

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on March 3, 2011, in Room 144-S of the Capitol.

All members were present.

Committee staff present:

Jason Long, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Dennis Hodgins, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Shirley D. Morrow, Kansas Legislative Research Department
Connie Burns, Committee Assistant

Conferees appearing before the Committee:

Landon Fulmer, Governor's Office
Sandra Hartley, Kansas Arts Foundation
Robert Swain, Kansas Arts Foundation
Linda Browning Weis, Kansas Arts Foundation
Henry Schwaller, Kansas Arts Commission
Brenda Meder, Hays Arts Council
Cathy Hoy, Symphony in the Flint Hills, Inc.
Kathy Smith, ARTSConnect
Alan Tollakson, Emporia, Kansas
Julia Manglitz, American Institute of Architects in Kansas

Others attending:

See attached list.

Introduction of bills:

Senator Brungardt requested a bill introduction renaming a portion of Interstate 70 as the Eisenhower/Truman Presidential Highway.

Senator Brungardt moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Senator Apple requested a bill introduction relating to gas safety and reliability surcharge; extension of deadline for rate schedule.

Senator Morris moved that this request should be introduced as a committee bill. Senator Abrams seconded the motion. The motion carried.

Senator Owens requested a bill introduction relating to insurance; coverage for autism spectrum disorder.

Senator Owens moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

ERO-39 - Abolishing the Kansas Arts Commission established by K.S.A. 74-5202 and the office of executive director of the commission established by K.S.A. 74-5204 and transferring the powers, duties, and functions to the state historical society.

Chairman Brungardt opened the hearings on **ERO-39**.

Shirley D. Morrow, Fiscal Analyst, Kansas Legislative Research Department, (KLRD) provided a fiscal overview of the ERO. (Attachment 1) The Chairperson of the House Education Budget Committee requested KLRD contact a representative from the National Endowment for the Arts (NEA) and the Mid-America Arts Alliance, to obtain clarification on the ability of a not-for-profit 501(c)(3) receiving pass-through monies from a state agency to qualify for federal programs in the same capacity that the Kansas Arts Commission is currently receiving. The bottom line is that without having the organizational

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The minutes of the Federal and State Committee at 10:30 a.m. on March 3, 2011, in Room 144-S of the Capitol.

structure, mission, and bylaws of the Historical Society and the 501(c)(3) available for review by the National Endowment for the Arts' General Counsel, the National Endowment for the Arts is unable to comment as to whether the "hypothetical" 501(c)(3) would be eligible to receive National Endowment for the Arts funds

The National Endowment for the Arts' investment in a state is predicated on a significant financial and programmatic commitment from state government to its arts council because in each case, state and federal funds are combined to support local programs and priorities. Continued Federal investment is contingent on the State of Kansas providing financial support to its designated state arts agency. The agency must have the capacity to carry out the significant responsibilities of the NEA Partnership Agreement.

Proponents:

Landon Fulmer, Policy Director, Governor's Office, testified in favor of the ERO. (Attachment 2) The historical society will act as the "state agency" for the purpose of transmitting Kansas' state plan to the National Endowment for the Arts in order to ensure continued federal matching funds. This is important because one of the requirements for the receipt of federal funds is that a designated state agency must request them as part of an NEA-approved state plan. Through the mechanism of the Historical Society as a state agency and the fund raising support of the Kansas Arts Foundation, the governor's reorganization as embodied in ERO 39 will set up a system by which the support of the arts in Kansas will truly be a public/private partnership.

Sandra K. Hartley, Kansas Arts Foundation, spoke in favor of the ERO. (Attachment 3) Ms. Hartley stated working together, through a public private partnership with the highly regarded Kansas State Historical Society, will be awesome.

Robert Swain, Kansas Arts Foundation, appeared in favor of the ERO. (Attachment 4) Because of what has happened in Topeka, with the elimination of its public arts organization, that a private initiative such as the Kansas Arts Foundation can indeed be effective as a statewide arts organization.

Linda Browning Weis, President, Kansas Arts Foundation, testified in favor of the ERO. (Attachment 5) The Kansas Arts Foundation is a Board of responsible leaders, committed to the exponential development of the Arts in Kansas. The Foundation is committed to extensive oversight of all private funds, oversight in those matching funds from a federal agency., and being good stewards of all private funding of the Arts through the Kansas Arts Foundation in the best interest of Kansas.

Opponents:

Senator Roger Reitz spoke in opposition to the ERO. (Attachment 6) The ERO represents a proposal to terminate the Kansas Arts Commission in July 2011 and suggests that in place of this Agency a private non-profit entity be established to raise funds for arts activities in Kansas.

This is not a feasible or prudent alternative. Two non-state finance groups currently help fund the programs of the Kansas Arts Commission. The National Endowment for the Arts is the key player and it has determined that Kansas will lose all federal partnership funds (almost \$800,000) if the Kansas Arts Commission is not longer a state Agency. Currently Kansas generates its matching funds for the KEA from the state's general fund on a one to one basis. The other entity generating money for the KAC is the Mid America Arts Alliance. Their contribution to Kansas last year was \$473,767. This contribution from the Alliance is totally lost if we are not a part of the National Endowment for the Arts relationship. Both of these philanthropic organizations not only provide funds but also offer services to strengthen effectiveness of Arts organizations in metropolitan areas and, ever bit as importantly, in Kansas rural areas.

Harry Schwaller, IV, Chairman, Kansas Arts Commission, testified in opposition to the ERO. (Attachment 7) The Kansas Arts Commission is one of the state's notable successes; although the agency is very small, it is responsive, open, and provides important leadership for arts and cultural organizations, artists and community development agencies in Kansas. We ask that the Legislature retain the Kansas Arts

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The minutes of the Federal and State Committee at 10:30 a.m. on March 3, 2011, in Room 144-S of the Capitol.

Commission as an agency of the state with base level funding for FY 12 of \$1,628,613, to maximize the potential federal dollars available to serve our state in the coming fiscal year. If the legislature and the Governor wish to pursue additional, private funding sources to supplement governmental support, thereby increasing the impact of the Kansas Arts Commission, those added resources are welcomed.

Brenda Meder, Executive Director, Hays Arts Council, spoke in opposition to the ERO. (Attachment 8) As a Kansas citizen and arts advocate, Ms. Meder stated she was there to preserve and celebrate HB 617, the 1965 legislation establishing the Kansas Arts Commission; to preserve the intention and legacy of Representative Vivian Meckel, who introduced the bill, and the forward thinking individuals who voted for this legislation.

Hays would not be the culturally rich community it is; and may never have grown, worthy of earning the 2010 Governor's Arts Award distinction of "Arts Community" without the leadership, organizational assistance, and funding of the Kansas Arts Commission. We know that the arts have an economic impact in our community; like other arts organizations, the Hays Arts Council pays salaries, sales and payroll taxes, utilities, facility rental, printing fees, computer purchases, reception supplies, and spot lights; and supports and promote the sales and employment of artists who likewise continue that economic growth. The Kansas Arts Commission fuels the programs and the people that make those creative experiences and aesthetic education possible.

Cathy Hoy, Board Member, Symphony in the Flint Hills, Inc. appeared in opposition to the ERO. (Attachment 9) Ms. Hoy stated she has been involved with Symphony in the Flint Hills since the planning stages in 2005. This celebration of the native Tallgrass Prairie, combining symphonic music with the beauty of nature and information about the history of the Flint Hills and their distinctive culture, has quickly become a premiere Kansas Arts Event. At completion of this year's event, over four million dollars will have been spent to produce the six events and 73% of these dollars goes directly to Flint Hills enterprises.

Over the last six years the Kansas Arts Commission has contributed almost 30,000 dollars. The majority of these funds are designated for operational support, which is often the most difficult type of support to raise from other sources. We strongly support the Kansas Arts Commission for all they do to increase the quality of life in rural areas. Their leadership, inspiration, and grant programs are vital to delivering high quality art to the underserved rural populations.

Kathy Smith, Executive Director, ARTSConnect, Topeka, Kansas, testified in opposition to the ERO. (Attachment 10) Ms. Smith stated she wanted to take this opportunity to clarify a few details about the organization and a few misunderstandings surrounding how ARTSConnect is funded. ARTSConnect was conceived in 2006 as an initiative of the Topeka Community Foundations as a United Arts Fund, a United Way for the arts. The workplace campaigns generated funds that were then granted back into the arts community. This was a successful model for 3 years, but in 2009, all of the participating companies ceased their campaigns due to the major economic and human resources changes and limitation, thus eliminating the grant making capabilities and much of the revenue stream; and they no longer receive any funding from the City of Topeka, and rely heavily on private donors, both individual and corporate. The private sector has not been the only source of funding; ARTSConnect has received over \$32,000 in grants from the Kansas Arts Commission over the past three years. The one time \$17,000 ARRA grant received proved to be a lifeline in an extremely difficult funding year. Without the support of the Kansas Arts Commission, the work over the past few years would not have been possible and she would personally talk to the committee about the arts community in Topeka and Shawnee County and how the Kansas Arts Commission has made a difference here.

Alan Tollakson, Self-employed Artist/Sculptor and Master Stone Carver, Emporia, Kansas, appeared in opposition to the ERO. (Attachment 11) Wanted to express his concerns about any decisions to eliminate the Kansas Arts Commission; and understands the necessity for serious state budget cuts across the boards, but the enormity of this measure would appear to have serious long-term repercussions for the State of Kansas. Mr. Tollakson testified to his own successes and diligence as a tax-paying and contributing citizen of Kansas for 30 years, only because of a small boost in his early career as a professional artist by the Kansas Arts Commission. After achieving a Mast of Fine Arts degree in Stone Carving from KU in 1984, he was hired as a Kansas Arts Commission Artist-in-Residence for Hays and Emporia, KS from 1986 – 1987. Without the Kansas Arts Commission, he would likely be carving stone

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in a different state.

Most of the major limestone fabricators have called on him and other artists around the state to provide the finer work needed on special construction projects; and through these industries his artistic carving skills were involved in the new Library addition at Kansas State University, the new Horticultural Science Center at Johnson County Community College, and the 10th District Federal Reserve Bank of Kansas City, among many others in Kansas and across the nation. This spring he will honored to finish restoration of the deteriorating limestone carvings on the Kansas State Capitol building. For him the KAC has showed a wiliness to encourage the cultural heritage and future of its people.

Julia Manglitz, American Institute of Architects in Kansas, spoke in opposition to the ERO. (Attachment 12) AIA Kansas is opposed to the proposed elimination of the KAC, the funds saved by elimination of this agency are less than 1% of the budget shortfall; this agency and the programs it supports cost 30 cents annually per capita; that is less that an hour's parking in downtown Topeka.

Art and Architecture go hand in hand;

- Visual communication and creative problem solving are essential skills for architects. Arts based education teaches sketching, drawing, modeling. The KAC supports early arts education for students across the state with its programs
- The restoration of historic buildings relies on skilled artists, artisans, and craftspeople most of whom began their careers with arts education. The programs that the KAC sponsors has been directly responsible for retaining home-grown talent and indirectly responsible for fostering an environment in which we have skilled crafts people

Some people have proposed that a non-profit can take the place of the KAC, but with privatization comes the potential of censorship, the disruption of existing programs, further degradation of another segment of the economy, and the loss of funding sources from outside of the state. Retaining the KAC is the best way to prevent the detrimental effects of these consequences.

Written testimony was provided by the Kansas Arts Commission. (Attachment 13)

National Endowment for the Arts, Rocco Landesman, Chairman, provided response to questions concerning the ERO. (Attachment 14)

Chairman Brungardt closed the hearings on **ERO-39**.

Senator Reitz moved to introduce the resolution by the Senate to disapprove ERO 39. Senator Owens seconded the motion. The motion carried. The motion also included a recommendation that the full Senate adopt the resolution of disapproval. The motion carried.

Senator Abrams and Senator Ostmeyer requested to be recorded as a no vote.

The next meeting is scheduled for March 8, 2011. The meeting was adjourned at 11:55 a.m.

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

GUEST LIST

DATE 3-3-11

NAME	REPRESENTING
Steve Curtis	Kansas Art Commission
Steve Hedden	Kansas Citizens for the Arts
Judy Cochran	Bowlus Fine Arts Ctr - Toia
Candace Melae	Bowlus Fine Arts Center - Toia
Lusie Swanson	Clay Co. Arts Council
Susan Rines	Bowlus Fine Arts Center, Toia KS
Tom Foy	Archita Eagle
Grace Miller	Van Go Mobile Arts
Sarah Secondine	Lawrence High School
Victoria Secondine	Lawrence High, Van GO, my future
Alec Fitzgerald	Free State High School orchestra
Neil Eggers	Kansas Consortium for Youth Voice, FS Choir
Any Stahl	Kansas Consortium for Youth Voice, FS Band
Clara Murphy Beach	Lawrence Free State Art dept.
Sarah Suterfield	Lawrence High School Arts
Emily Johnson	Lawrence High School Art dept.
Alan Tolkson	Emporia, KS - Supporting KAC
Anya Tolkson	" " "
Julia Manguta	AIA Kansas - Supporting KAC
Jeddy Aron	Assoc of Architects
Sandra Druley	KAF
Ann Wolcott	KCA
Martha Chea	KCA and Salina art dign.
GAIL MC MILLER	KCA AND SALINA ARTS & HUMANITIES
Ruth D. Hunsley	Kansas Arts Foundation
Susan Schlapp	Kansas Arts FDN

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
GUEST LIST

DATE 3-3-11

NAME	REPRESENTING
Debbie A. White	Historical Society
Vicki Henley	KS State Historical Society, Inc.
Bob Weeks	NONE
Raena Sommers	Ks Arts Commission
Larry Meeker	Mayor, Leake Quivira
Ellen G. Neufeld	Ks. Arts Comm.
Jean B. Cole	Ks Arts Commission
Ann Evans	Kansas Citizens for the Arts
Jay D. Nelson	Kansas Arts Commission
Robert Swain	Beauchamps Gallery
MARK KNACKENADFFEL	THE TRUST COMPANY OF MANHATTAN
Cathy Hoy	Symphony in the Flint Hills
Henry Schwallie	Kansas Arts Commission
Chris Howell	Kansas Arts Commission
Konnie Heffler	DOB
Sarah Fryell	Kansas Citizens for the Arts
Joe Z. Fox	Bethel College Acad. of Prof Arts
Valerie Schultz	Lawrence High School Arts
Maya Connor	Lawrence High School Arts
Kelly Song	Lawrence High School
HAZLETT Henderson	LAWRENCE High School
Jonas Upman	Lawrence High School
Linda Browning WEIS	KANSAS ARTS FOUNDATION, INC.
Stephanie Gage	Lawrence High School
Kelly Thompson	Lawrence High School
Meredith Johnson	Lawrence High School

GUEST LIST

DATE _____

[illegible]

**COMMUNICATIONS WITH
MID-AMERICA ARTS ALLIANCE AND
NATIONAL ENDOWMENT FOR THE ARTS**

The Kansas Legislative Research Department was requested by the Chairperson of the House Education Budget Committee to contact representatives from the National Endowment for the Arts (NEA) and the Mid-America Arts Alliance to obtain clarification on the ability of a not-for-profit 501(c)(3) receiving pass-through monies from a state agency to qualify for federal programs in the same capacity that the Kansas Arts Commission is currently.

The following question was asked of Mary Kennedy McCabe, Executive Director of the Mid-America Arts Alliance: "The Governor of the State of Kansas has issued Executive Reorganization Order No. 39 abolishing the Kansas Arts Commission and providing funding as a pass through the Kansas State Historical Society to a 501(c)(3) arts organization. If the Kansas State Historical Society was a member of Mid-America Arts Alliance, could Kansas artists and art organizations receive grants and funding for programs as they are currently receiving with the Kansas Arts Commission as a member of your organization?"

Mid-America Arts Alliance Response:

- The Executive Reorganization Order No. 39 abolishes the Kansas Arts Commission with no mention of a 501(c)(3) created to take its place. While [Mid-America Arts Alliance] understand[s] it is the intention of the Governor to replace the Kansas Arts Commission with a non-profit organization, that is not present in the ERO.
- Mid-America's bylaws prohibit membership in Mid-America so the Kansas State Historical Society (KSHS) cannot become a member of Mid-America Arts Alliance. (Staff Note: the agency would be a Partner of the Mid-America Arts Alliance, not a member)
- Mid-America works in partnership with the six state arts agencies of our region, wherein we align our strategic plan with theirs to serve the arts and culture needs of the region. Since the KSHS's mission and vision make no mention of arts and culture, it is difficult to ascertain how that partnership would occur. In the event a Kansas Arts Foundation is created as a 501(c)(3) recipient of flow-through funds from the KSHS, we would need to understand the mission and vision of that 501(c)(3) to determine if there is a partnership opportunity for Mid-America Arts Alliance and the newly formed entity.
- Since there is no indication of the purpose, plan, or budget of the Kansas Arts Foundation, it is difficult to speculate what, in fact, may be the funding support and program impact Mid-America could provide in the State of Kansas. It is simply too hypothetical to comment at this time.

The following questions were asked of Laura A. Scanlan, Director of State and Regional Partnerships, of the National Endowment for the Arts: Can the newly formed (hypothetical)

Kansas Arts Foundation as a 501(c)(3), housed within the state agency State Historical Society, receive funds from the NEA using the State Historical Society as the designated and financially supported state agency? This includes state funds passing through the State Historical Society to the Foundation to meet the requirements of the state financially supporting the Arts Foundation.

National Endowment for the Arts Response

[The National Endowment for the Arts] reviewed the Governor's Executive Order and without more specificity as to the role and purpose of the Historical Society and the 501(c)(3) Kansas Arts Foundation, National Endowment for the Arts is unable to respond explicitly to the questions posed. [The National Endowment for the Arts states,] however, that the potential exists for Kansas to forfeit its ability to receive National Endowment for the Arts funding depending on how the new entity is structured and how this restructure addresses the National Endowment for the Arts requirements for a fully functioning State Arts Agency.

Some of the National Endowment for the Arts' observations concerning the Executive Order which preclude our ability to provide a direct response include:

- The Executive Order is silent on a 501(c)(3). For example, in Section 2 of the Governor's Executive Order, the State Historical Society is designated as "the successor agency to which all powers, duties, and functions of the Kansas Arts Commission" pass on the effective date of the order.
- The relationship of the 501(c)(3) to the State Historical Society is unclear.
- It is unclear as to who will be the applicant to the NEA and who will be responsible for performing the responsibilities of the NEA Partnership Agreement and be accountable and responsible for appropriate use of federal funds.
- What staff will be responsible for developing and implementing the state plan; what will be their expertise; and to whom are they accountable?
- Will the funds received by the Historical Society be designated for the 501(c)(3) or will management of the Historical Society determine what gets passed through to the 501(c)(3) in any given year?
- How will the NEA be assured of appropriate oversight if the duties of the former state arts agency are transferred to the State Historical Society and yet the funding is simply passed-through this designated state agency to a separate nonprofit entity with different staff, separate bylaws and a separate board?

The bottom line is that without having the organizational structure, mission, and bylaws of the Historical Society and the 501(c)(3) available for review by National Endowment for the Arts' General Counsel, the National Endowment for the Arts is unable to comment as to whether the "hypothetical" 501(c)(3) would be eligible to receive National Endowment for the Arts funds.

The other question was: Must the matching 1 to 1 funds all come from the state government? For instance: If the State provides \$200,000 to the Arts Foundation (passed through the State Historical Society) and the Foundation is able to raise additional private funds

in the amount of \$600,000. Is the match just to the state funds of \$200,000 or is the match to the entire amount of \$800,000?

Response

- The funds utilized for the one-to-one match to NEA partnership agreement must be directly controlled and managed by the state and may include state appropriated, donated or trust funds.
- Private funds would qualify as donated funds but must be controlled by the designated state arts agency.
- In question here is which agency, the state agency or the 501(c)(3), is controlling the funds.
- If the state does not provide state controlled funds for support of the State Arts Agency, all federal funds are at risk.
- All of the issues raised above must be considered and addressed before NEA can make a determination as to whether or not an agency other than the Kansas Arts Commission is eligible to receive an NEA Partnership Agreement. That is, it is not just about match.
- We also have questions as to the board or council including whether it is independent.

Standards of Accountability for Receipt of an NEA State Partnership Agreement

The National Endowment for the Arts' investment in a state is predicated on a significant financial and programmatic commitment from state government to its arts council because in each case, state and federal funds are combined to support local programs and priorities.

