency" (KSA 45-217(f)(1)) as it is 501(c)(3) private charitable organization and is solely funded by private donations. Further, the Kansas Arts Foundation, as a privately-funded entity, is not a public agency and, therefore, its records are not considered "public records." Thus, the Kansas Arts Foundation is not required to disclose any records in its possession pursuant to the Kansas Open Records Act.

Chairperson Schodorf recognized Ms. Calderwood to highlight Committee discussion and requested information, in preparation for the Committee Report. Committee members then discussed public and private partnerships in the arts and understanding the distinct roles of the CAIC and private entities like the Kansas Arts Foundation. Discussion also was held on the NEA funding and application, including agency budget and strategic plan, to be submitted by the Creative Arts Industries Commission. The Committee also reviewed the potential impacts of 10 percent cuts to state agencies.

Following discussion, the Committee made a number of recommendations and requests for information:

- **Creative Arts Industries Commission.** The Joint Committee requests the following information [deadlines are notated]:
 - Letter of clarification from the CAIC be sent to the Chairperson to clarify the current and future programming for the Poet Laureate Program [October 15];
 - Copy of the CAIC budget, in a format similar to prior budget submissions for the KAC, for FYs 2013 and 2014—please specify if a 10 percent cut is taken from any appropriations to the CAIC [October 15];
 - Copy of the CAIC strategic plan, including budget information, planned staffing levels, and programming goals [prior to January 14, 2013];
 - Updates on a quarterly basis—or CAIC fund balances—particularly the Creative Industries Fund, detailing gifts, bequests and donations. The Joint Committee is interested in all funding sources. The Committee also requests comment from the CAIC re: matching dollars and anticipated resources from private sources and in-kind supports. This response

should detail projections for funds made available through the Arts check-off and the license plates. [November 1 for quarter ending September 30];

- Update on the NEA grant proposal [update no later than November 1 for the October grant submission; and further update(s) prior to January 14, 2013]; and
- Written update on the annual report of film production in Kansas for reporting purposes [November 1]

The Committee notes its request of clarification regarding the current and future programming and planning for the Poet Laureate Program.

Agency Budgets. The Committee appreciates the updates provided by state agencies on programming and planning for statewide activities. The Committee notes the potential reductions in the budgets of the State Library, Historical Society and pass-through to the Kansas Humanities Council and requests updates of federal and other sources of funding that could help to reduce or stabilize the reductions.

State of the Arts. The Committee notes its requests for information and further requests an update on the CAIC planning, with particular attention to the NEA application and available matching funds, as well as grant opportunities for local arts organizations. The Committee would like to convene this meeting during the 2013 Session.

The Committee recognizes the distinction between public and private entities supporting the arts and requests any published documents that can be made readily available by representatives of the Kansas Arts Foundation (e.g. Annual Report, including financial statements and documented in-kind supports, and donor recognition). Other documents, if available, that detail current and future supports to local arts organizations and arts also is appreciated.

State of the Historic Sites in Kansas. The Committee requests representatives of the Joint Committee on State Building Committee and Appropriations Committees meet with the Historical Society and selected Historic Sites' representatives to review long-range plans and funding issues associated with keeping the Historic Sites open on a regular basis. Capital improvements and on-going maintenance costs should be part of this discussion. This dialogue should occur early in the 2013 Session.

The Committee made no requests for legislation.

Prepared by Ellen Martinez
Edited by Melissa Calderwood
and Shirley Morrow

Approved by the Committee on:

January 10, 2013
(Date)