Continued Federal investment is contingent on the State of Kansas providing financial support to its designated state arts agency. The agency must have the capacity to carry out the significant responsibilities of the NEA Partnership Agreement, including:

- The implementation of an NEA-approved state arts plan, developed as a result of a comprehensive and inclusive planning process that addresses the state's cultural priorities and those of the NEA, as stipulated in the Endowment's strategic plan.
- Fair funding decisions based on criteria that take into account artistic excellence and merit, as determined primarily through a panel process.
- Maintenance of sound fiscal and administrative procedures.
- Demonstration of leadership in arts education and in strategies for making the arts available and accessible to those in underserved communities throughout the state.

Total State Arts Agency Revenue Sources, Selected States
Fiscal Year 2011

State	Total Agency Revenue	Total Legislative Appropriation		Other State Funds		National Endowment for the Arts Funds		Private and Miscellaneous Funds	
		Dollars	% Total	Dollars	% Total	Dollars	% Total	Dollars	% Total
Colorado*	\$ 4,294,341	\$ 1,121,726	26.1 %	\$ 2,341,215	54.5 %	\$ 826,400	19.2 %	\$ 5,000	0.1 %
Iowa	2,537,012	1,023,712	40.4	716,800	28.3	792,200	31.2	4,300	0.2
Missouri**	8,395,305	7,611,505	90.7	--	0.0	783,800	9.3	--	0.0
Nebraska^	2,712,267	1,432,887	52.8	398,580	14.7	880,800	32.5	--	0.0
Oklahoma	5,272,089	4,406,689	83.6	--	0.0	845,400	16.0	20,000	0.4
Kansas	1,635,991	811,290	49.6	--	0.0	778,200	47.6	46,501	2.8
Vermont	1,709,400	507,607	29.7	245,300	14.4	814,800	47.7	141,693	8.3
All State Arts Agencies	\$ 346,191,703	\$ 272,018,157	78.6	21,636,152	6.2 %	\$ 47,632,500	13.8	\$ 4,904,894	1.4 %

Other State Funds include funds secured by the SAA separate from its legislative appropriation, such as transfer funds from other state departments and some public art dollars. Private and Miscellaneous Funds include foundation support, corporate and individual support and non-NEA federal grants.

** From FY10 to FY11 Colorado's public art funds (in the other state funds category) increased nearly 900%. In FY10 the SAA's total revenue was \$2.2 million: \$1.2 million in legislative appropriations (54%); \$237K in other state funds (11%); \$773K in NEA funds (35%); and \$5K in private funds (<1%).*

*** In FY11 the SAA was not appropriated any funds but was instead directed to spend principal from the state-run cultural endowment. The figure here represents the spending authority from the legislature.*

^ Total legislative appropriation includes \$186,200 in line items (pass through funds) designated for the Nebraska Humanities Council.

Testimony on Governor Brownback's Arts Commission Reorganization
Landon Fulmer, Policy Director
Subcommittee Hearing, February 8, 2011

Yesterday, February 7, Governor Brownback issued Executive Reorganization Order No. 39, which abolishes the Kansas Arts Commission. It was transmitted to the Legislature today, February 8.

ERO 39 abolishes the Arts Commission and transfers the duties, powers, and functions of the Commission to the State Historical Society.

If ERO 39 stands, the Historical Society will act as the "state agency" for the purpose of transmitting Kansas' state plan to the National Endowment for the Arts in order to ensure continued federal matching funds.

In addition to ERO 39, the newly formed Kansas Arts Foundation, Inc., a 501(c)3 corporation in the State of Kansas, will provide staff and programmatic support to the Historical Society to ensure Kansas' participation in federal and regional arts programs.

According to the Governor's FY2012 Budget Report to the Legislature, the Historical Society would receive \$200,000 to pass through to the Arts Foundation for the purpose of providing seed money to the organization as it gets its fund raising operation up and running.

The Arts Foundation will be independent of state government and will be able to solicit tax-deductible donations. Their purpose will be to help advance the arts in Kansas and provide support to state government and local arts initiatives.

The practical effect of these reorganizations is that state government will save approximately \$575,000 in SGF in FY2012 while providing a framework within which the arts will not only continue to receive state and federal support, but also to receive support from the private sector.

Attached is a letter from Karen Elias, the General Counsel at the National Endowment for the Arts in Washington, DC. Of particular note in this letter is the second paragraph on the second page:

"With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation—again see § 954(g)(3) and (4) authorized to release an amount equal to the partial match."

Through the mechanism of the Historical Society and the support of the Kansas Arts Foundation, the Governor's reorganization as embodied in ERO 39 will set up a system by which the support of the arts in Kansas will truly be a public/private partnership.

January 28, 2011

MEMORANDUM

TO: Laura Scanlan
State and Regional Director

FROM: Karen Elias
General Counsel

SUBJECT: Questions from State of Kansas

Thank you for sending Kansas Director of Budget Steve Anderson's message to me. With respect to Mr. Anderson's questions regarding regulations, the National Endowment for the Arts publishes programmatic guidelines that include eligibility requirements prescribed in its legislation.

The legal eligibility requirements listed in guidelines are governed by the legislation. Both the guidelines and the legislation are on the agency's web site. The provision specifically concerning state and regional organizations is found at 20 U.S.C. § 954(g). Specifically,

- (g)(1) specifies the NEA Chairman's authority with respect to partnerships with the States;
- (g)(2) specifies what each State is required to provide in its application for funding, including its state plan which the Chairman is authorized to accept if the state plan meets the criteria specified in that subsection;
- (g)(3) specifies how and in what amounts funds are available for release to the States with adequate state plans;
- (g)(4)(A) stipulates that the "amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1)" – this is what is commonly referred to as the 1:1 matching requirement.

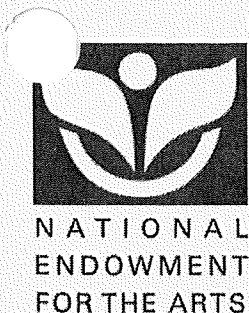
The NEA legislation does not require, nor has the NEA stipulated, that a state's "general funds" be used as the state 1:1 match of the federal allotment. In fact, as you are well aware, several states use other funding mechanisms for their state share or to augment their state share, e.g., state lottery proceeds or license plate funds.

With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation – again see § 954(g)(3) and (4) -- would be authorized to release an amount equal to the partial match.

Finally, the notification sent to the NEA's Office of Congressional Affairs, as you know, is standard protocol when any state agency, including in some instance the Governor's Office, is involved. In short, it's sent as a courtesy to colleagues here at the NEA.

Please let me know if I can provide further assistance.

Cc: Patrice Walker Powell
Deputy Chairman for Programs & Partnerships



The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington, DC 20506-0001
202/682-5400
www.arts.gov

January 13, 2011

Ms. Llewellyn Crain
Executive Director
Kansas Arts Commission
700 SW Jackson Street, Ste. 1004
Topeka, KS 66603-3761

Dear Ms. Crain:

Thank you for your inquiry regarding the requirements for state arts agencies to receive Arts Endowment support. These requirements exist to ensure that state arts agencies receiving NEA Partnership Agreement funds have sufficient capacity to operate effectively, serve their constituencies, and maintain accountability for the federal dollars they receive.

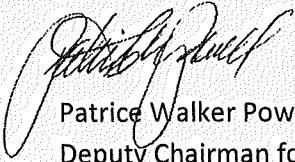
In FY 2010, the Kansas Arts Commission received an NEA Partnership Agreement award of \$778,200 dollars. The ability of the National Endowment for the Arts to continue to make funding available to the Kansas Arts Commission, which in turn benefits the arts and culture industry of Kansas, is predicated on a number of factors, each referenced in NEA's state partnership eligibility requirements:

- The state arts agency must be designated and financially supported by its state government.
- The agency must have the capacity to develop and effectively implement an NEA-approved state arts plan resulting from a statewide comprehensive planning process.
- Federal dollars must be matched on a one-to-one basis. The Endowment's enabling legislation stipulates that federal funds available to state arts agencies "shall not be used to supplant non-federal funds."
- The agency must have its own board, commission or council.

If NEA is funded at its FY-2010 level in FY-2011, the Kansas Arts Commission stands to lose the full \$778,200 in federal partnership funds if the Kansas Arts Commission can not meet the requirements stated above. In addition, the financial stability of Kansas arts organizations in funded by the Commission may also be at risk.

We believe that the longstanding partnership between the State of Kansas and the National Endowment for the Arts has brought substantial benefits to the people of Kansas. I hope that the challenges facing the state can be addressed without sacrificing the outstanding programs of its state arts agency. Please keep the NEA informed so that we may continue to be of assistance. We have also informed our Office of Congressional Affairs of the challenges before the Kansas Arts Commission.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrice Walker Powell", written in a cursive style.

Patrice Walker Powell
Deputy Chairman for Programs and Partnership

14 January 2011

Llewellyn Crain
Executive Director
Kansas Arts Commission
700 Southwest Jackson
Topeka, KS 66603



mid-america
arts alliance

More Art for More People.™

Dear Llewellyn,

I was deeply troubled to learn of Governor Brownback's decision to eliminate the Kansas Arts Commission as a state agency and to replace it with a 501c3 organization. Our partnership with the six state arts agencies that comprise the Mid-America Arts Alliance region is central to our work and we have enjoyed a strong and fruitful relationship with the Kansas Arts Commission since 1972.

Our bylaws dictate that the official representative partner for Kansas is the state arts agency. While we work with many wonderful nonprofit arts organizations in Kansas, they are not voting partners in our organization, nor do they provide representation on our board of directors. If the governor proceeds with the dissolution of the state arts agency in Kansas, Kansas will no longer be considered a member state of Mid-America Arts Alliance and the constituents of the state will be without the many benefits that come to Kansas through Mid-America Arts Alliance. Those benefits in FY09 alone included:

- Direct grants and exhibition discounts (cash) to Kansas organizations totaling \$143,852.
- Mid-America programs and services to Kansas arts and culture organizations totaling \$437,767; of that total, \$409,467 was non-Kansas Arts Commission funding raised by Mid-America Arts Alliance. Of the contributed income only \$26,043 was raised in Kansas—the remaining \$383,424 was contributed from outside Kansas but was expended exclusively to bring our programs to Kansas.
- 55 projects and 105 educational activities, which served 82,091 Kansans in 26 communities.
- Projects that allowed Kansas artists to earn \$29,750 in artist fees outside of Kansas through our programs.
- Employment and fee support for 490 artists and 25 FTE arts professionals in Kansas.
- \$683,327 in direct arts and culture activity in the state (this is not an economic development multiplier—these are direct cash expenses reported by Kansas users of our programs across the state).

As a Kansas taxpayer myself, I am especially troubled by the loss of \$383,424 federal and private funding outside of Kansas through Mid-America Arts Alliance that will no longer come into the state as a result of this action. Even though the Kansas Arts Commission is ranked #43 for state funding of the arts, the people of Kansas enjoy the many benefits and resources that pour into the state because of the Kansas Arts Commission's partnership work with the National Endowment for the Arts and Mid-America Arts Alliance. Unfortunately, those extraordinary benefits and resources would be unavailable beginning July 1, 2011 if the KAC were dissolved.

If we can be of service in any way during this difficult time, please don't hesitate to contact me. We will watch closely as your future unfolds over the next few months and hope for the best.

Sincerely,

Mary Kennedy McCabe
Executive Director
mary@maaa.org

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www.maaa.org • www.eusa.org • www.nehontheroad.org

IN PARTNERSHIP WITH:

ARKANSAS ARTS COUNCIL, KANSAS ARTS COMMISSION, MISSOURI ARTS COUNCIL, NEBRASKA ARTS COUNCIL, OKLAHOMA ARTS COUNCIL, TEXAS COMMISSION ON THE ARTS,
THE NATIONAL ENDOWMENT FOR THE HUMANITIES, AND THE NATIONAL ENDOWMENT FOR THE ARTS

(2)

Testimony on Executive Reorganization Order No. 39
Landon Fulmer, Policy Director
Federal and State Affairs, March 3, 2011

On February 7, Governor Brownback issued Executive Reorganization Order No. 39, which abolishes the Kansas Arts Commission. It was transmitted to the Legislature on February 8.

ERO 39 abolishes the Arts Commission and transfers the duties, powers, and functions of the Commission to the State Historical Society.

If ERO 39 stands, the Historical Society will act as the "state agency" for the purpose of transmitting Kansas' state plan to the National Endowment for the Arts in order to ensure continued federal matching funds. This is important because one of the requirements for the receipt of federal funds is that a designated state agency must request them as part of an NEA-approved state plan.

In addition to ERO 39 which moved duties, powers, and functions around within the executive branch, the newly formed Kansas Arts Foundation, Inc., a 501(c)3 corporation in the State of Kansas, will provide staff, programmatic support, and funding to the Historical Society to ensure Kansas' participation in federal and regional arts programs.

According to the Governor's FY2012 Budget Report to the Legislature, the Historical Society would receive \$200,000 SFG for the arts. The Arts Foundation would marry this seed money to other funds that it raises and provide the staffing for drawing down the federal funding match on behalf of the Historical Society.

The Arts Foundation will be independent of state government and will be able to solicit tax-deductible donations. Their purpose will be to help advance the arts in Kansas and provide support to state government and local arts initiatives.

The practical effect of these reorganizations is that state government will save approximately \$575,000 in SGF in FY2012 while providing a framework within which the arts will not only continue to receive state and federal support, but also to receive support from the private sector.

Let me explain why these cuts are necessary in this budget: it is more than a general matter of fiscal prudence. The chart on the next page chart details the Arts Commission's proposed expenditures in FY2012 as submitted to the Division of Budget last fall:

FY-2012 Budget Request by KAC		
Salaries and Wages	\$ 463,877	There are 7 FTEs. Average is \$66,268 per FTE.
Other Operating Expenditures	\$ 147,615	
Total Administration Costs	\$ 611,492	
Other Expenditures	\$ 239,121	
Funding from NEA (Federal funding)	\$ 778,000	This amount according to the NEA is contingent on NEA being fully funded
Total FY-2012 Budget Request	\$ 1,628,613	
Ratio of Administrative Costs to Arts Funding	60.1%	According to the website Charity Navigator this should be 25% or less
Ratio of Administrative Costs to NEA Grants	78.6%	

Right now, the Arts Commission's total funding is about 38% overhead. It's ratio of administrative expenses to spending on actual programs is 3 to 5. This isn't good. The Historical Society will get \$200,000 SGF, slightly below the \$239,000 SGF that the Arts Commission proposed to spend on things other than administrative costs.

Attached to my testimony is a letter from Karen Elias, the General Counsel at the National Endowment for the Arts in Washington, DC. Of particular note in this letter is the second paragraph on the second page:

"With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation—again see § 954(g)(3) and (4) authorized to release an amount equal to the partial match."

So as the Arts Foundation marries up private fundraising with the \$200,000 SGF, the Historical Society will be able to pull down a commensurate match from the feds.

Through the mechanism of the Historical Society as a state agency and the fund raising support of the Kansas Arts Foundation, the Governor's reorganization as embodied in ERO 39 will set up a system by which the support of the arts in Kansas will truly be a public/private partnership.

I would be more than happy to stand for any questions.

January 28, 2011

MEMORANDUM

TO: Laura Scanlan
State and Regional Director

FROM: Karen Elias
General Counsel

SUBJECT: Questions from State of Kansas

Thank you for sending Kansas Director of Budget Steve Anderson's message to me. With respect to Mr. Anderson's questions regarding regulations, the National Endowment for the Arts publishes programmatic guidelines that include eligibility requirements prescribed in its legislation.

The legal eligibility requirements listed in guidelines are governed by the legislation. Both the guidelines and the legislation are on the agency's web site. The provision specifically concerning state and regional organizations is found at 20 U.S.C. § 954(g). Specifically,

- (g)(1) specifies the NEA Chairman's authority with respect to partnerships with the States;
- (g)(2) specifies what each State is required to provide in its application for funding, including its state plan which the Chairman is authorized to accept if the state plan meets the criteria specified in that subsection;
- (g)(3) specifies how and in what amounts funds are available for release to the States with adequate state plans;
- (g)(4)(A) stipulates that the "amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1)" – this is what is commonly referred to as the 1:1 matching requirement.

The NEA legislation does not require, nor has the NEA stipulated, that a state's "general funds" be used as the state 1:1 match of the federal allotment. In fact, as you are well aware, several states use other funding mechanisms for their state share or to augment their state share, e.g., state lottery proceeds or license plate funds.

With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation – again see § 954(g)(3) and (4) -- would be authorized to release an amount equal to the partial match.

Finally, the notification sent to the NEA's Office of Congressional Affairs, as you know, is standard protocol when any state agency, including in some instance the Governor's Office, is involved. In short, it's sent as a courtesy to colleagues here at the NEA.

Please let me know if I can provide further assistance.

Cc: Patrice Walker Powell
Deputy Chairman for Programs & Partnerships

Senate Committee Testimony
Thursday, March 3, 2011
Sandra K. Hartley, Attorney
Paola, Kansas

I am a volunteer. As soon as I learned that the Kansas Arts Foundation was being formed, I called to volunteer because I have such confidence that the Kansas Arts Foundation is the way to advance the mission of statewide art programs today and in the future. I am not a major political contributor and I doubt any Kansas governor past or present even knows my name. But, I am thrilled to be joining those who are committed to this bold opportunity for Kansas arts. I attached a list of these folks to my written comments because I am so proud to be working with such exceptionally qualified and diverse group on Kansas Arts Foundation Board of Directors.

Let me start by sharing with you an example of the power of private support in times of public need right here in a small Kansas community. In 1984 when budget lids hit the local Paola school district, I incorporated a private 501(c) (3) foundation to support Paola schools. Today the foundation has \$2 million dollars endowed. We purchased the first computer lab in the District for students, trained teachers, installed a foreign language lab in the new high school, funded new science lab equipment to the old middle school and grants to elementary teachers for supplies and smart boards. AND every year for the past ten we have given between \$50k- \$75k in annual scholarships to graduating seniors to continue their education in Kansas. None of these things were possible using only public funds.

Likewise in 1999, our local county hospital needed funds to build a therapy pool for a new addition. Several of us incorporated the Miami County Medical Center Endowment Association, also a 501 (c) (3), using the 1984 school foundation as a model. We raised \$150,000 in six months and installed a state-of-the-art physical therapy pool in the new wing. Today this local endowment has over \$1 million and just finished improvements to the children's ER room.

The simple steps being taken to fold one state agency into another, coupled with the creation of a private foundation, represent a hallmark of innovation. By merging the functions of the Kansas Arts Commission with the Kansas State Historical Society, Kansas continues to have a state agency supporting our State's art mission which will be a secure vehicle to facilitate the continued receipt of all available public funds.

More importantly, to me, the creation of a private foundation in conjunction with this consolidation recasts how we will support Kansas arts. The past effectiveness of the Kansas Arts Commission in garnering 49% of its total agency budget from the Kansas legislature is a tribute to their commitment and skill. But, now is the time to embrace the potential of private support and acknowledge our faith in the generosity of Kansas art patrons. Because no matter how much we all admire the past effectiveness of a state agency, the harsh facts are there will be less state and federal taxpayer money to continue the Kansas arts mission through legislative funding.

In the past, only 8.3% of Kansas Arts Commission funds necessary to support the Kansas arts

budget came from private funds. Of that 8% most was from the Mid-America Arts Alliance rather than private donors. However, if we harness the power of private donations, the future of Kansas arts will not be limited to what tight state and federal budgets can afford. The Kansas Arts Foundation will not be dependent on taxpayer funds. The Kansas Arts Foundation will be able to raise private funds to match the grants instead of relying upon money from the State's general fund. And, through the experienced cooperation of the Kansas State Historical Society, a highly-organized program of arts grants and awards can be facilitated to meet the matching criteria of federal funding guidelines. Folding one state agency into another state agency, like the Kansas State Historical Society, should not cause Kansans to abandon support for the arts. Indeed, it can provide an opportunity for greater collaboration, continued stewardship of State resources, and an increasing awareness throughout the State.

My initial confidence in the creation of a statewide foundation has been further bolstered by witnessing in these few short weeks how determined the initial Board of Directors is to keep funding for Kansas art flowing from all existing sources while we plan for an infusion of private donations. We recognize the hard work required to assure that the Kansas Arts Foundation is prepared to meet the requirements of the National Endowment for the Arts and the Mid America Art Alliance. Meeting the Standards of Accountability for NEA State Partnership Agreements is a priority with the Kansas Arts Foundation. We are also preparing to address questions raised in the Kansas Legislative Research Department's report of February 15, 2011 about the purpose, plan and budget of the Kansas Arts Foundation. In all fairness, such a report might also have addressed the consequences of expected reductions in state and federal funding without an infusion of private donations. Personally, I don't need a research report to know how hard it will be for any government body to increase funding for the arts. And it is for this reason that the awesome potential of private support excites many visionary Kansas arts supporters.

The establishment of KAF does not dissolve the passion for the arts in Kansas, but rather ignites it. One look around this room confirms the depth of Kansans' commitment to the importance of the arts. Everyone here is passionate about this mission. It is this commitment that will trigger new areas of private support and public fundraising for Kansas arts. The Kansas Arts Foundation's statewide vision facilitates collaboration among existing arts foundations and is a natural ally of smaller Kansas communities without existing arts programs. The Kansas Arts Foundation is a platform for success in all communities, large and small.

So my message today is -- if private support in a small Kansas community like Paola can successfully partner with local public entities with budget woes, imagine the potential of what the Kansas Arts Foundation can do for Kansas arts statewide. Working together, through a public-private partnership with the highly regarded Kansas State Historical Society, we will be awesome.

KANSAS ARTS FOUNDATION, INCORPORATED

900 Massachusetts Street, Suite 500, P.O. Box 189, Lawrence, Kansas 66044

Christopher F. Burger, Legal Counsel

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Robert Swain

Testimony to the Kansas Senate's Federal and State Affairs Committee

Thursday, March 3rd 2011

My name is Robert Swain. I am an artist. I am also the owner of a small business – *Beauchamp's Art Gallery* in Topeka, Kansas. The arts represent both my avocation and my vocation. My devotion to the arts is complete as I have invested my money and time as well as my talents and efforts to help build a vibrant and dynamic arts community in Topeka, Kansas. I was born an "arts guy" and that is what I will always be. I also am a director of the *Kansas Arts Foundation*. Like many of the other directors, I have experience on the boards of arts organizations – most notably as a director for *The Friends of the Mulvane Art Museum* and more recently on the board of the *Catholic Fine Arts Council* for the Archdiocese of Northeast Kansas. However, the unique experience I bring to the *Kansas Arts Foundation* is that I live and work in a community that has seen the elimination of its public arts organization and *proceeded to build a thriving arts community anyway*. Because of what I have seen happen in Topeka, I am totally confident that a private initiative such as the *Kansas Arts Foundation* can indeed be effective as a statewide arts organization.

Those of you who live in Topeka may be quite familiar with our story. In 2005, Topeka elected a city council that chose to remove funding for the *Arts Council of Topeka* from the city budget. For many years, the *Arts Council of Topeka* had been the "umbrella organization for the support and promotion of all local arts organizations and individual artists". Unfortunately, the *Arts Council* relied heavily on public funding for its operation. Once public funding was cut, their days were numbered. In February of 2006, all three staff members were laid off and the doors were closed. Needless to say, this loss caused much anxiety in our arts community. It also resulted in harsh words; especially towards the city council member deemed most responsible for the budget cuts. This was the low point for Topeka arts. People were predicting that without the *Arts Council*, other arts organizations would fail as well.

But.... that is not what happened.

This is what happened. Those in Topeka who held a genuine love and concern for the arts came together to form *ArtsConnect*, a private agency supported primarily by donations through the Topeka Community Foundation. *ArtsConnect* quickly stepped into the space vacated by the *Arts Council*. With *ArtsConnect* at the helm, Topeka has experienced a kind of arts renaissance over the last few years. The overall level of funding provided by *ArtsConnect* to the community has *exceeded* that provided by the former *Arts Council* over a comparable time frame. But even more than the funding issue, *ArtsConnect* has provided leadership, especially in convincing various elements of the Topeka arts community to work in concert with each other for the benefit of all. Organizations like the *Topeka Symphony* and the *Topeka Civic Theatre* may have been fearful that a private organization like *ArtsConnect* would undermine their own ability to raise private funds but what I think that they've discovered is *ArtsConnect* has become one of their biggest supporters both financially and otherwise.

Topeka's commercial art community shares a similar story. Five years ago, there were roughly 10 commercial art venues in Topeka. Any new gallery owner was seen only as a competitor; someone who would steal market share from the others. But amazingly, existing galleries have continued to succeed even in the face of continued gallery expansion. Largely through the efforts of *ArtsConnect*, galleries now work together on the art walk and even advertise together. By feeding off of each other's success, they have benefitted themselves. Today there are over 30 venues that participate in the monthly art walk.

In both of these cases, the private citizenry stepped up support for the arts to an extent Topekans never even imagined just a few years earlier. Topeka's arts community has discovered that instead of competing for a small fixed pool of "art dollars", they can simply work together to create a larger market for art. I phrase it like this: We used to fight over a slice of a small pie, but now with the help of *ArtConnect*, we serve each other a slice of a much bigger pie.

Of course, not everything is perfect. A few galleries have sprung up and later closed. And almost any arts organization will struggle at times. But given that we have recently experienced one of the deepest recessions in the last hundred years, it's amazing to me that we've still seen such tremendous growth and excitement in the Topeka arts community. Even in the face of tough economic times Topekans have started numerous successful grassroots arts projects including *ReThink Topeka*, *CREATE*, *Chords and Oil*, *the NOTO Arts District*, and *The Topeka Fiber Arts District*. Many individuals have initiated their own projects such as Doug Ruth's website for the music scene *Topeka Tonight*, Topeka's newest music recording business *Rundown Studios* started by Paul Schneider and *The Kansas Song Project* spearheaded by artists Cally Krallman and Diane Gillenwater. Even new local publications like *785 Magazine* and *Topeka Magazine* have placed a strong emphasis on the arts.

There is now doubt Topeka's energy and enthusiasm for the arts has grown exponentially over the last few years. Only recently, however, did I realize Topeka had become a true arts destination. That's because in 2010, for the first time, my own gallery *Beauchamp's* sold more art to people who live outside of Topeka than to people who live in Topeka. And all of this has happened *overwhelmingly* because of private support of the arts and without a designated public arts organization in Topeka, Kansas. This is why I believe in the potential of the *Kansas Arts Foundation* to do for Kansas what *ArtsConnect* and private citizens have done for Topeka. And this is why I have stepped forward to support the efforts of the *Kansas Arts Foundation*.

5

TESTIMONY FOR THE KANSAS STATE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

THURSDAY, MARCH 3, 2011, 10:30 A.M.

LINDA BROWNING WEIS, PRESIDENT, KANSAS ARTS FOUNDATION

My name is Linda Browning Weis. I own a real estate company in Manhattan, Kansas, where I have lived for many years. I grew up on a farm in Missouri and was lured to the University of Kansas by a generous music scholarship. It was there that I met my husband, from Salina, and the rest is history.

Though I grew up in Missouri, I am a Kansan through and through. I have birthed three children in Kansas and raised them in Kansas. I have grandchildren who live in Kansas. I have a business in Kansas. My children have businesses in Kansas. I am an active alumna of Leadership Kansas. I have served on the Leadership Kansas Selection Committee to choose a class of 40 from the enormous amount of talent in this Great State—an awesome privilege.

In 2008 Governor Kathleen Sebelius named me to the Governor's Military Council; I was reappointed by Governor Mark Parkinson in 2009; and in 2011, I was reappointed by Governor Sam Brownback. As you are well aware, even with our military's annual economic impact of approximately \$8 Billion to the State of Kansas, the Governor's Military Council is also facing budget cuts and major program revisions, some of which must now become dependent on private funding.

These are difficult economic times, and we are called to respond to them with responsible solutions. The Kansas Arts Foundation has been created to be a not-for-profit, tax-deductible 501 (c) (3) private corporation to address the needs of Kansas in the Arts. The Foundation will also address budget problems faced by the Arts in the State of Kansas. Created on February 7, 2011, eight individuals were named by the Governor to serve on that Foundation Board. I was asked to be the organizer, a position I did not seek and one for which I have had to make time. Subsequently, I was elected President by the Board.

I immediately set to work in expanding the Board of Directors to include 20 members representing outstanding statewide leadership. The make-up of the Board of Directors includes the President/CEO of a Trust Company with \$400,000,000 in assets – an executive who was the founding director of a highly successful community foundation. The Board includes the aerospace manufacturing executive who has served as the Development/Fundraising Director of the enormously successful privately-funded Symphony in the Flint Hills since its inception. The Board includes three attorneys, in addition to our legal counsel. The Board includes not only arts philanthropists, but also a banking CEO, a professional performing vocal artist, a professional recording artist and production company president, an investment officer, a livestock auction company owner, a college music professor and oil producer executive, a college development administrator, and philanthropists, business leaders, community leaders—all lovers of the arts, all supporters of the arts, all lovers of Kansas...all FOR what's best for Kansas....all for the ARTS in Kansas. Among this distinguished group is the individual who led Reno County through the enormously complex development of the Salt Museum project, having served three

MARCH 3, 2011: LINDA BROWNING WEIS, PRESIDENT, KANSAS ARTS FOUNDATION, INC.

terms as Board Chairman, to its completion. And this is only one of many, many leadership accomplishments to which this group has contributed.

The Kansas Arts Foundation is a working Board; an engaged Board; a participatory Board. We are here to help--to add our collective wisdom in seeking solutions to the funding problems that currently exist. We are here to work cooperatively in any way possible with the Kansas Historical Society in working through the details to qualify the State of Kansas for matching federal funds, and we expect to increase the federal matching opportunity exponentially through the vehicle of private funding. We are here to GROW the ARTS! I personally have more than 30 years' performing arts training, graduate education, teaching and music business in my background—prior to owning a real estate business and becoming a patron of the Arts. I believe this experience offers me a unique perspective.

In addition to the Kansas Arts Foundation Board's embracing our responsibilities to the continuation of our State's Arts program, we have been actively involved in familiarizing ourselves with the program of the Kansas State Historical Society, the vehicle through which the Arts federal matching funding would be made possible. As you are well aware, the Kansas State Historical Society was established as a state agency under the executive branch of state government and designates the Kansas State Historical Society, Inc. a not-for-profit corporation—or Foundation—as its partner. This works much the way an endowment association works with a state university. Through this partnership with the Kansas State Historical Foundation, the Kansas State Historical Society has been able to accomplish anywhere between 5-15 projects per year that would otherwise not be possible. Operating income for the Kansas State Historical Society Foundation comes from membership dues, retail sales, and earnings and administration fees from endowments. Some of the Kansas State Historical Society Foundation's funds are used to match special projects funded by federal money, which is usually a 1:1 match, as would be the Kansas Arts Foundation's match-qualifying requirement. Thus, the administration of the Kansas State Historical Society is both familiar and comfortable with the process required in such matching processes. Their representatives are not only professionally prepared but also have shown willingness to cooperate with the Kansas Arts Foundation, Inc.

The Kansas Arts Foundation is a Board of responsible leaders, committed to the exponential development of the Arts in Kansas. We are committed to extensive oversight of all private funds, as well as oversight in those matching funds from a federal agency. We are committed to the best possible stewardship of all private funding of the Arts through the Kansas Arts Foundation — all in the best interest of the State of Kansas. *Ad aspera!*



TOPEKA

SENATE

ROGER REITZ

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Executive Reorganization Order #39

The Executive Order represents a proposal to terminate the Kansas Arts Commission in July 2011 and suggests that in place of this Agency a private non profit entity be established to raise funds for arts activities in Kansas, activities currently preformed by the commission.

This is not a feasible or prudent alternative. Two non-state financed groups currently help fund the programs of the Kansas Arts Commission. The National Endowment for the Arts is the key player and it has determined that Kansas will lose all federal partnership funds (almost \$800,000) if the Kansas Arts Commission is no longer a state Agency. Currently, Kansas generates its matching funds for the KEA from the state's general fund on a one to one basis. The other entity generating money for the KAC is the Mid America Arts Alliance. Their contribution to Kansas last year was \$473,767. This contribution from the Alliance is totally lost if we are not a part of the National Endowment for the Arts relationship. Both of these philanthropic organizations not only provide funds but also offer services to strengthen effectiveness of Arts organizations in metropolitan areas and, every bit as importantly, in Kansas rural areas.

The Arts also provide substantial economic development and jobs in Kansas. The Kansas non-profit Arts sector is a 153.3 million dollar industry which supports over 4000 jobs and generates more than 15 million dollars in state and local government revenues. (ref. Americans for the Arts) Moreover, the Arts provide the quality of life that retains and affects first class companies with high paying jobs and brings creative people to our state.

It is critical that the Kansas Arts Commission remain a state Agency and be funded at its current level. This Resolution abrogates Executive Reorganization Order #39 and retains the Kansas Arts Commission as an Agency—the critical designation—not a non-profit organization—which cannot be given funds from the National Endowment of the Arts.

SENATE RESOLUTION NO. _____

By Committee on Federal and State Affairs

A RESOLUTION disapproving Executive Reorganization Order No. 39, abolishing the Kansas Arts Commission created by K.S.A. 74-5202 and the office of executive director of the commission under K.S.A. 74-5204 and transferring the powers, duties and functions to the state historical society.

Be it resolved by the Senate of the State of Kansas: That Executive Reorganization Order No. 39 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of Kansas; and

Be it further resolved: That the secretary of state shall transmit a copy of this resolution to the governor; and

Be it further resolved: That the secretary of state shall cause this resolution to be published in the session laws to show permanently the foregoing disapproval of the Senate of Executive Reorganization Order No. 39.

**COMMUNICATIONS WITH
MID-AMERICA ARTS ALLIANCE AND
NATIONAL ENDOWMENT FOR THE ARTS**

The Kansas Legislative Research Department was requested by the Chairperson of the House Education Budget Committee to contact representatives from the National Endowment for the Arts (NEA) and the Mid-America Arts Alliance to obtain clarification on the ability of a not-for-profit 501(c)(3) receiving pass-through monies from a state agency to qualify for federal programs in the same capacity that the Kansas Arts Commission is currently.

The following question was asked of Mary Kennedy McCabe, Executive Director of the Mid-America Arts Alliance: "The Governor of the State of Kansas has issued Executive Reorganization Order No. 39 abolishing the Kansas Arts Commission and providing funding as a pass through the Kansas State Historical Society to a 501(c)(3) arts organization. If the Kansas State Historical Society was a member of Mid-America Arts Alliance, could Kansas artists and art organizations receive grants and funding for programs as they are currently receiving with the Kansas Arts Commission as a member of your organization?"

Mid-America Arts Alliance Response:

- The Executive Reorganization Order No. 39 abolishes the Kansas Arts Commission with no mention of a 501(c)(3) created to take its place. While [Mid-America Arts Alliance] understand[s] it is the intention of the Governor to replace the Kansas Arts Commission with a non-profit organization, that is not present in the ERO.
- Mid-America's bylaws prohibit membership in Mid-America so the Kansas State Historical Society (KSHS) cannot become a member of Mid-America Arts Alliance. (Staff Note: the agency would be a Partner of the Mid-America Arts Alliance, not a member)
- Mid-America works in partnership with the six state arts agencies of our region, wherein we align our strategic plan with theirs to serve the arts and culture needs of the region. Since the KSHS's mission and vision make no mention of arts and culture, it is difficult to ascertain how that partnership would occur. In the event a Kansas Arts Foundation is created as a 501(c)(3) recipient of flow-through funds from the KSHS, we would need to understand the mission and vision of that 501(c)(3) to determine if there is a partnership opportunity for Mid-America Arts Alliance and the newly formed entity.
- Since there is no indication of the purpose, plan, or budget of the Kansas Arts Foundation, it is difficult to speculate what, in fact, may be the funding support and program impact Mid-America could provide in the State of Kansas. It is simply too hypothetical to comment at this time.

The following questions were asked of Laura A. Scanlan, Director of State and Regional Partnerships, of the National Endowment for the Arts: Can the newly formed (hypothetical)

Kansas Arts Foundation as a 501(c)(3), housed within the state agency State Historical Society, receive funds from the NEA using the State Historical Society as the designated and financially supported state agency? This includes state funds passing through the State Historical Society to the Foundation to meet the requirements of the state financially supporting the Arts Foundation.

National Endowment for the Arts Response

[The National Endowment for the Arts] reviewed the Governor's Executive Order and without more specificity as to the role and purpose of the Historical Society and the 501(c)(3) Kansas Arts Foundation, National Endowment for the Arts is unable to respond explicitly to the questions posed. [The National Endowment for the Arts states,] however, that the potential exists for Kansas to forfeit its ability to receive National Endowment for the Arts funding depending on how the new entity is structured and how this restructure addresses the National Endowment for the Arts requirements for a fully functioning State Arts Agency.

Some of the National Endowment for the Arts' observations concerning the Executive Order which preclude our ability to provide a direct response include:

- The Executive Order is silent on a 501(c)(3). For example, in Section 2 of the Governor's Executive Order, the State Historical Society is designated as "the successor agency to which all powers, duties, and functions of the Kansas Arts Commission" pass on the effective date of the order.
- The relationship of the 501(c)(3) to the State Historical Society is unclear.
- It is unclear as to who will be the applicant to the NEA and who will be responsible for performing the responsibilities of the NEA Partnership Agreement and be accountable and responsible for appropriate use of federal funds.
- What staff will be responsible for developing and implementing the state plan; what will be their expertise; and to whom are they accountable?
- Will the funds received by the Historical Society be designated for the 501(c)(3) or will management of the Historical Society determine what gets passed through to the 501(c)(3) in any given year?
- How will the NEA be assured of appropriate oversight if the duties of the former state arts agency are transferred to the State Historical Society and yet the funding is simply passed-through this designated state agency to a separate nonprofit entity with different staff, separate bylaws and a separate board?

The bottom line is that without having the organizational structure, mission, and bylaws of the Historical Society and the 501(c)(3) available for review by National Endowment for the Arts' General Counsel, the National Endowment for the Arts is unable to comment as to whether the "hypothetical" 501(c)(3) would be eligible to receive National Endowment for the Arts funds.

The other question was: Must the matching 1 to 1 funds all come from the state government? For instance: If the State provides \$200,000 to the Arts Foundation (passed through the State Historical Society) and the Foundation is able to raise additional private funds

in the amount of \$600,000. Is the match just to the state funds of \$200,000 or is the match to the entire amount of \$800,000?

Response

- The funds utilized for the one-to-one match to NEA partnership agreement must be directly controlled and managed by the state and may include state appropriated, donated or trust funds.
- Private funds would qualify as donated funds but must be controlled by the designated state arts agency.
- In question here is which agency, the state agency or the 501(c)(3), is controlling the funds.
- If the state does not provide state controlled funds for support of the State Arts Agency, all federal funds are at risk.
- All of the issues raised above must be considered and addressed before NEA can make a determination as to whether or not an agency other than the Kansas Arts Commission is eligible to receive an NEA Partnership Agreement. That is, it is not just about match.
- We also have questions as to the board or council including whether it is independent.

Standards of Accountability for Receipt of an NEA State Partnership Agreement

The National Endowment for the Arts' investment in a state is predicated on a significant financial and programmatic commitment from state government to its arts council because in each case, state and federal funds are combined to support local programs and priorities.

Continued Federal investment is contingent on the State of Kansas providing financial support to its designated state arts agency. The agency must have the capacity to carry out the significant responsibilities of the NEA Partnership Agreement, including:

- The implementation of an NEA-approved state arts plan, developed as a result of a comprehensive and inclusive planning process that addresses the state's cultural priorities and those of the NEA, as stipulated in the Endowment's strategic plan.
- Fair funding decisions based on criteria that take into account artistic excellence and merit, as determined primarily through a panel process.
- Maintenance of sound fiscal and administrative procedures.
- Demonstration of leadership in arts education and in strategies for making the arts available and accessible to those in underserved communities throughout the state.

January 28, 2011

MEMORANDUM

TO: Laura Scanlan
State and Regional Director

FROM: Karen Elias
General Counsel

SUBJECT: Questions from State of Kansas

Thank you for sending Kansas Director of Budget Steve Anderson's message to me. With respect to Mr. Anderson's questions regarding regulations, the National Endowment for the Arts publishes programmatic guidelines that include eligibility requirements prescribed in its legislation.

The legal eligibility requirements listed in guidelines are governed by the legislation. Both the guidelines and the legislation are on the agency's web site. The provision specifically concerning state and regional organizations is found at 20 U.S.C. § 954(g). Specifically,

- (g)(1) specifies the NEA Chairman's authority with respect to partnerships with the States;
- (g)(2) specifies what each State is required to provide in its application for funding, including its state plan which the Chairman is authorized to accept if the state plan meets the criteria specified in that subsection;
- (g)(3) specifies how and in what amounts funds are available for release to the States with adequate state plans;
- (g)(4)(A) stipulates that the "amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1)" – this is what is commonly referred to as the 1:1 matching requirement.

The NEA legislation does not require, nor has the NEA stipulated, that a state's "general funds" be used as the state 1:1 match of the federal allotment. In fact, as you are well aware, several states use other funding mechanisms for their state share or to augment their state share, e.g., state lottery proceeds or license plate funds.

With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation -- again see § 954(g)(3) and (4) -- would be authorized to release an amount equal to the partial match.

Finally, the notification sent to the NEA's Office of Congressional Affairs, as you know, is standard protocol when any state agency, including in some instance the Governor's Office, is involved. In short, it's sent as a courtesy to colleagues here at the NEA.

Please let me know if I can provide further assistance.

Cc: Patrice Walker Powell
Deputy Chairman for Programs & Partnerships



NATIONAL
ENDOWMENT
FOR THE ARTS

The Nancy Hanks Co.
1100 Pennsylvania Avenue NW
Washington, DC 20506-0001
202/682-5400
www.arts.gov

January 13, 2011

Ms. Llewellyn Crain
Executive Director
Kansas Arts Commission
700 SW Jackson Street, Ste. 1004
Topeka, KS 66603-3761

Dear Ms. Crain:

Thank you for your inquiry regarding the requirements for state arts agencies to receive Arts Endowment support. These requirements exist to ensure that state arts agencies receiving NEA Partnership Agreement funds have sufficient capacity to operate effectively, serve their constituencies, and maintain accountability for the federal dollars they receive.

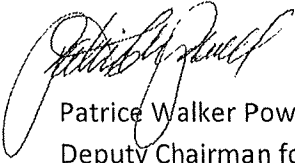
In FY 2010, the Kansas Arts Commission received an NEA Partnership Agreement award of \$778,200 dollars. The ability of the National Endowment for the Arts to continue to make funding available to the Kansas Arts Commission, which in turn benefits the arts and culture industry of Kansas, is predicated on a number of factors, each referenced in NEA's state partnership eligibility requirements:

- The state arts agency must be designated and financially supported by its state government.
- The agency must have the capacity to develop and effectively implement an NEA-approved state arts plan resulting from a statewide comprehensive planning process.
- Federal dollars must be matched on a one-to-one basis. The Endowment's enabling legislation stipulates that federal funds available to state arts agencies "shall not be used to supplant non-federal funds."
- The agency must have its own board, commission or council.

If NEA is funded at its FY-2010 level in FY-2011, the Kansas Arts Commission stands to lose the full \$778,200 in federal partnership funds if the Kansas Arts Commission can not meet the requirements stated above. In addition, the financial stability of Kansas arts organizations in funded by the Commission may also be at risk.

We believe that the longstanding partnership between the State of Kansas and the National Endowment for the Arts has brought substantial benefits to the people of Kansas. I hope that the challenges facing the state can be addressed without sacrificing the outstanding programs of its state arts agency. Please keep the NEA informed so that we may continue to be of assistance. We have also informed our Office of Congressional Affairs of the challenges before the Kansas Arts Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrice Walker Powell", written in a cursive style.

Patrice Walker Powell

Deputy Chairman for Programs and Partnership

14 January 2011

Llewellyn Crain
Executive Director
Kansas Arts Commission
700 Southwest Jackson
Topeka, KS 66603



mid-america
arts alliance

More Art for More People.™

Dear Llewellyn,

I was deeply troubled to learn of Governor Brownback's decision to eliminate the Kansas Arts Commission as a state agency and to replace it with a 501c3 organization. Our partnership with the six state arts agencies that comprise the Mid-America Arts Alliance region is central to our work and we have enjoyed a strong and fruitful relationship with the Kansas Arts Commission since 1972.

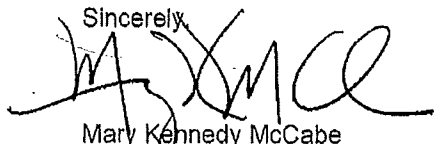
Our bylaws dictate that the official representative partner for Kansas is the state arts agency. While we work with many wonderful nonprofit arts organizations in Kansas, they are not voting partners in our organization, nor do they provide representation on our board of directors. If the governor proceeds with the dissolution of the state arts agency in Kansas, Kansas will no longer be considered a member state of Mid-America Arts Alliance and the constituents of the state will be without the many benefits that come to Kansas through Mid-America Arts Alliance. Those benefits in FY09 alone included:

- Direct grants and exhibition discounts (cash) to Kansas organizations totaling \$143,852.
- Mid-America programs and services to Kansas arts and culture organizations totaling \$437,767; of that total, \$409,467 was non-Kansas Arts Commission funding raised by Mid-America Arts Alliance. Of the contributed income only \$26,043 was raised in Kansas—the remaining \$383,424 was contributed from outside Kansas but was expended exclusively to bring our programs to Kansas.
- 55 projects and 105 educational activities, which served 82,091 Kansans in 26 communities.
- Projects that allowed Kansas artists to earn \$29,750 in artist fees outside of Kansas through our programs.
- Employment and fee support for 490 artists and 25 FTE arts professionals in Kansas.
- \$683,327 in direct arts and culture activity in the state (this is not an economic development multiplier—these are direct cash expenses reported by Kansas users of our programs across the state).

As a Kansas taxpayer myself, I am especially troubled by the loss of \$383,424 federal and private funding outside of Kansas through Mid-America Arts Alliance that will no longer come into the state as a result of this action. Even though the Kansas Arts Commission is ranked #43 for state funding of the arts, the people of Kansas enjoy the many benefits and resources that pour into the state because of the Kansas Arts Commission's partnership work with the National Endowment for the Arts and Mid-America Arts Alliance. Unfortunately, those extraordinary benefits and resources would be unavailable beginning July 1, 2011 if the KAC were dissolved.

If we can be of service in any way during this difficult time, please don't hesitate to contact me. We will watch closely as your future unfolds over the next few months and hope for the best.

Sincerely,



Mary Kennedy McCabe
Executive Director
mary@maaa.org

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IN PARTNERSHIP WITH:

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THE NATIONAL ENDOWMENT FOR THE HUMANITIES, AND THE NATIONAL ENDOWMENT FOR THE ARTS

Arts value

Eliminating the Kansas Arts Commission may cost the state more than it saves.

J-W Editorials

February 20, 2011

We don't envy the budget-balancing act that now faces Gov. Sam Brownback and the Kansas Legislature. Dealing with a \$450 million or \$500 million budget deficit is no easy task.

Spending cuts are needed, but strong arguments are being made that abolishing the Kansas Arts Commission in order to save the state \$600,000 next year isn't the best choice.

Earlier this month, Brownback issued an executive order abolishing the Arts Commission and establishing the non-profit Kansas Arts Foundation. He even took the liberty of appointing a board of directors for the new organization. The executive order will take effect on July 1 unless it is rejected by a majority vote in either the Kansas Senate or the Kansas House.

The powerful House Appropriations Committee this week supported the governor's plan, but at least some members of the Senate say that body may challenge the executive order.

Many arts supporters across the state are pushing that effort. Perhaps their strongest argument is the potential loss of up to \$1.2 million in matching grants from the National Endowment for the Arts and the Mid-American Arts Alliance. Although Brownback has said the new nonprofit still would be able to obtain those grants, the agencies giving out the money say they don't know whether the state still would be eligible to draw matching funds. These matching funds are critical to arts in Kansas. At the very least, this question must be resolved before the state moves forward.

There are other factors to consider. If the Arts Commission is abolished, Kansas reportedly would be the only state without a state-funded arts agency. Brownback's vision is that private donors will step up to replace state funding for the arts. However, arts agencies already depend heavily on private givers, and there is stiff competition for donor dollars.

Private donors may be able to take up the slack in some parts of the state, but that will be less likely in many rural areas. It's ironic that Brownback is cutting off state arts funding at the same time he is proposing tax breaks and other efforts to try to reverse the loss of population in rural Kansas. Providing a quality of life that includes art, music and other cultural offerings seems essential to attracting more people to live in those areas.

There also is an issue of jobs. In the press release announcing his executive order, Brownback cited the state's budget shortfall and the fact that 100,000 Kansans are unemployed. Yet, the Kansas Arts Commission contends that the state's nonprofit arts and cultural sector, is a \$153.5 million industry that supports 4,000 full-time equivalent jobs.

For those looking at the state's bottom line, it's also interesting to note that in the current fiscal year, state funding for the arts amounted to 29 cents per person.

Twenty-nine cents. The governor does not have an easy task. If you're trying to trim the state budget, you have to start somewhere, but state officials should take a hard look at whether eliminating the Kansas Arts Commission actually will be a net gain for the state.

Testimony to the Senate Federal and State Affairs Committee
Kansas Arts Commission
Henry Schwaller, Chairman
March 3, 2011

Thank you, Mr. Chairman and members of the Committee, for allowing the Kansas Arts Commission to speak today.

On behalf of the Kansas Arts Commission, I wish to thank you for your consideration of the resolution opposing the Governor's Executive Reorganization Order No. 39. We particularly wish to thank Senator Reitz for proposing the resolution.

The Kansas Arts Commission is one of the state's notable successes. Although the agency is very small, it is responsive, open and provides important leadership for arts and cultural organizations, artists and community development agencies in Kansas. Its programs and services reach Kansans in all 105 counties of our state. In fiscal year 2011, the Kansas Arts Commission distributed \$991,256 in grants to arts organizations and artists in addition to providing business development services and programs. We consistently receive high marks from constituents for service and knowledge, and have been highly praised by peer panels at the National Endowment for the Arts.

Staff and Commissioners work closely with other state agencies, regional organizations and national partners to ensure that we are able to successfully attract over \$1.2 million in matching dollars, programs and services that add tremendous value in terms of economic impact and business development and cultural services.

The state currently funds the Kansas Arts Commission with \$797,980, matched by \$778,200 from the National Endowment for the Arts. The Kansas Arts Commission receives these federal funds because:

- It is the designated state arts agency financially supported by state funds to promote and support the arts in Kansas.
- It has the professional capacity, staffing, training and board to implement its written, NEA-approved strategic and implementation plan developed through an open, public process.
- It currently meets the 1:1 federal matching requirement for the NEA State Partnership grant.

Because of the partnership agreement with the National Endowment for the Arts and because it is a state arts agency, the Kansas Arts Commission is designated as a partner of the Mid-America Arts Alliance. This partnership, which is supported by a grant to Mid-America Arts Alliance from the Kansas Arts Commission, enables Kansas organizations to receive grants, programs and services valued at \$437,767.

Our concerns are:

- That the proposed Kansas Arts Foundation has not had the time to engage in a statewide, comprehensive and public planning process to develop an arts plan to submit to the National Endowment for the Arts for review and approval.
- Most importantly, without a fully established, operational and fully financed Arts Foundation to review, adjudicate, and distribute grants at the current level of funding provided by the Kansas Arts Commission, arts organization grant recipients would suffer immediate and catastrophic budget cuts for FY 2012.

It has been mentioned that a reorganization of the Art Commission would provide the commission with new opportunities to pursue *federal grants* that is has not previously been eligible for as a state agency. However, the proponents of reorganizing the current Arts Commission have not provided a concrete list of grants, or a single grant, that an arts foundation would be eligible for that would match the \$778,200 that the Arts Commission currently receives from the National Endowment for the Arts. *The Arts Commission would welcome such a list so as to share it with our current 501(c) 3 arts organizations so that they can apply for such federal grants.*

If the proposed Kansas Arts Foundation is not deemed eligible for an NEA state partnership grant, the NEA has stated that it could apply as nonprofit arts organization for an NEA project grant of approximately \$30,000 - \$40,000 – much less than what the *Kansas Arts Commission* currently receives or is eligible for.

Please keep in mind that no arts organization in Kansas raises \$700,000 in private, nongovernmental funds for re-granting or for operations. Only three arts organizations raise more than \$500,000 in contributions for their ongoing operations.

Eighty-five percent of Kansas arts organizations have reported budget decreases during this recession and are having difficulty raising enough funds to do their programming and fund their staff positions. Constituent organizations throughout the state have expressed concern about a private 501(c) 3 Kansas Arts Foundation competing with them for scarce state and or federal resources. Creating a Kansas Arts Foundation, *a new, competing non-profit arts support organization*, would defeat its own purpose.

We ask that the legislature retain the Kansas Arts Commission as an agency of the state with base level funding for FY 12 of \$1,628,613 to maximize the potential federal dollars available to serve our state in the coming fiscal year. If the legislature and the Governor wish to pursue additional, private funding sources to supplement governmental support, thereby increasing the impact of the Kansas Arts Commission, we welcome those added resources.

You will now hear from several constituents who will speak to the value of the Kansas Arts Commission to their organizations. In addition, the Commission's executive director, Llewellyn Crain, and I are both able respond to any questions you have.

Thank you.

Testimony on behalf of the Kansas Arts Commission
Before the Senate Standing Committee on Federal and State Affairs

Thursday, March 3, 2011

given by

Brenda Meder - Executive Director of the Hays Arts Council

Good morning, Senators. Thank you for allowing me the opportunity to speak today. As a Kansas citizen and arts advocate I am here to preserve and celebrate 1965's Kansas House Bill #617 - the bill that introduced the legislation establishing the Kansas Arts Commission. I am also here to preserve the intention and legacy of the Representative who introduced that legislation - Mr. Vivian Meckel - and the forward-thinking individuals who voted for it.

You see, Representative Meckel - I'm proud to say - was also from Hays, Kansas. Like me, he recognized the value of the arts, understood its power to impact and enrich a community, and felt it in the best interest of Kansans that there be unifying state arts agency to serve grassroots community arts efforts. That vision and leadership gave us the Kansas Arts Commission and for the past 45 years, our state has indeed been the richer for it. Mr. Meckel, and in turn the Kansas Arts Commission, have made a significant difference in our lives. I now respectfully ask you to make a difference by overturning the Governor's executive order eliminating the Kansas Arts Commission.

Indeed the arts do make a difference in a community. But when that community is in a geographically isolated part of the state - as is Hays - it is so much more difficult to provide the cultural opportunities and experiences that can make that "difference." Quite simply, without the leadership, organizational assistance, and funding of the Kansas Arts Commission, Hays would not be the culturally rich community it is and may never have grown worthy of earning the 2010 Governor's Arts Award distinction of "Arts Community." Without the KAC, a great many smaller, rural communities **will** suffer and the delineation between rural and urban, the "have's and the have-nots" will grow.

Let me share a few of the ways in which KAC support enables Hays, Kansas to be one of the "haves."

The KAC "Arts on Tour" grant program allows us to access outstanding Kansas artists for school residencies with valuable cross-curriculum education. Most of these artists live at least 3 or 4 hours from Hays and without the KAC funding to help support their expenses, it will be difficult, if not impossible, for us to continue those programs.

The KAC "arts-in-education" program supports our Creative Writing and Famous Figures projects, professional family theatre productions, and a broad summer arts program. And, recognizing our role as a regional arts provider, we are then able to extend our reach beyond Hays - to the students in Ellis, Victoria, Plainville, LaCrosse, and Russell as well. That's nearly 3,000 students in 12 schools in four very rural counties. KAC support makes it

possible for us to extend our impact to communities much smaller and even more geographically isolated than is Hays. Please don't let our ability to do that slip away.

KAC funds are also critical to our general operation expenses. We work diligently to secure underwriting and sponsorship for the direct expenses of nearly all our individual projects. But it is KAC operational support that leverages and then pools with funding from our city, county and membership to provide the facility, insurance, utilities and personnel funding necessary to develop and present those programs. I shudder to think of the Hays Arts Council having to reduce the current 2-person staff to just one position while attempting to retain its integrity and professionalism. And unfortunately, without the KAC that may need to be considered.

But, with your help, we may never need to address that dilemma. With your help and the support of the KAC, we can continue to present the "Smoky Hill Art Exhibition" and "Five State Photography Competition" – both long-running and highly respected state and regional art programs. Opening on one of our four "Gallery Walk" evenings, these events often bring over 1,200 guests through our door in a three-hour period. Of course, many of those visitors are from our own community, but we've documented significant numbers from across the state for the "Smoky Hill" and from Colorado, Nebraska, Missouri, Oklahoma, and the farthest reaches of Eastern Kansas for the "Five State." Many of those guests eat, sleep, play, and fuel-up before leaving Hays. We know that the arts have an economic impact in our community, even without our guests. Like other arts organizations, the Hays Arts Council pays salaries, sales and payroll taxes, utilities, facility rental, printing fees, we buy computers, reception supplies, and spot lights – and we support and promote the sales and employment of artists who likewise continue that economic cycle.

I've been the director of the Hays Arts Council for a little over 20 years now and I think that at one time or another I've utilized just about every administrative and funding program the KAC has offered. I find the KAC to be an accessible, accountable and responsible steward of the state funding appropriated them. In turn, they require each of *us* to be likewise accountable and responsible in order to receive any funding. I trust the KAC to make the best use of *my* 29 cent state tax contribution. What a return I receive on *that* little investment. What a return we *all* receive.

While visiting a local elementary school, I noticed a bulletin board assembled for National Music Month. On it was the profound quote: "Children who have no aesthetic education may not be able to write, not because they cannot spell, but because they have nothing to say." The arts inspire both children and adults with not only something to say, but also the means to say it. And, quite simply, the Kansas Arts Commission fuels the programs and the people that make those creative experiences and aesthetic education possible. And oh yes, it does indeed make a difference.

Thank you.

(9)

Testimony for Kansas Arts Commission Senate Federal and State Affairs Commission

3 March 2011

Cathy Hoy, Board Member

Prepared with Emily Hunter, Executive Director

Symphony in the Flint Hills, Inc.

Strong City, Kansas

My name is Cathy Hoy; I live near Emporia. I have been involved with Symphony in the Flint Hills since the planning stages in 2005. I am past chair of the Board of Directors, I was chair of the Education Committee for five years, and I continue to serve on the Education Committee. My family has deep roots in the Flint Hills as ranchers and land owners.

This year marks the 6th Annual Symphony in the Flint Hills. This celebration of the native Tallgrass Prairie, combining symphonic music with the beauty of nature and information about the history of the Flint Hills and their distinctive culture, has quickly become a premiere Kansas Arts Event.

Last year, 5000 general admission tickets sold out in 1 hour and 47 minutes. Demand far outweighs the number of people we can accommodate in a remote pristine prairie site that changes every year. Our non-profit is governed by 17 board members representing different areas of the Flint Hills region. Producing an annual world class arts event is a full-time, year-long endeavor. We have an office staff of five and work with 92 different contracted services.

The event is enthusiastically supported by over 750 volunteers. Last year volunteers came from 103 Kansas towns and 9 states beyond our borders.

At the completion of this year's event, to be held in Wabaunsee County on Saturday, June 11, over 4 million dollars will have been spent to produce the six events. 73% of these dollars go directly to Flint Hills enterprises.

These are actual dollar figures - no multiple economic factors have been applied. Over 4 million direct dollars are spent. Last year over 20 thousand dollars of sales tax were collected for the State of Kansas from this event, as well as various local sales taxes.

During its run, more than 45,000 people have come to celebrate the prairie and many have visited the main streets of our rural Flint Hills Communities - spending dollars and learning about the culture, beauty, and diversity of our state.

All of this is evidence of the monetary and cultural value of a grassroots, world-class Kansas Arts Event.

The success of the event is dependent on many streams of support coming together to make it all possible.

Emily Hunter, executive director of the Symphony in the Flint Hills, says, "The Kansas Arts Commission has supported the Symphony in the Flint Hills from the very beginning...even before we were successful.

Over the last 6 years the Kansas Arts Commission has contributed almost 30,000 dollars. The majority of these funds are designated for operational support, which is often the most difficult type of support to raise from other sources. We proudly display the Arts Commission seal of approval on all appropriate print material ~ not just to recognize the Kansas Arts Commission's monetary contributions to the annual budget, but to signify the importance of the event to the entire State of Kansas."

The Kansas Arts Commission imprimatur proclaims to the public that the event is held to a high standard and is worthy of taxpayer support.

The Kansas Arts Commission has provided strategic consulting as well as dollars to help steer our course to the success we now enjoy.

We strongly support the Kansas Arts Commission for all they do to increase the quality of life in rural areas. Their leadership, inspiration, and grant programs are vital to delivering high quality art to the underserved rural populations.

Remarks by Kathy Smith, Executive Director of ARTSConnect
in support of the Kansas Arts Commission
March 3, 2011

I'm here today to testify in support of the retention of the Kansas Arts Commission as a state agency with level funding.

In the course of the discussions regarding the Kansas Arts Commission and the newly formed Kansas Arts Foundation, I believe that there may have been a few misunderstandings surrounding ARTSConnect and how we are funded. I wanted to take this opportunity to clarify a few details about our organization.

ARTSConnect was conceived in 2006 as an initiative of the Topeka Community Foundation as a United Arts Fund, a United Way for the arts. Our workplace campaigns generated funds that were then granted back into to the arts community. This was a successful model for 3 years, but in 2009 all of the participating companies ceased their campaigns due to major economic and human resources changes and limitations, thus eliminating our grant making capabilities and much of our revenue stream. We do not receive any funding from the City of Topeka, and rely heavily on our private donors, both individual and corporate.

But the private sector has not been our only source of funding. We have received over \$32,000 in grants from the Kansas Arts Commission over the past 3 years. The one-time \$17,000 ARRA grant we received proved to be a lifeline in an extremely difficult funding year. We have an annual operating budget of about \$50,000 annually, with a staff of one.

We appreciate the recognition that Topeka has received as a city with a thriving arts community. The artists, musicians and arts organizations here have done some amazing things to foster that energy. ARTSConnect is proud to work side by side with the creative community, helping to support them and to foster awareness and appreciation. The First Fridays Artwalk has become a monthly tradition, with over 30 locations and hundreds of people attending. With this constant activity and focus, Topeka has become a magnet and a launching pad for dozens of new and emerging artists, and is used as an example in other communities as a success story.

But without the support of the Kansas Arts Commission, our work over the past few years would not have been possible. Like sports arenas and race tracks, arts organizations rely on a combination of private and public funding to function. Asking the private sector to take complete responsibility for all of the quality of life components that our communities need to be appealing and successful is simply a burden too large to bear. With a combination of public and private support, the arts thrive, and as has been proven over and over again, communities with a thriving arts scene are communities that attract new residents- who buy homes and groceries and tickets to see a play or a ball game and work in the factories and create the businesses that pay taxes and make charitable contributions- part of which go to support the arts.

It would be my pleasure to talk with any of you personally about the arts community in Topeka and Shawnee County, and how the Kansas Arts Commission has made a difference here.

I believe it to be one of the shining stars in our great state.

TESTIMONY BY Alan Tollakson, 1001 Market, Emporia, KS

I'm from Emporia, and believe my experience applies to many Kansans across the state.

Being a long-term Kansas resident with a wife and 2 young daughters, I just wanted to express my concerns about any decisions to eliminate the Kansas Arts Commission. I do understand the necessity for serious state budget cuts across the board, but the enormity of this measure would appear to have serious long-term repercussions for the State of Kansas.

I can testify to my own successes and diligence as a tax-paying and contributing citizen of Kansas for 30 years now *-only because of a small boost in my early career as a professional artist by the Kansas Arts Commission.* I have since worked very hard to sustain myself as a wage earner while maintaining my goal to become a self-supporting artist. This has included many years working at minimum wage jobs, including over ten years as a school district janitor, and special education para-professional.

After achieving my Master of Fine Arts degree in Stone Carving from KU in 1984, I was hired as a Kansas Arts Commission Artist-in-Residence for Hays and Emporia, KS from 1986 -87. I have since found myself rooted in this state, gradually building my career as a self-employed Artist/Sculptor and Master Stone Carver. *Without my initial faith in what this State had to offer the Arts,* I would most surely have moved on to other places. *Without the Kansas Arts Commission,* I would likely be carving stone in a different state.

Recently, I was informed that the Kansas Cut Stone industry currently has the largest output of fabricated limestone in the nation. If not for the KAC, I would not have been a contributing contractor to the current status of this Kansas industry. Most of the major limestone fabricators (U.S. Stone Industries - Herrington, KS; Bayer Cut Stone - St. Marys, KS; Born Stone Co. - Silverdale, KS; Pyramid Stone, Olpe KS;) have called on me and other artists around the state to provide the finer work needed on special construction projects. Through these industries, my own artistic carving skills were involved in the new Library addition at Kansas State University (\$24 million project), the new Horticultural Science Center at Johnson County Community College, and the new 10th District Federal Reserve Bank of Kansas City (\$250 million project), among many others in Kansas and across the nation. And this coming spring, I will be honored to finish restoration of the deteriorating limestone carvings on our very own State Capitol Building.

For me, the Kansas Arts Commission showed me a well-rounded state - very balanced and willing to encourage the cultural heritage and future of its people.

Therefore, I am hoping you can find a way to support this important ambassador to the rest of our nation. Please vote to fund the Kansas Arts Commission, and to reject the Governors' Executive Reorganization 39 Order.

Sincerely,

Alan Tollakson

1001 Market St.

Emporia, KS 66801

620 481 5827

March 3, 2011



AIA Kansas

*A Chapter of the American
Institute of Architects*

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Executive Director

Trudy Aron, Hon. AIA, CAE
info@aiaaks.org

TO: Senate Federal & State Committee

FROM: Julia Manglitz, AIA

RE: Opposition to ERO 39 Abolishing Kansas Arts Commission

I am Julia Manglitz, AIA, an architect speaking on behalf of the American Institute of Architects in Kansas. Thank you for allowing us to testify in opposition to ERO 39.

AIA Kansas is a statewide association of architects and intern architects. Most of our 600 members work in over 100 private practice architectural firms designing a variety of project types for both public and private clients. Our members are designing tomorrow's buildings today, aiming to meet the "triple bottom line:" buildings that are affordable, protect the health of the building occupants, and respect our environment.

We understand the budget crisis the State is facing and encourage the legislature to continue to find ways to make our State government more efficient. However, we are opposed to the proposed elimination of the Kansas Arts Commission (KAC). The funds saved by elimination of this agency are less than 1% of the budget shortfall. This agency and the programs it supports cost 30 cents annually per capita. That is less than an hour's parking in downtown Topeka, less than purchasing one copy of the Topeka Capital Journal.

Art and Architecture go hand in hand:

- Visual communication and creative problem solving are essential skills for architects. Arts based education teaches sketching, drawing, modeling. The Association of Collegiate Schools of Architecture recommends students interested in pursuing a degree in architecture enter college with a strong foundation in these skills. The KAC supports early arts education for students across the state with its programs.
- The form, materials and colors of our buildings are all informed by art and have been from ancient and classical architecture forward. KAC programs encourage art appreciation that in turn enhances our experience of the built environment.
- The restoration of historic buildings relies on skilled artists, artisans, and craftspeople most of whom began their careers with arts education. Many states must import people with these skills. In Kansas we are fortunate to have independent contractors and small businesses that employ these skills. The programs that the KAC sponsors have been directly responsible for retaining home-grown talent and indirectly responsible for fostering an environment in which we have skilled craftspeople.
- New construction is often enhanced by the inclusion of public art. Many communities include a percent for art in new public projects to enrich spaces, particularly for children. The KAC programs help keep the arts community vital and ready to participate in these community projects.

- The arts can have an enormous impact on our economy. One needs only look to the re-birth in the urban core of Kansas City Missouri that has been fueled by the Crossroads Arts District. The visitors who shop and dine in that area provide on-going and repeated support the local economy.

Some people have proposed that a non-profit can take the place of the KAC, but with privatization comes the potential of censorship, the disruption of existing programs, further degradation of another segment of our economy and the loss of funding sources from outside of the State of Kansas. Retaining the KAC is the best way to prevent the detrimental effects of all of these consequences.

On behalf of AIA Kansas, I urge you to reject the Governor's Executive Order to abolish the Kansas Arts Commission. Thank you.

700 SW Jackson, Suite 209 · Topeka, KS 66603 · 800-444-9853 or 785-357-5308 · www.aiaks.org

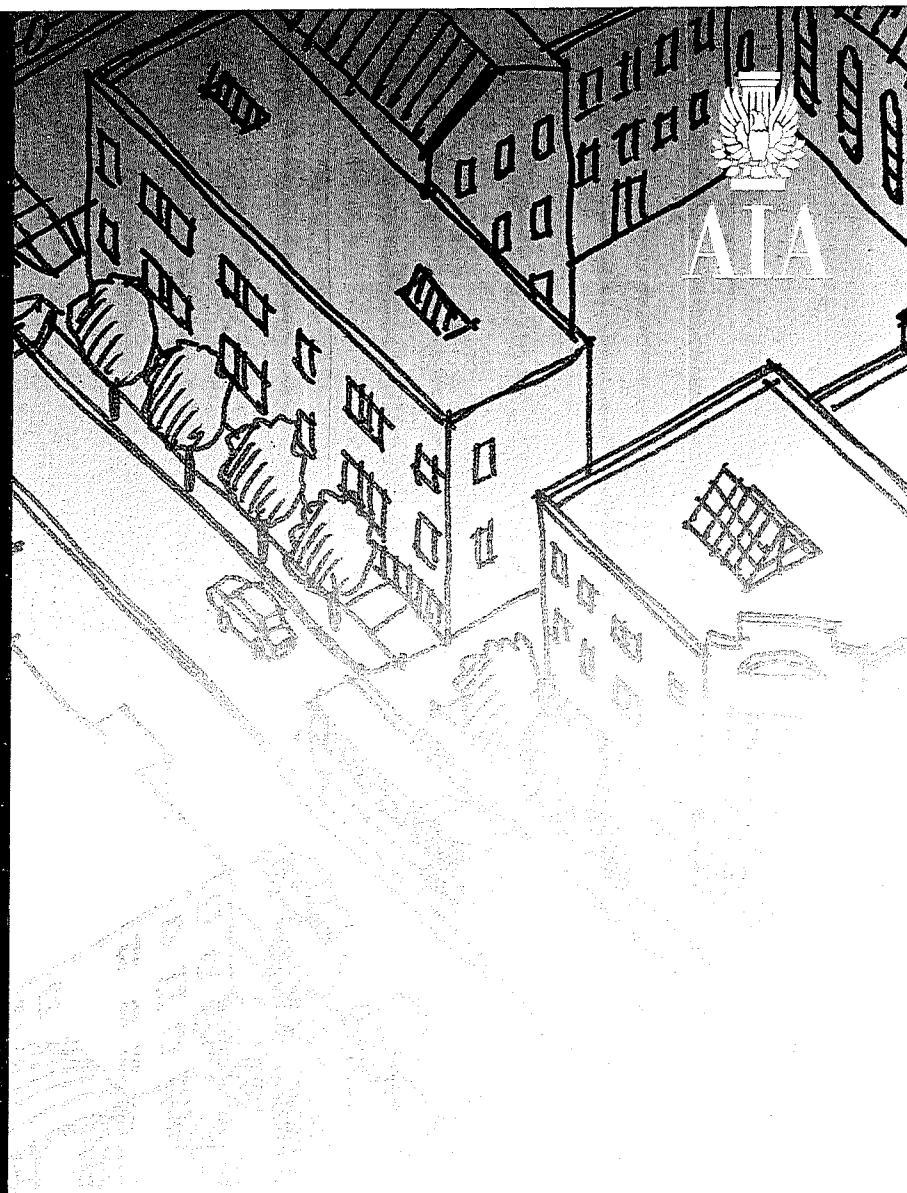
For more than 150 years, the American Institute of Architects has served as the voice of the architecture profession and the resource for its members as they fulfill their duties to society.

At the outset of the 21st century, the AIA and its members re-commit themselves to serving the public as designers of our built environment and as advocates for policies that protect people and strengthen our communities.

AIA Kansas

700 SW Jackson Street, #209
Topeka, KS 66603-3731

800-444-9853
www.aiaaks.org



Architects
as a Resource |

12-3

1 Procurement

The AIA strongly supports Qualifications Based Selection (QBS) for procuring professional design services for public projects. QBS provides owners with a selection process that is not only straightforward and easy to implement, but is objective and fair. It recognizes that design professionals play a critical role in the public building process. 48 states follow QBS procedures for procuring A/E services.

2 Communities

As Americans move back into cities, they increasingly desire healthy communities that incorporate smart and sustainable design principles. Architects have the training and knowledge to contribute to community design that preserves urban centers and promotes managed growth—while enhancing neighborhood identity and presenting outstanding architecture. Government officials can contribute to the existing momentum by passing laws and formulating initiatives that create environmentally-sensitive, pedestrian-friendly, livable communities. Successful programs already exist in cities, towns, and counties across the country.

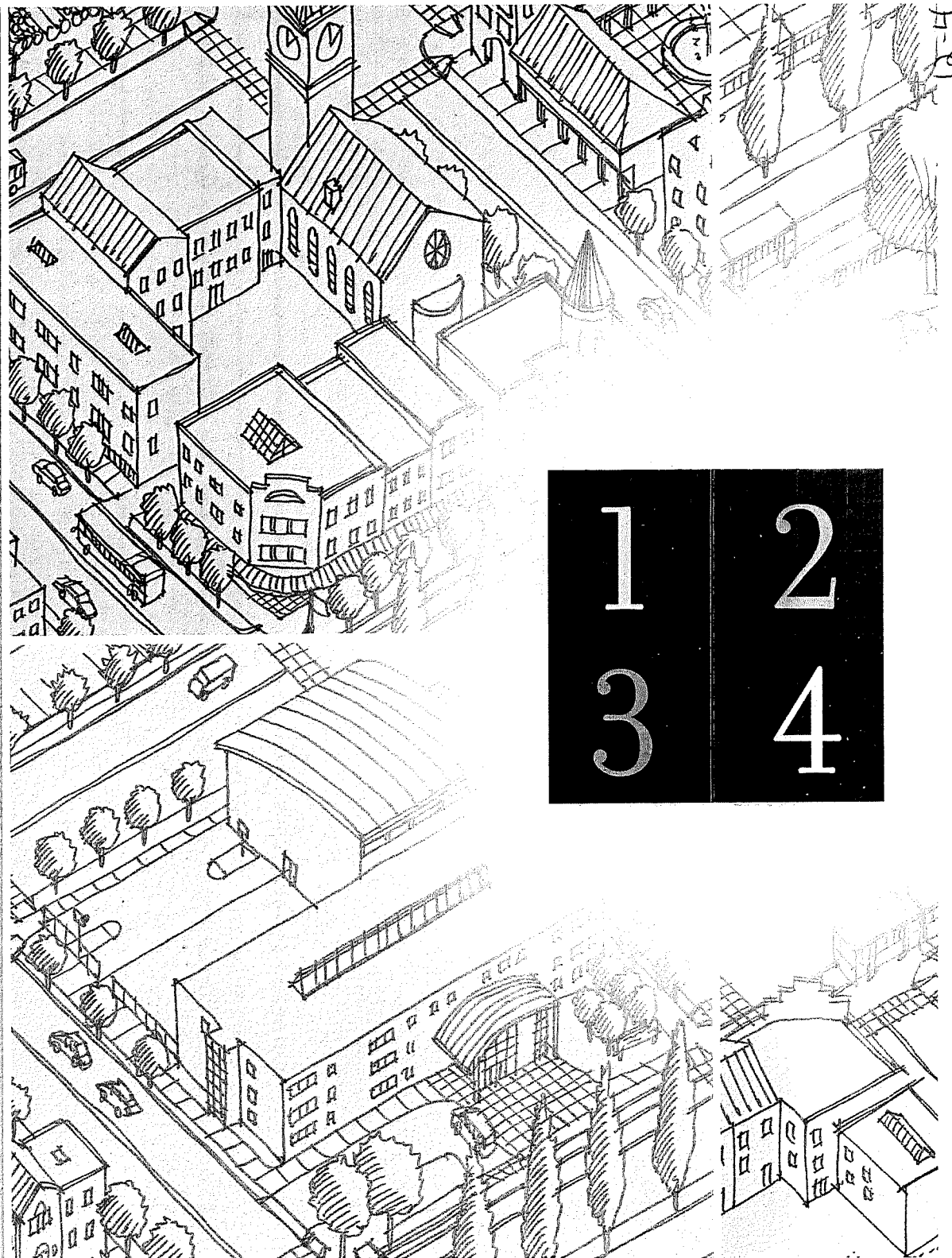
3 Schools

Architects design high performance schools that enhance student achievement, save money, and demonstrate environmental leadership. Green schools are transforming the environment in which our students learn, and are the new generation of school buildings that will be centers of learning for the next 50 years. These buildings promote the health and well-being of students while saving resources through energy and water efficiency.

4 International Green Construction Code

The AIA supports the development, adoption, and compliance with the International Green Construction Code (IGCC). The IGCC provides model language for jurisdictions to establish baseline sustainable design requirements for new and existing buildings. These requirements may include, but are not limited to, energy and water use efficiency, materials and resource use, indoor environmental quality, building impacts on the environment, site design, and sustainable building owner/facility management education.

AIA is involved in issues at the federal, state, and local level that are critical to architects, businesses, and our communities. Get involved at www.aia.org/advocacy.



Architects give shape to the American dream.

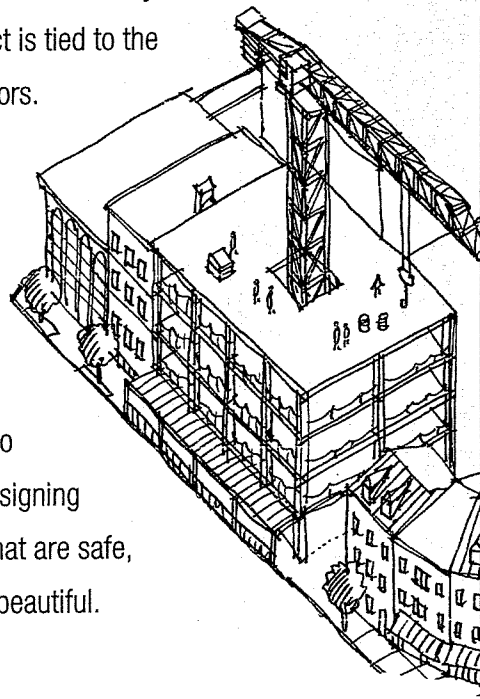
From small towns to big cities, architects design the neighborhoods where we live, the buildings where we work, and the places where we play, celebrate, and reflect.

Architects create sacred spaces for us to worship, hospitals for us to heal, and schools for our children to learn.

Architects transform our hopes and aspirations for a better life into brick-and-mortar reality.

The architecture profession employs nearly 200,000 Americans of all backgrounds. Nearly one out of every ten dollars of our gross domestic product is tied to the design and construction sectors.

However, the work of architects is about more than just economic progress; it is essential to our well being. Architects embrace their moral and ethical obligation to uphold this public trust by designing buildings and communities that are safe, sustainable, accessible, and beautiful.



For more than 150 years, the American Institute of Architects has served as the voice of the architecture profession and the resource for its members as they fulfill their duties to society.

At the outset of the 21st century, the AIA and its members re-commit themselves to serving the public as designers of our built environment and as advocates for policies that protect people and strengthen our communities.

AIA Kansas

700 SW Jackson Street, #209
Topeka, KS 66603-3731

800-444-9853
www.aiaaks.org





Testimony

Senate Federal and State Affairs Committee

March 3, 2011

"Let us resolve that this precious freedom of the arts, these precious freedoms of America, will, day by day, year by year, become ever stronger, ever brighter in our land."

- President Dwight D. Eisenhower

The Value of the Arts to Americans

"I must study politics and war, that my sons may have the liberty to study mathematics and philosophy, natural history and naval architecture, in order to give their children a right to study painting, poetry, music, architecture, tapestry, and porcelain."

- President John Adams

"At Boeing, innovation is our lifeblood. The arts inspire innovation by leading us to open our minds and think in new ways about our lives - including the work we do, the way we work, and the customers we serve."

- W. James McNerney, Jr., Chairman, President and Chief Executive Officer, The Boeing Company.

"We are a company founded on innovation and believe the arts, like science and engineering, both inspire us and challenge our notions of impossibility."

- George David, Chairman and Chief Executive Officer, United Technologies Corporation

"The arts foster creativity, and creativity is central to our business strategy. Indeed, we believe there is a strong link between the creativity nurtured by the arts and scientific creativity. If our scientists are stimulated through their involvement with the arts, then it's ultimately good for our business -- and our community."

- Randall L. Tobias, Chairman of the Board and CEO, Eli Lilly and Company

"A good well-rounded education must include the study of both the arts and the sciences. As a company we explore the synergies between arts and science. Of all subjects, the arts and sciences are the closest and most interrelated. They offer complementary ways of understanding the same object or event... They also teach critical thinking, creativity and curiosity - skills that make for an educated and innovative work force."

- Helge W. Wehmeier, President and Chief Executive Officer, Bayer Corporation

"Arts and culture are magnets for tourists, and tourism research repeatedly shows that cultural travelers stay longer and spend more, resulting in local businesses reaping the financial rewards. Simply put, the arts and culture industry is the cornerstone of tourism and economic development. "

- Robert L. Lynch, President and CEO, Americans for the Arts

Letters from Constituents

To Governor Brownback, Representative Cassidy, Senator Ostmeyer,

I am writing on behalf of the Oberlin Art and Humanities Commission to express support for the Kansas Arts Commission, the state agency that support and promotes the arts. They make it possible for this underserved community to have artistic programs and events.

We have received grants of approximately \$12,000 over the past three years. These grants were matched by local dollars, doubling the value of the state's investment. This money stayed in our local community, enhancing the quality of life for all of us.

Through these grants, we reached approximately 5,400 people including about 500 children and senior citizens over the three years. Programs have included performing solo artists from guitar to piano, ensembles (primarily string), local history tours, band concerts, humanities programs and country-western groups as well as dance groups.

We have participated in Kansas Arts Commission professional development programs. These have helped us build our business skills so that we can become more solvent, stable and serve our community better.

We continue to seek other funding, as the arts are especially important to our rural community. They attract businesses, attract and retain employees and help our community grow.

Thank you for your support of the Kansas Arts Commission.

Sincerely,

Mary Henzel, Program Director
Oberlin Arts and Humanities Commission

To the Governor's Executive,

Please continue funding the Arts program.

I am a senior citizen and thoroughly enjoy taking the pastel class and the water color class and the glass infusion. I have so much fun creating and socializing with others with art talent and we have a great instructor. We need something to do besides watching TV. We need to create. Our children and grandchildren need it. Don't lose these great talents and creativity. There is more to life than just working at a job. My children are very proud of me at what I have been creating.

Virginia Garcia
2726 E 12th, Apt 409
Winfield, KS

To the Honorable Governor of the State of Kansas, Sam Brownback:

This letter is in regard to your plan to eliminate the Kansas Arts Commission. This agency has been extremely important to our northwest Kansas area in providing opportunities through our Western Plains Arts Association. Our arts association has been the main vehicle for bringing cultural events to our area for over forty years, and the Kansas Arts Commission has played a large role in our operation.

Our Western Plains Arts Association serves the nine county area of far northwest Kansas, and we present about fifteen to twenty cultural events in the various communities that we serve every year. We have been able to present national and international artists as well as Kansas artists—especially the ones who have been listed on the Kansas Arts on Tour roster. We have provided opportunities for school age young people along with many of the public performances. We have for many years had Wichita Children's Theatre perform in area schools. Since our area is relatively remote and definitely rural, this has provided opportunities for many people who aren't able to travel to large cities for cultural events. Some of the shows that have been on our schedule this year are Guy Lombardo's Royal Canadians, Golden Dragon Acrobats, The International Tenors, The Brett Family from Branson, and The Music Man. Groups from Kansas have included not only Wichita Children's Theatre, but also The Sunflower Trio, Starry Night Trio, and Alferd Packer Memorial String Band. Our quality of life in northwest Kansas has been greatly enhanced through the cultural opportunities that Kansas Arts Commission has helped provide to our citizens.

The funding that we have received from the Kansas Arts Commission and Mid-America Arts Alliance makes up about 20% of our budget. Therefore, we would be very negatively impacted by not having this assistance. We are especially concerned that the funding from the NEA as well as Mid-America Arts Alliance is seriously jeopardized if we have no state arts agency. Kansas would lose funding from NEA in the amount of \$778,642 as well as \$437,767 from Mid-America Arts Alliance. Please reconsider this situation.

We understand the concerns about realigning our state budget and feel that a cut in the allotment to the Kansas Arts Commission is very reasonable. Please consider simply making a fair cut in the budget allowance for it rather than eliminating the arts agency or moving it under the Historical Society.

Sincerely yours,
Pat Ziegelmeier

Dear Governor Brownback,

I support government funding of the arts in Kansas because I have seen the positive effect that arts experiences have had on people in Manhattan. My children have used the skills they acquired through their arts participation in all their life experiences (ages 34 & 36). I have witnessed complete positive turn-arounds in kids participating in theater. I have seen adults change and blossom through their experiences in the arts - as participants, volunteers, and supporters.

We know that young people (K-12 and college) who participate in theater, music and other arts do better in school and later in their employment. According to Americans for the Arts, these activities:

- Improve overall academic achievement and school success
- Strengthen problem-solving and critical-thinking skills
- Refine cognitive and creative skills
- Nurture team-building skills, respect for alternative viewpoints, and appreciation for and awareness of different cultures and traditions
- Build self-confidence, self-discipline to complete tasks from start to finish
- Stimulate and develop the imagination and critical thinking
- Level the learning field across socio-economic boundaries
- Develop a sense of craftsmanship, quality task performance, and goal-setting – life skills needed for success in school and work

You have vowed to increase employment in Kansas . . . The arts in Kansas are a business – elimination of the state agency that supports them will have a ripple effect on other sectors of the economy. The Kansas Arts Commission provides valuable seed money that leverages private funds and supports the total employment of over 37,000 people in the creative arts industry.

You have vowed to entice new businesses to locate in Kansas . . . In Manhattan, we have found that the presence of a variety of arts venues is very important to people planning to relocate here - they tell us it is extremely important to their families and a significant factor in choosing to live here. It is counterproductive to that recruitment to decrease support to the arts - your proposal would make Kansas the worst place in the nation for arts support. Kansas would be the only state in the nation to completely eliminate the arts from state funding.

Finally, by cutting this support you will jeopardize \$778,300 in National Endowment for the Arts matching funds. The state will also lose valuable grants and services from its partners, such as Mid-America Arts Alliance, which provides more than \$300,000 in grants and services to Kansas. So you will actually reduce state income by over \$1,000,000!

I am writing to ask that you support the Kansas Arts Commission and restore the agency's funding to the Fiscal Year 2012 base level of \$1,628,613, which includes \$815,413 of state general funds. This will not only enable the KAC to continue to receive federal matching funds - but also help you keep your promises to the people of Kansas.

Sincerely,
Janis Clare Galitzer
1504 Humboldt
Manhattan, KS 66502

To the Honorable Governor of the State of Kansas, Sam Brownback,

Regarding reorganization of state agencies:

Much can be done to improve the efficiency and service to the public in the state agencies of Kansas. Certainly all budgets should be subject to reductions due to limitations of available tax sources.

The purpose of this letter is to discuss the elimination of the Kansas Arts Commission. I do not want to dispute the goal of eventually reorganizing the arts agencies. It is not a legitimate function of the federal government to fund religion, the arts, and even public education. Those are functions that may be addressed by the states. There is a problem, however, that comes with the elimination of the Kansas Arts Commission. As a non-state agency, the KAC would immediately lose \$778,642 of funding from the NEA as well as \$437,767 in grants from its partners such as Mid-America Arts Alliance. There would also be an immediate negative impact on Kansas employment numbers.

When I retired from the Kansas State Board of Agriculture in 1992. I volunteered to become a board member of Western Plains Arts Association and have served in numerous board capacities on that board including a two-year term as president. I currently edit and publish the newsletter for members three times per year. In that time I have come to appreciate the role that arts associations play in the quality of life in rural communities. One significant role is to bring the Wichita Children's Theatre to each elementary school in the nine counties of Northwest Kansas. The theatre group conducts a workshop in each cooperating school and presents a production, a recent one being "Little Red Riding Hood." WPAA presents about fifteen to twenty professional touring groups in area towns of the nine counties. On this year's calendar are Guy Lombardo's Royal Canadians, Golden Dragon Acrobats, The International Tenors, from Branson, The Brett Family Show and other first class shows. Kansas and area groups such as Kansas City's Bummer the Drummer, The Sunflower Trio and The Stanleytones are also on the calendar.

Our contracted and negotiated shows for the balance of this and the 2011-12 seasons rely on KAC and MAAA funding for more than 20% of our budget. Member support provides a little more than half of the budget and foundations much of the balance.

My suggestion to you is to reconsider the immediate elimination of the Kansas Arts Commission and to instead reduce the state funding of KAC in line with that of other state agencies, then at a later date find a way to gradually phase out state funding without jeopardizing the federal support as long as it may continue.

Respectfully yours,
William V Mai

Dear Representative Trimmer and Senator Abrams,

I am emailing you again as I am very much disappointed in the overspending of our budget in the past. I realize you all have a very tough job ahead of you and I would not want to be in your position, but thank you very much for giving of yourself and time to do so for the betterment of US citizens.

I ask you please to consider deep evaluation of entities that need to be revamped as they are greatly abused today. There are too many abortions being paid for by somebody. There are too many babies being born to families that provide the host family an additional paycheck. I am frustrated that now we are offering summer meal plans to kids up to the age of 18. The list is long. As a taxpayer I feel we just keep further enabling these families that are either using the system or find it a convenience to use the system so that they are not bothered with more parental duties at home. Parents need to start being parents.

On the flipside, it is proven that a student that takes piano lessons will score more highly on an IQ test. Arts enhance problem solving, and creative thinking which we all could use more of in a society that we live in today. Arts offer a way to be involved with other people in a positive manner. It teaches many of the life skills we are not taught and do not see as role models in the general public today. As an accomplished piano player, I can still find relaxation and enjoyment in playing piano no matter what my age and it keeps my brain function sharp. I feel cutting the Arts program might be one of the most positive entities that the state has going for it. We should be promoting the Arts instead of cutting.

With all due respect, I ask you to do everything you can to keep the arts.

Most respectfully,
Brenda Combs
Burford Committee member
Arkansas City

To: Senator Ostmeyer, Representative Billinger

I have been reading about the governor's plan to eliminate the Kansas Arts Commission. I would urge you to stand against this plan. Here in Western Kansas we have been able to bring live entertainment to the school children with KAC grants for the past 15 years. So many children in this never have an opportunity to see live theater performances.

The Wichita Children's Theatre provides them with an opportunity to enjoy the wonder of a live performance. If KAC becomes a private, nonprofit organization they will lose nearly \$800,000 in direct funding from the National Endowment for the Arts and nearly \$450,00 in grants and services from Mid-America Arts Alliance.

Please help us keep the Kansas Arts Commission as a state agency and maintain funding at the current level.

Kathleen Schulz
Graham County Arts Council

To: Governor Brownback, Lt. Governor Colyer, Representative Powell, Senator Morris

As a beneficiary of the Kansas Arts Commissions grant programs, I want to urge you to not eliminate this important agency! Kansas' nonprofit arts and cultural sector is a \$153.5 million industry, supporting over 4,000 full-time equivalent jobs and generating over \$15 million in state and local government revenues. Per capita, more Kansans engage in the personal creation of art than any other state in the union. That means that a considerable number of your constituents care deeply about the arts - and you should, too. By eliminating this funding, the state loses more money than it saves - because more than \$1.2 million dollars in matching funds will no longer come to the state. Most of these dollars are used for direct services that provide jobs and directly affect our communities.

Please do not support the elimination of the Kansas Arts Commission as a state agency. I work with Southwest Kansas Live on Stage and we have received Operational Support grant dollars from the KAC that have been very beneficial to our all-volunteer organization. They also have put us in contact with artists like the Lawrence Children's Choir that we are bringing to SW Kansas in April. The Arts are not only important to the economy they are important to keeping people in southwest Kansas once they are recruited to work here! Several of our members come from larger cities to Garden City and they have commented that having live quality entertainment right here in Garden City is very important to keeping them here.

This year as a result of a \$1000 KAC grant for the American Masterpieces program, we are taking on a concert with Garden City Community College to celebrate the legacy of Frank Mantooth, a jazz musician who lived and worked in Garden City. We will match these funds more than four times! Without the encouragement of the KAC we would have never tried to develop this concert on our own. The Kansas Arts Commission truly does expand the dollars they give to organizations like ours many times over. It seems foolhardy to eliminate an organization that generates so much with the state dollars they receive!

It is not in the best interest of the communities that you represent and is not in the best interest of the state of Kansas to eliminate the Kansas Arts Commission. People who are involved in the arts civically engaged, they volunteer and they vote. We are counting on YOU to support your community vote against the elimination of the Kansas Arts Commission.

Sincerely,
Linda Holmquist
620-272-9783

To: Representative Ron Rychman and Senator Garrett Love

The current Kansas legislature has some tough decisions to make regarding the Fiscal Year 2012. We urge you to support the Kansas Arts Commission and restore the agency's funding to the Fiscal Year 2012 base level of \$1,628,613, which includes \$215,112 of state general funds. This will enable the KAC to continue to receive federal matching funds. Our SW Kansas Live on Stage organization appreciates the \$5,286 Organizational Support Grant received through the Kansas Arts Commission for the current year. Our grant was reduced this year due to budget cuts at the state level and we are facing elimination of these important funds as a result of the Governor's budget. We also received a \$1,000 grant from the Kansas 150 celebration that we will use for a free concert celebrating the legacy of Frank Mantooth, a Garden City pianist who died suddenly in 2004. This free concert will be on March 8 at 7pm at the Clifford Hope Auditorium at the Garden City High School. This concert is a direct result of SWKS LOS becoming involved with the KS Arts Commission. We will double the match on these funds and one of our sponsors will provide rooms as in-kind contribution for the artists coming to town who worked with Frank Mantooth. The Garden City High School Jazz bands will perform at 7pm with the concert, "Tribute to the Tooth", beginning at approximately 7:45. This is a great opportunity for the area youth to learn about the legacy of an area artist.

We have four concerts remaining in our current season. I've enclosed two complimentary tickets. I want to encourage you to use these tickets and see what we are all about! In addition to the shows listed in the brochure and the free concert above, we offer a concert on April 9 at 2:00 pm in the Clifford Hope Auditorium by the Lawrence Children's Choir. We are adding this concert to provide a matinee performance to attract young families during our membership drive. The Lawrence Children's Choir is a beneficiary of the KAC as well. We connected with them through the KAC contacts we've made. The KAC has had a direct impact on the arts from 2 different parts of the state.

What SWKS Live on Stage and other arts organizations provide adds a great deal to the quality of life of Kansas. In the Fiscal year 2011, the state spends 29 cents per capita on the arts. If the Governor's proposal is accepted, we will spend .07 cents per person – far less than any other state in the nation (California ranked 50th, spends .12 cents per person). Kansas would be the only state in the nation to completely eliminate the arts from state funding!

On a personal note, I grew up in SW Kansas on a farm/ranch. My family did not attend concerts or plays but I had a friend who invited me to a Community Concert production (as it was known back then) and for the first time I saw ballet was on the stage of the Clifford Hope Auditorium at the age of 10. I remember it to this day. It sparked my lifelong interest in music, the performing arts, dance, etc. I am now a registered nurse, helping raise grandchildren and have a strong desire to get kids "hooked" on the arts. It's vital that we are able to bring these to SW Kansas. I take my 10-year-old granddaughter to the performances, I give tickets to the high school band and choir instructors to use to take high school students to the performances and I give many hours to the Live on Stage Organization as a board member. It's so important to keep the beauty of the arts alive in our great state!

If you are able to attend any of our shows, please stop at the membership table and let them know you are in the audience so we are able to recognize you in the President's remarks at the beginning of the concert. We appreciate your support for the arts in southwest Kansas!

Sincerely,

Jan Holland
Board Member
Southwest Kansas Live on Stage

J. Stephen Alford
4179 East Road 19
Ulysses, KS 67880

Dear Stephen,

We urge you to support the Kansas Arts Commission and restore the agency's funding to the Fiscal Year 2012 base level of \$1,628,613, which includes \$815,413 of state general funds. This will enable the KAC to continue to receive federal matching funds. Our Southwest Kansas Live on Stage organization appreciates the \$5,286 Organizational Support Grant we received through the Kansas Arts Commission for the current year. Our grant was reduced this year due to budget cuts at the state level and we are facing elimination of these important funds as a result of the Governor's budget. I encourage you to continue funding for these grants, as it is very important to our organization. We also received a \$1000 grant from the Kansas 150 celebration that we will use for a free concert celebrating the legacy of Frank Mantooth, a Garden City jazz pianist who died suddenly in 2004. This free concert will be on March 8 at 7pm in Clifford Hope Auditorium at Garden City High School. This concert is a direct result of SWKS LOS becoming involved with the KAC the past two years. We will double the match on these funds and one of our sponsors will provide rooms as an in-kind contribution for the artists coming to town who worked with Frank Mantooth. The Garden City High School Jazz bands will perform at 7pm with the concert, Tribute to the Tooth, beginning at approximately 7:45. This is a great opportunity for area youth to learn about the legacy of an area artist.

We have four concerts remaining in our current season. I've enclosed two complimentary tickets. I want to encourage you to utilize these tickets and come to one of our shows. In addition to the shows listed in the brochure and the free concert above, we will offer a concert on April 9 at 2pm in Clifford Hope Auditorium, Garden City High School by the Lawrence Children's Choir. We are adding this concert to provide a matinee performance to attract young families during our membership drive. The Lawrence Children's Choir is a beneficiary of the KAC as well. We connected with them through the KAC contacts we've made. I am looking forward to all of the shows but I'd particularly like to invite you to attend our show on April 9th as you will see first hand the impact the KAC has on the arts from two different parts of the state.

What SWKS LOS and other arts organizations provide adds a great deal to the quality of life of Kansas. I was just visiting with one of our members this week that came to the area as a part of the medical community. She indicated that the live shows we provide add so much to the quality of life here. In Fiscal year 2011, the state spent 29 cents per capita on the arts. If the Governor's proposal is accepted, we will spend seven cents per person – far less than any other state in the nation (California ranked 50th, spends 12 cents per person). Kansas would be the only state in the nation to completely eliminate the arts from state funding!

If you are able to attend any of our shows please stop at the membership table and let them know you are in the audience so we will be able to recognize you in the President's remarks at the beginning of the concert. We appreciate your support for the arts in southwest Kansas!

Sincerely,
Delores Currier
Board Member
Southwest Kansas Live on Stage

Governor Brownback:

I congratulate you on your victory to become KS governor. We are most fortunate to have a man with your high principles as governor. I especially appreciated your remarks that you wish for Kansas to become known as a Right to Life state. Thank you.

I know you have an almost impossible task of cutting our spending to match our income. It is too bad we have let our state fall into such a sad economic situation. I do find fault in that you wish to cut all funding for Kansas for Arts. I think we should take a cut, along with all other agencies, but a total cut would be devastating to the Arts. We need the Arts to balance our emotional needs during this economic downturn. Please reconsider your recommendation.

Sincerely,
Joan (Helen Joan) Albers

To: Representative Rick Billinger

I am sure that you are deeply involved in getting oriented into your new job as representative of Western KS. I pray for you and all of our legislators during this most trying session as you try to balance our lop-sided budget. I don't know how you feel about the Arts, but I know that the Depperschmidt's (my dad was Phil--your grandpa's brother) all enjoyed music throughout their lives.

I can understand that cuts need to be made, but I cannot understand that we must cut all funding to Kansas for the Arts. We, here in Western KS are fortunate to have such organizations as Western Plains Arts Association and the Goodland Council of Arts to bring quality performers to our area. Without support from Kansas for the Arts, we will have to eliminate many of our programs. Many of our senior citizens enjoy and appreciate being able to see and hear good performers without going to a city. Please support SOME funding for Kansas for the Arts.

Joan Albers
1845 Harvey Ave.
Colby KS 67701

To: Senator Ralph Ostmeyer

Ralph, I know you are a strong supporter of the Arts. I hope that you can find some way to keep some funding for the Arts in the up-coming budget. If we receive no money, we might as well kiss our Western Plains Arts Association good-bye because we would have to charge much more than we do, and many cannot afford it. This is our only means of bringing the Arts to Northwestern KS.

Thanks for working for us. This will be a most difficult session.

Joan Albers

To: Senator Ralph Ostmeyer

I am so sorry you will not be able to attend. I do wish you could come to speak with us here sometime. I do understand that we have limits with state funding, but I know for our community and region, it has been with the assistance of the KAC that we have been able to promote a quality of life issue that is so important to economic development. Since you too are from a small rural community you probably can relate to the difficulty small towns have had with attracting new businesses. Quality of life is important in the recruitment of businesses, and the arts are something that does play a major role in quality of life. The Goodland Arts Council has teamed up with Sherman County Beautification in an effort to attract more people to our community and our region. It was with the assistance of the KAC that we were able to implement our first Arts in the Park this past summer. Our hope is to add permanent artwork to one of our parks each year, provided we have the funding. It is also with the assistance of KAC funding that we are able to paint murals in our community and attract artists to participate in our Downtown Permanent Art Walk.

In education, during the school year the Carnegie Art Center provides art classes and art history to the students in grades K-6. Students have Saturday art classes twice monthly and monthly exhibits. We also have a summer arts program for the students. Currently, the school offers no elementary art classes. This is all done through the assistance of the KAC.

We have had so many people, both near and far, comment about what a rare find it is to have such a fine facility in a rural community. We benefit not only our community, but the tri-state region. I know that in these tight economic times we have to try to make the most of our investments. I feel the arts play a significant role in many areas of rural development. I think if funding for the KAC is cut, it will be the small, struggling communities who will suffer the most for it.

Thank you for responding. Again, you have an open invitation to come to speak. Please don't hesitate to contact me if I can assist.

Kay Younger
Goodland Arts Council

To: Governor Brownback, Senator Faust-Goudeau and Representative Victors

To dissolve the Kansas Arts Commission, a fundamental necessity for the cultural and economic health of our community, to say nothing of the quality of life for its individuals, to save a mere \$797,980, is an outrage. Even for fiscally minded conservatives, the drastic decision to eliminate an important, and successful, entity, for such a relatively small amount of money, makes no practical sense. However, eliminating the Commission speaks volumes, if viewed as a message to its constituency that our state's government cares nothing about the arts, or worse, that it is a merely a counter-productive maneuver to rid itself of its imagined political adversaries, and in the process, losing almost \$15 million in revenue generated by the Kansas nonprofit arts and cultural sector.

While the people of Kansas benefit greatly from what the Kansas Arts Commission brings to its community, I have personally received invaluable support from the KAC over the two decades that I have been a full-time artist living in Kansas. Along with being an indispensable resource and providing needed information, two grants to fund exhibitions of my work were of paramount importance to my growth as an artist; specifically aiding me in my endeavor to evolve my career, while still maintaining my desire to offer free art events for the people of my community. These two KAC-funded exhibitions provided a cultural, and hopefully entertaining experience, for no less than 6,000 or more attendees, throughout the run of the exhibitions. The influence that these events have had on both my own career, as well as on the community of Wichita, has, in my opinion, been immeasurable. Not only have I been able to support myself because of the validation afforded me by these experiences, but it has also allowed me to devote much of my time, when not painting, to the running of a successful, not-for-profit, arts organization.

I am a co-founder of one of the most well known artist-run organizations in Kansas, Fisch Haus, which will be honored this April with a large exhibition at WSU's Ulrich Museum. This most recent KAC grant will be used to create a catalog for this exhibition. The catalog, and show, will commemorate our 21 years of producing fine art, music, and theater events for the wide demographic that makes up this city, and its regional area. Among other achievements, the city of Wichita (and the Chamber of Commerce) has, for the last six plus years, been publicly very proud of a very successful cultural, as well as economically beneficial, attraction called Final Fridays. Fisch Haus was instrumental in its creation.

Final Fridays is a citywide gallery crawl; and, in the Commerce Street Arts District, much more than just the openings of galleries--it is a meeting of artists, musicians, and performers that regularly attracts upwards of 2500-3000 participants. The cultural benefits of events such as this seem obvious, but even to someone that may not understand the value of art and culture in a community, the economic value is undeniable. It is obvious to local business owners that those people that show up for Final Friday, as well as for the numerous events Fisch Haus produces throughout the rest of the year, also support the peripheral restaurants and bars that same evening.

I can safely say that my career as an artist, at present, and as I hope it will develop in the future, has been greatly influenced by the Kansas Arts Commission. Without the Commission, the arts in Kansas, and consequently the people of Kansas will suffer, both culturally and economically, whether they're aware of it or not. Please vote to reallocate the money, and take steps to ensure that the Commission, and therefore our State's cultural health and well being, will always be safe.

Sincerely,
Patrick Duegaw

To: Senator Brungardt, Senator Arpke, Representative Roth

Salina is well known throughout the state for the excellence of its arts programming. A significant aspect of that success can be attributed to the Kansas Arts Commission, from grants that have been awarded, but also for insuring that its awardees meet standards for best practices in the arts.

Personally, I am the product of the arts industry in Kansas. I was educated at Emporia State University; earning a degree in technical theatre and costume design. In the mid-80s, I was a board member for the Emporia Arts Council. Shortly after, I was chosen to run the Twin Rivers Festival, and progressed to become the Executive Director of the Emporia Arts Council. In 1994, I moved to Salina, and have been the Arts Education Coordinator for the Salina Arts and Humanities ever since. I am fortunate to work in the art department of the City of Salina, a rare position in Kansas. I continue to use my degree as a contracted costumer for Salina Community Theatre, as well.

Artists and administrators are educated, trained and employed in Kansas. We pay taxes, buy cars and houses, and generally contribute in the same ways any other work forces does in this state.

In 2010, Salina was selected by Business Week magazine as the best place in Kansas to raise a family. A great deal of the recognition for this honor can be directly attributed to the excellence of arts programming for children and students available here. In this office, we are often reminded by Salina Regional Hospital that the art environment here is especially brought to the attention of doctors under recruitment as a factor of quality of life in the Salina community.

According to Americans for the Arts study Arts and Economic Prosperity III: The Economic Impact of Nonprofit Arts and Culture Organizations and Their Audiences, the arts are a 23 million dollar industry in Salina; one that supports 814 full-time equivalent jobs. The viability of the Kansas Arts Commission is a key component of this economic activity.

The dollars that are allocated through the Kansas legislature are already leveraged by private dollars in our community – many, many times over. The Governor's perception that privatizing the Kansas Arts Commission will increase private giving will be a dubious reality. Those of us working in the arts know that we are already incredibly challenged in the competition for donations.

For these reasons, I urge you to vote against the Governor's proposal to dissolve the Kansas Arts Commission. Strictly from an economic standpoint, it is not good legislation, and will severely impair a prominent Kansas industry.

Sincerely,
Sharon Benson
Arts Education Coordinator
Salina Arts and Humanities

To: Governor Brownback, Senator Ostmeyer, Senator Taddiken, Representative Carlin, Representative Mosier, Senator Reitz

Governor Brownback has made public his plans to eliminate the Kansas Arts Commission. This jeopardizes at least \$575,000 in federal matching funds, which contradicts the Governor's statement that the state will save \$574,642. The state will also lose valuable grants and services from its partners, such as Mid-America Arts Alliance, which provides more than \$300,000 in grants and services to Kansas. This means that there is no net savings from making these cuts - instead resulting in a loss of revenue for local communities and organizations.

The Kansas Arts Commission supports the total employment of over 37,000 people in the creative arts industry across Kansas. Elimination of the state agency that supports these jobs will have a devastating ripple effect on other sectors of the economy.

Arts and cultural businesses support other businesses - by encouraging tourism and enhancing the quality of life for all Kansans. Eliminating support for the arts and cultural businesses, especially in rural communities that are already struggling, will cause a loss of private sector employment. Fewer businesses mean fewer jobs - and that isn't something that Kansas can afford.

Please do not support the elimination of the Kansas Arts Commission as a state agency - it is not in the best interest of the communities that you represent and is not in the best interest of the state of Kansas.

I am a conservative Republican who has lived in western Kansas all my life until recently moving to Manhattan. For six years I served on the Kansas Arts Commission and realize its valuable function to the citizens of Kansas. Please consider all the factors above! Thank you for your kind attention.

Sincerely,
Sharon Kriss
785-320-2475

From: William Morris [mailto:wmaarchitects@yahoo.com]
Sent: Monday, January 17, 2011 12:03 PM
To: Ty Masterson
Subject: Fw: Action Alert

Ty,

This proposal would directly affect the operation of the Arts Council and Augusta Theatre, which has numerous Augusta and Andover patrons. For example, the programming the AAC provides when it brings the Wichita Children's Theater to the theatre provides an opportunity for 1,500 area children to view a live performance each year. Many of these children would never see a live performance without this program. We would appreciate your attention to the consequences of this proposal.

Bill & Linda Morris

To: Governor Sam Brownback, Senator Roger Reitz, Representative Susan Mosier, and Representative Sydney Carlin

I have been asked more than a few times recently what impact the Kansas Arts Commission has had on the Manhattan Arts Center. Here are some of the thoughts that that question has prompted.

Naturally the grants MAC has received from the Arts Commission over the years have been extremely important, in particular in years when we had far fewer programs than we do now but still had a building to keep up. The operating support grants offered by the KAC are to my knowledge fairly uncommon. Who else wants to help pay the heating bill, the cleaning bill and for those pesky repairs that are part of life in an older building? Then there are the Arts on Tour grants. MAC has received these grants almost every year, primarily to bring cultural programs into Manhattan's elementary schools. The artists on the KAC's roster are Kansas artists who have been vetted by a panel before being accepted for the roster; it shows in the quality of the programs offered, and feedback from schools has been overwhelmingly positive and enthusiastic. The KAC's Arts in Education grants are highly competitive, so are not a given for MAC every year, but we have received several. Perhaps as important as the dollars themselves is the learning that goes along with applying for this grant: for example, how to structure your program so that you can properly evaluate its effectiveness, how to write a good application, how to ensure that you are meeting a community need. And this year, MAC received an American Masterpiece grant, tailored to helping us celebrate 150 years of Kansans and Kansas.

However, the Kansas Arts Commission is about much more than grants. As mentioned above, as part of the application process, they try to ensure that the programs they fund are quality programs that will have the maximum benefit for Kansans, especially the children of Kansas. KAC staff do not simply publish their grant guidelines and leave it at that. They do all they can to help applicants write good applications, improve their programs, and incorporate state education standards where applicable. They even offer workshops associated with specific grants to help with this process.

But that's not all. Especially under the current leadership, the Arts Commission has offered arts management workshops, and at no charge to participants. Following the last round of budget cuts, these workshops have been phone-in sessions, but they are still offered. The topics covered range from marketing to fundraising to budgeting. MAC has benefited enormously not just from these sessions, but also from the willingness of KAC staff support arts organizations. They are an unparalleled resource, providing everything from contact information to advice on how to run our businesses more efficiently.

So where would we be without a Kansas Arts Commission? Many of our schools would not be able to bring in the programs they currently enjoy: storytellers who stimulate young minds, actors who teach, and musicians who inspire. We would have to find even more philanthropically-minded businesses and individuals to make up the shortfall in dollars. We would have to travel far and use up some of those hard-won donations to acquire new insights into good management practices, learn about new trends in marketing, and make connections that keep us as arts managers motivated and excited.

As we look towards a future with significant expansion in our region and with families and businesses looking for a place to locate where they can enjoy good quality of life, we shall be far better placed to meet new challenges and keep our place in the local business community with the Kansas Arts Commission there to guide and assist us.

Side by Side Theatre & Music is a small non-profit organization that receives operating support grants from the Kansas Arts Commission. If the Kansas Arts Commission is eliminated, the quality of our programs will suffer considerably.

In collaboration with the Manhattan Arts Center, we organize Summer Chorus (started in 1986), an annual

sing-along of Handel's "Messiah" (1997), and the Konza Carolers, a small group of singers who perform at local retirement homes and the hospital (1995). In each case, amateurs sing with and learn from professionals. In our Messiah performance, K-State music students learn the choruses and solos that will in the future be part of their "bread and butter."

We solicit donations from the community, but it is the grant from the Kansas Arts Commission that enables us to pay our professional musicians a reasonable fee for their work. If we cannot pay a reasonable rate, we will not be able to hire the quality of professionals we have had, and in turn the quality of our programs will suffer, if indeed we are able to continue them at all.

The arts are not a luxury. A group at KU Med Center studying the possibility that musical participation throughout life can ensure brain health and even possibly delay or protect against the onset of dementia has found that senior citizens with more than 10 years of participation in learning and playing a musical instrument had better performance in naming, non-verbal recall, and a test involving switching rapidly between identifying number and letters.

A group at Michigan State University studying the relationship of arts and crafts experiences to scientific and technological innovation found that the more arts and crafts a person masters, the greater their probability of becoming an inventor or innovator. Does Kansas not need innovators?

Thank you for your work on behalf of the arts in Kansas!

Sincerely,

Penny Senften
President
Manhattan Arts Center

Dear Senator Marci Francisco,

I am writing to ask that you support the Kansas Arts Commission and reject Governor Sam Brownback's proposed budget to eliminate the KAC as a state agency.

I support government funding of the arts in Kansas because I work at Van Go, Inc., an arts-based social service agency that provide job-training programs to high-needs and under-served youth.

Since 1997, Van Go has been delivering constructive activities to children at risk for drug and alcohol use, teen pregnancy, truancy or delinquency in Lawrence, KS. The positive impact of arts education cannot be understated: Van Go's art program provides a valuable medium through which teens can express themselves and pursue a deeper meaning of the world while they are learning important life, social and career skills. Elimination of the KAC not only deeply affects the many arts agencies that depend on the funding, but the lives of the people we serve.

The Kansas Arts Commission provides valuable seed money that leverages private funds and supports the total employment of over 37,000 people in the creative arts industry. This move by Governor Brownback jeopardizes \$778,300 in National Endowment for the Arts matching funds, contradicting the Governor's statement that the state will save \$574,642. The state will also lose valuable grants and services from its partners, such as Mid-American Arts Alliance, which provides more than \$300,000 in grants and services to Kansas. Through this act, Van Go and other cultural enterprises could potentially lose funding from both the KAC and any matching grants that make our services possible.

Thank you for your time. I appreciate your support of this valuable and vital issue to all Kansans.

Sincerely,
VanGo Staff and Students

Opinion Articles & Newspaper Editorials

The Lawrence Journal-World
February 20, 2011

Editorial: Arts value

Eliminating the Kansas Arts Commission may cost the state more than it saves.

We don't envy the budget-balancing act that now faces Gov. Sam Brownback and the Kansas Legislature. Dealing with a \$450 million or \$500 million budget deficit is no easy task.

Spending cuts are needed, but strong arguments are being made that abolishing the Kansas Arts Commission in order to save the state \$600,000 next year isn't the best choice.

Earlier this month, Brownback issued an executive order abolishing the Arts Commission and establishing the non-profit Kansas Arts Foundation. He even took the liberty of appointing a board of directors for the new organization. The executive order will take effect on July 1 unless it is rejected by a majority vote in either the Kansas Senate or the Kansas House.

The powerful House Appropriations Committee this week supported the governor's plan, but at least some members of the Senate say that body may challenge the executive order.

Many arts supporters across the state are pushing that effort. Perhaps their strongest argument is the potential loss of up to \$1.2 million in matching grants from the National Endowment for the Arts and the Mid-American Arts Alliance. Although Brownback has said the new nonprofit still would be able to obtain those grants, the agencies giving out the money say they don't know whether the state still would be eligible to draw matching funds. These matching funds are critical to arts in Kansas. At the very least, this question must be resolved before the state moves forward.

There are other factors to consider. If the Arts Commission is abolished, Kansas reportedly would be the only state without a state-funded arts agency. Brownback's vision is that private donors will step up to replace state funding for the arts. However, arts agencies already depend heavily on private givers, and there is stiff competition for donor dollars.

Private donors may be able to take up the slack in some parts of the state, but that will be less likely in many rural areas. It's ironic that Brownback is cutting off state arts funding at the same time he is proposing tax breaks and other efforts to try to reverse the loss of population in rural Kansas. Providing a quality of life that includes art, music and other cultural offerings seems essential to attracting more people to live in those areas.

There also is an issue of jobs. In the press release announcing his executive order, Brownback cited the state's budget shortfall and the fact that 100,000 Kansas are unemployed. Yet, the Kansas Arts Commission contends that the state's nonprofit arts and cultural sector, is a \$153.5 million industry that supports 4,000 full-time equivalent jobs.

For those looking at the state's bottom line, it's also interesting to note that in the current fiscal year, state funding for the arts amounted to 29 cents per person.

Twenty-nine cents. The governor does not have an easy task. If you're trying to trim the state budget, you have to start somewhere, but state officials should take a hard look at whether eliminating the Kansas Arts Commission actually will be a net gain for the state.

Editorial: Arts for all Kansans

Beauty, it has been said, is in the eye of the beholder. Much the same goes for art, we would offer.

A starker difference could not be found between the current and former governors of Kansas regarding the Kansas Arts Commission with its mission to "provide opportunities for the people of Kansas to experience, celebrate and value the arts throughout their lives."

In the words of former Gov. Mark Parkinson: "You never know where we'll find the next William Allen White, Birger SandzÅ©n or Gordon Parks. That's why the work of the Kansas Arts Commission is so important; by continuing to celebrate, support and foster creativity, we can ensure that our history in the arts is second only to our future."

In the actions of current Gov. Sam Brownback: Executive Reorganization Order No. 39 abolished the Kansas Arts Commission and transferred its responsibilities to the Kansas Historical Society.

Unless either the Kansas Senate or House of Representatives moves to block Brownback's decree, KAC will disappear after 45 years of serving Kansans. All Kansans. The governor is so confident his order will become law, he's already hand-picked a group of eastern Kansans to serve as directors of his new Kansas Arts Foundation.

The governor's move appears motivated by savings in the budget and one step in reversing what he sees as ever-expanding government.

We would argue the \$600,000 saved in fiscal year 2012 is not worth the long-term effects eliminating the Kansas Arts Commission will have on the quality of life in our state.

That art is a vital component of civilized culture shouldn't be in question. Exposure to and enjoyment of the arts -- whether visual, dance, music, literary, theater, performance or any other medium -- helps broaden the mind. Even the most individualistic expression creates and strengthens community bonds. The Greek philosopher Aristotle placed arts and humanities on the same plane as mathematics and science in the development of intellectual curiosity, sound reasoning, personal fulfillment and responsible citizenship. It would seem plausible for the state of Kansas to justify arts funding even easier than training aviation workers for factory jobs.

Perhaps a more compelling argument could be found in the practical ways KAC's abolishment will affect the state's citizens. In addition to the \$800,000 KAC will not use next year for grants to support programs at local arts and culture organizations, schools and colleges, libraries, and parks and recreation programs to name but a few, the state likely will lose \$774,000 from the National Endowment for the Arts and \$400,000 from the Mid America Arts Alliance.

The economic and cultural ripple effects will be enormous. Ellis County alone would stand to lose \$27,552. Specific grants help support the Hays Arts Council, Western Strings Academy, special events at Fort Hays State University, the Hays Symphony Guild, Herzogfest and USD 489.

The arts are not supposed to be enjoyed solely by the elite. We worry the loss of so many free or low-cost events in our community would be adversely shouldered by children of hard-working parents who can't afford regular visits to larger communities in the eastern half of the state.

If nothing else, perhaps Gov. Brownback could be persuaded by the words of a former Kansas Republican

leader. It was President Dwight D. Eisenhower who said: "Let us resolve that this precious freedom of the arts, these precious freedoms of America, will, day by day, year by year, become ever stronger, ever brighter in our land."

At the very least, we would hope the Legislature recognizes the unjust effect on western Kansas and votes to rescind the governor's order.

The Wichita Eagle
February 9, 2010

Editorial: Don't ax arts agency

Gov. Sam Brownback disguised his order Monday abolishing the Kansas Arts Commission with wrapping paper and a big bow — by creating a new nonprofit Kansas Arts Foundation, complete with board of notables including three Wichitans. But this is no gift for either the arts or Kansas. State lawmakers should say "no, thanks" while they can and save Kansas' tested, effective state arts agency.

In the sixth of his seven executive reorganization orders — more than any governor since Robert Bennett in the '70s — Brownback formally transferred the commission's responsibilities to the Kansas Historical Society in an effort to maintain the state's ability to accept federal funds for the arts. His fiscal 2012 budget proposal includes \$200,000 to help the transition from public arts agency to private foundation. The plan would cut the state's arts investment by \$600,000 the first year and perhaps entirely after that, as the private group supposedly assumed the commission's mission.

"This consolidation is a modest step toward making our economic development structure leaner, more efficient, more accountable and more successful in growing the state," Brownback said Monday, restating his goal of protecting "the core functions of government" in the face of a \$500 million budget shortfall.

But that "modest step" will cost the state, starting with the message Kansas is sending around the nation by slashing arts funding and axing its state arts agency.

Even assuming the loss of federal arts dollars could be averted by funneling them through the Historical Society, worries about this damaging move remain: The new foundation's fundraising would end up competing with that of local arts groups. The artistic life of rural communities would be especially at risk, as would an important portion of the Kansas economy.

And would the replacement group really attract enough donations to make a difference? Wouldn't people prefer to donate locally, rather than have their dollars funneled through a Topeka-based nonprofit with no track record? Could the 242 recipients of the commission's most recent round of grants — from the Marshall County Community Band (\$1,644) to the Chanute Community Theatre (\$1,871) to Ballet Wichita (\$5,286) and the Wichita Art Museum (\$5,286) — really count on the state nonprofit to be there as needed?

Besides, the money to be saved is minimal: Eliminating arts funding cuts just 0.014 percent of the state general fund, or 29 cents per capita.

Over the next few weeks, either chamber of the Legislature has the power to stop Brownback's action. They should, giving the governor a wake-up call about what matters in Kansas.

Editorial: Keep rural Kansas strong

Our lawmakers in Topeka have a big challenge to balance the state's budget.

But they should not allow state support for the Kansas Arts Commission and public broadcasting to be eliminated, as the governor has set out to do.

The \$615,000 reduction for the arts commission proposed by the governor would cost it \$778,000 in federal matching money and jeopardize \$437,000 from the Mid-America Arts Alliance, a multi-state organization.

This triple-whammy would leave local arts groups in Cowley County unable to meet the responsibilities they have taken on to provide arts instruction for school-aged children.

Eliminating the entire \$1.6 million in state support for public broadcasting, as the governor wants to do, would no doubt diminish the quality of programming for viewers and listeners in less-populated rural areas like ours.

Arts organizations are also businesses. They enhance the climate for attracting and keeping business and industry.

If a legitimate function of state government in Kansas includes tax incentives for companies and individuals to locate in rural communities, then support for the quality of life in those communities cannot logically be neglected — any more than can infrastructure or social services.

Without state support and the leadership it implies, raising private funds for the arts and public broadcasting becomes more, not less, difficult.

Without that support, we risk driving people off the land and into the cities — or out of state — at increased rates. This is contrary to the stated objectives of the Brownback administration.

Balancing the state's budget is a tough job, both for the governor and the Legislature. But lawmakers would be wise to maintain state funding for the Kansas Arts Commission and public broadcasting.

Kansas is a strong, rural state in which to live and we want to keep it that way.

Editorial: Don't cut arts funding

Eliminating public funding for the arts in Kansas would be penny wise and pound foolish.

The impulse to cut out extras when facing a budget deficit makes sense. But the \$775,000 taxpayers spend through the Kansas Arts Commission is not an extra. It's an investment that pays big dividends for our lives and our economy.

One of the commission's primary purposes is to award grants and send money to smaller communities to support the arts and arts instruction.

This emphasis on community arts groups, such as the Arkansas City Area Arts Council, has clearly paid off for us in Cowley County.

We've seen it with a strong, active arts council here that is in the middle of renovating the Burford Theatre. It offers a range of services and programs in art, theater and music that enrich lives, not just in Ark City, but in outlying towns that have no arts organization.

The Ark City arts council teams with the USD 470 to provide after-school arts classes. This is paid for directly with Kansas Arts Commission funds.

Arts and economic development go hand in hand. Who wants to move a business or plant roots in a place where the arts are not valued and supported?

The commission's budget already has been cut nearly 50 percent the last two years. Kansas already is at the low end of states that support public funding for the arts.

Eliminating it entirely would jeopardize more than \$1 million in matching funds that come to Kansas from the National Endowment for the Art and Mid-America Arts Alliance.

We ask our lawmakers to take the long view here and see that public funding for the arts is a small investment that makes a big difference in our community.

Editorial: Arts money well-spent

Gov. Sam Brownback's proposal to privatize the Kansas Arts Commission and eliminate funding for public broadcasting is in keeping with his Senate voting record and the conservative orthodoxy about what can be considered the "core functions" of government. But it disregards the harm the cuts will do — especially given how little money would be saved, how disproportionately rural broadcasting stations would be affected, how many federal arts dollars could be sacrificed, and how much the state's cultural life would be diminished.

As it is, per capita spending in Kansas is 29 cents on the arts and 57 cents on public broadcasting (compared with the \$12.70 per capita, for example, spent on legislative and elected officials).

The governor's fiscal 2012 budget proposal would zero out the \$1.6 million in state funding for public TV and radio stations in Kansas and cut the Kansas Arts Commission's annual state funding from \$815,000 to just \$200,000 for its one-year transition into a private, nonprofit organization called the Kansas Arts Council.

According to arts advocates, as Kansas eliminated its arts funding and became the only state in the country without at least a quasigovernmental arts agency, it would cut off its access to \$778,300 in federal matching money, also jeopardizing \$437,000 it gets from the multistate Mid-America Arts Alliance. Such a potential loss of federal funds has been enough to stave off proposed privatization of other states' arts commissions, including in cash-strapped California.

Surely even those who don't care about the loss of federal dollars — and support the latest GOP efforts on Capitol Hill to eliminate funding for arts and public broadcasting — can see that a private state arts organization would not have the stature of a state agency. Rather than strategically make grants of public funds to arts organizations so they can use that endorsement to leverage private dollars, it suddenly would compete for private money with those very groups. And the lost state grants would be hard to replace for local arts groups: Public funds can help pay for basics, but private donors favor special, high-profile programs.

As for public broadcasting, its rich array of programming would be especially at risk in rural Kansas. High Plains Public Radio in Garden City and Smoky Hills Public Television in Bunker Hill, for example, would lose 20 and 22 percent of their budgets, respectively — money not easily offset by local donations. The stations that serve the cities would be hurt, too. But if state dollars evaporate, they at least have much bigger pools of potential private donors to make up the difference.

Then there is the cost of such shortsighted budget cuts in lost jobs in the creative fields and the revenues they generate, and in the lost opportunities for children to discover the artistic gifts and other interests that can fire their imaginations and enrich their entire lives. And as it hunts for new businesses and professionals, Kansas should be endorsing and fostering the arts. Instead, it's making national headlines for devaluing them, just as it recently did for doubting evolution.

A story that's being much retold these days in Britain, where arts funding is threatened by deficit reduction proposals, certainly applies here. When his finance minister suggested that arts funding be cut to support the war effort, conservative British Prime Minister Winston Churchill is said to have replied, "Then what are we fighting for?"

If Brownback can't see for himself how access to public radio and TV and the arts helps "grow the state," as he likes to say, it will be up to lawmakers to nix both proposals and be more creative about finding other budget cuts — for the good of Kansas' cultural identity, quality of life, and ability to compete for businesses, workers and visitors.

Editorial: The arts are good for Kansans and the economy

From the debate over evolution to Fred Phelps picketing funerals, Kansas seems to make national headlines for all the wrong reasons.

Now our state is again making national news for a similarly embarrassing scenario: the elimination of the Kansas Arts Commission.

On Feb. 7, Gov. Sam Brownback signed an executive order eliminating the state agency, making Kansas the only state in the nation without at least a quasi-governmental arts agency.

Instead, a private nonprofit arts foundation will replace the KAC. This may seem like a simple solution to save the state thousands of dollars, but the loss of the KAC will result in grave consequences for the state and for the University of Kansas.

The KAC supports the arts in Kansas through grants, professional development programs and leadership initiatives. KAC provided the Spencer Art Museum with \$21,286 and the Lied Center with \$16,286 for the fiscal year of 2011. Without funding from the KAC, the Spencer Art Museum would likely have to make cuts, including one full-time art education position.

The overall economic benefits of losing the KAC are low, and the costs are great. This elimination will result in the loss of 4,000 jobs and \$1.2 million for the state, according to a press release from KAC Chairman Henry Schwaller. The state will lose \$778,200 in direct funding from the National Endowment for the Arts and \$437,767 in indirect grants and services from Mid-America Arts Alliance.

The Kansas arts and cultural sector is a \$153.5 million industry, according to the KAC website. An investment in the arts is an investment in private sector business, and cities thrive when the arts are supported. Investment in arts increases tourism, and businesses are more likely to locate in communities that support art programs and other quality-of-life enhancing amenities such as schools and libraries.

Public support for art programs also enables those with lower incomes to enjoy the same benefits as the affluent. Without public funding, arts organizations will have to cater to rich donors even more, and the number of people they reach will diminish.

It's no secret that today's economic climate requires drastic action, but cutting relatively small and successful organizations like the KAC won't solve the state's budget shortfall.

Every civilization is remembered for its cultural and community values. Kansas must preserve the arts to benefit today's communities as well as future generations.

Let's make headlines for that.

The Lawrence Journal-World
February 14, 2011

Letter to the Editor: Art not 'fat'

To the editor:

Government officials and the public need to more closely examine the repercussions of eliminating the Kansas Arts Commission and the effect it will have on our state. Many programs around the state utilize these funds in ways that provide skills needed for growth of their communities through arts-based means.

For instance, Van Go Inc. takes in at-risk youth, identified by school counselors, and teaches them both job and life skills. The students produce works of art, which are sold to the public, and earn wages for their efforts. Through this, many of these teens leave the program feeling the sense of self-worth and empowerment they may otherwise lack and now have the drive and determination to gain future employment and even attend college. In effect, at-risk teens are transformed from statistics to success stories. I have seen some of the program's teens working in local retailers and, I will tell you, many have better customer service skills and are more outgoing than many of their more-privileged peers.

The effects of these efforts from arts-based organizations such as Van Go should appeal to GOP officials and their supporters and not be seen as "fat" to be trimmed. With government support or not, I ask that members of the community increase their support of the arts and arts-based organizations.

Tyler Lindquist, Lawrence

The Hutchinson News
February 14, 2011

Letter to the Editor: Value of arts

Gov. Brownback's recent executive order to eliminate the Kansas Arts Commission is a blow to rural communities across the state of Kansas. With the potential loss of the KAC, Kansas will lose access to more than \$1 million distributed through the state arts agency. Within larger communities such as Wichita and Kansas City, the small grants available through KAC can be replaced by local donations and fundraising. But within the smaller communities - even Hutchinson - the loss of funding stability provided by small operating grants from KAC can be difficult to replace.

The arts are both personal and public. Eliminating a government agency will not prevent people from expressing themselves artistically. But the stability of public funding allows smaller communities to build richer and more interesting places for us to live and work. A small investment in the arts pays back in multiple ways through educational activities, support for artists and the shared experience of our cultural and artistic heritage. If you have a concern about the loss of the KAC as a state supported agency, contact your legislators and make your voice heard.

Lisa French, Partridge

Letter to the Editor: Arts funding

To the editor:

Why should government support the arts is a good question. The number one reason why the government should cut the arts in Kansas is a simple one, because compared to states like New York, California, Illinois, Washington, Colorado, Texas and others, we have next to no arts. The Kansas Arts Commission's budget has been cut so many times within the past several years that it is hard for them to fund anything, but yet they still do. Some local residents have actually benefited from these grants.

Art has directly been influenced by what is going on in the times, representing world governments, political and religious views. If one would like an example, one would only have to research the names of Pollock, Warhol, Monet, Van Gogh, Michelangelo, Da Vinci, Traza, Hugo, Shakespeare and Bach. During the Depression, the arts were one of the things that the U.S. government chose to pump money into to revitalize the economy. Let us not take a step backwards over \$700,000.

Before you support Gov. Brownback's proposal to cut funding for the KAC, think about this for a second: Summer Youth Theatre, The Lawrence Children's Choir, Art in the Park, Final Fridays, The Spencer, Murphy Hall, The Lied Center, The Lawrence Arts Center, Kansas Public Radio, Free State and Lawrence High fine arts. Now, imagine if it wasn't here anymore.

Chris Ortiz, Baldwin City

The Newton Kansan
February 2, 2011

Opinion: Arts commission 'levels the playing field'

We hear it every day. Business executives, school leaders, politicians all seeking creative solutions to serious issues facing our country. Where are our thinkers? Where are our innovators?

We are desperate for creative economic solutions. Creative solutions to health-care woes. Creative solutions to student achievement. Creative ways to save the environment.

President Obama in his recent State of the Union address challenged the United States to regain our position as the world leader in education, production, innovation.

Yet now — when we most need to enhance and broaden inventive thinking — Kansas is poised to pull the plug on the funding stream that breeds creativity. The arts.

It seems ironic that at a time when all sides agree on the need for insightful new perspectives on confronting old problems, some have recommended slashing the area of the budget whose outcome is strengthening the creative process.

Gov. Brownback is in a tough position. Kansas faces a \$550 million deficit, and no easy cuts remain. Need outweighs revenue.

Debate about funding the Kansas Arts Commission is generating a grassroots buzz. Some see public art as key to enriching the cultural fabric of our communities, while others consider art “fluff.” Many consider the arts vital to economic development and business recruitment; others think art is elitist.

Public art encompasses visual arts, instrumental and vocal music, theater and performing arts. The Kansas Arts Commission and the Mid-America Arts Alliance receive federal dollars they, in turn, must distribute broadly throughout the state.

These grants help small arts entities with infrastructure improvements, operations, technology updates. Grants help rural communities bring in performances and artists they otherwise would have no access to.

Locally, our Carriage Factory Art Gallery, the Newton Mid-Kansas Symphony Orchestra, Bethel College Academy of Performing Arts, and the Hesston-Bethel Performing Arts series depend on modest financial support from the state.

Because of Kansas Arts Commission funding, public performances and art exhibits are offered free or at a nominal charge. Funding from the KAC is essential to Newton and other cities that value the arts as a proven strategy for economic growth.

While major cities have a population and corporate base from which to draw private funding for cultural events, most rural communities simply cannot generate adequate donations.

In 2010, the state budgeted a nominal \$815,000 for the Kansas Arts Commission. Cutting this amount scarcely balances the state’s \$550 million deficit. But if that same \$815,000 remains in the KAC budget, it can be leveraged effectively to bring in additional funding from national arts programs and private corporate foundations to benefit local art projects. Without a state arts organization, Kansas will be unable to qualify for these additional matching funds.

Without the Kansas Arts Commission, stages go dark, music is silenced. The Kansas canvas turns beige.

Funding the arts is the right thing to do. Why? Because public art is a democratic event.

Public art levels the playing field. It provides access to intriguing paintings and quizzical sculpture, ethnic music and edgy theater. Public art inspires our talented teenagers to pursue their artistic dreams.

Public art brings bright colors, touchable textures, curious shapes and resonant sounds into lives tarnished by poverty.

Public art offers us a common talking point, regardless of our education or background.

Public art is democratic art. Participatory art. No hushed marble museums. No pretentious, intimidating lectures. No haves and have nots.

Public art embraces us all.

Throughout history, Americans have funded the arts during our gloomiest economic times. Art lifts spirits, builds hope, renews psychic energy.

FDR, in the depth of the Great Depression, enacted legislation that led to an arts renaissance. We built the Empire State Building and the Golden Gate Bridge in the 1930s. The government inked WPA funds for public murals, architecture and sculptures nationwide. Visionary leadership.

Today we count these among our national treasures. Priceless investments.

Individuals with financial means always can enjoy beautiful art and personal interaction with artists and musicians, storytellers and actors. Their children will experience the best art museums here and abroad. They will grow up with music, literature, theater.

I find it unthinkable that in this economic down-turn, the state of Kansas would be willing to move art out of the realm of the general public. Privatizing art changes the rules. Privatizing art restricts access, builds walls, blurs understanding.

If we stand by and allow draconian cuts to the state arts budget, we make a statement that art and culture is the privy of a selected class of citizens. That is not the thinking that made Kansas great.

Our state's economy is struggling and budget maneuvers are inevitable. Smart decisions require long-term vision. Eliminating the Kansas Arts Commission for minimal short-term gain promises long-term pain.

Barbara Burns is the community advancement coordinator for the city of Newton.

The arts mean business, and local jobs

Gov. Brownback has proposed a privatization of the Kansas Arts Commission beginning in 2012, pulling all state funding from the agency. Those who believe that government support for the arts is a waste of precious states funds in difficult economic times should consider the following:

The Arts mean business According to a recent study by Americans for the Arts, the Kansas nonprofit arts and cultural sector is a \$153.5 million industry, supporting more than 4,000 full-time equivalent jobs, generating more than \$15 million in local and state revenue. People who attend community arts events also shop, spend money on gasoline, dinner and child care — contributing to local economies. An economic impact calculator developed by American's for the Arts estimates Newton Area Arts Council organizations generate \$1.3 million in economic activity, about 35 local jobs and \$55,000 in state government revenue annually. The Kansas Arts Commission returned \$22,138, less than half of that total, to Harvey County arts organizations this year (down from \$32,000 in FY10).

Arts organizations in Harvey County already receive the majority of their funding from private sources. Kansas Arts Commission funds account for only 5 to 10 percent of arts budgets, but the state's matching requirements help to leverage private dollars and often make the difference necessary to keep the lights on. Loss of state funds could mean that Bethel College Academy of Performing Arts will have to vacate its downtown location, leaving an empty storefront and eliminating significant downtown retail traffic. It could mean the symphony has to eliminate a concert or that all of our organizations will need to raise ticket and tuition prices, making the arts accessible only to the most well off. If the Kansas Arts Commission becomes a non-profit, it will be competing for the same money as the organizations and people that is it trying to serve. The ripple effect of cuts could mean the loss of real jobs.

People and businesses take culture into account when they think about where to live and work. The Governor has wisely proposed to stimulate growth in rural Kansas through a tax break to new residents, but the elimination of state arts dollars would hurt the arts in small communities the most. People do not want to move to a cultural wasteland.

In Fiscal Year 2011, the state spent .29 cents per capita on the arts. If the Governor's proposal is accepted, Kansas will spend .07 cents per person in FY12— far less than any other state in the nation (California, ranked 50th, spends .12 cents per person). A year after that, Kansas would be the only state in the nation to completely eliminate the arts from state funding.

Kansas will lose federal funds. Kansas will lose \$1.2 million in funding from the National Endowment for the Arts and its partner organizations if the commission is privatized. The NEA will only support state arts agencies who match federal NEA funds with state funds. The governor's proposal would eliminate \$1.8 million from the budget to save only about \$500,000 or 0.1 percent of the projected state shortfall.

Public arts funding results in the leveraging of private dollars and real economic development. Kansas jobs should not be put at risk for a cut that will cost more dollars than it will save. Call Gov. Brownback at 877-KSWORKS, Rep. Marc Rhoades and Sen. Carolyn McGinn and tell them so.

Matt Schlöner is a past president of the Newton Area Arts Council

Letter to the Editor:

Arts organizations statewide have felt the effects of economic cutbacks. The Kansas Arts Commission, a financial grantor of such arts organizations as the Goodland Arts Council, has had to decrease the amount of annual grant funding since 2008. Governor Brownback's budget completely eliminates the KAC as a state organization by July 1st. The budget cuts about \$800,000 in state spending and provides \$200,000 to the State Historical Society to help transition the KAC into a private organization – losing \$778,300 in direct funding from the National Endowment for the Arts and \$437,767 in grants and services from the Mid-American Arts Alliance.

The Goodland Arts Council, responsible for the operations of the Carnegie Arts Center, receives its support from a number of sources: memberships (30%), fundraisers (20%), business sponsorships (10%), City/County Support (11%), and state grant (8-10%). The balance of revenue is generated by mini grants, workshops, individual/business contributions and rental of our facility. Even small variances of contributions can make quite an impact on our budget. Many rural communities are unable to raise enough private dollars to sustain art programs without the support of the state.

To reduce state funding for the arts will result in undercutting the tourism, economic development and revitalization of our community, our region and our state. A cultural community beautifies cities, provides employment, attracts residents and tourists, complements businesses, enhances property values, expands the tax base and contributes to a creative and innovative environment.

Each artist who displays and sells their artwork is a small taxable business. Currently, the Carnegie Arts Center has over 50 artists displaying their artwork at our facility; therefore, the Arts Center is currently growing over 50 taxable businesses in our community. We also are one of only a handful of gift shops, open seven days a week, in our region.

Studies show that students who participate in the arts demonstrate improved academic performance and have lower dropout rates. Without elementary art classes in the Goodland school curriculum, the Carnegie Arts Center offers year-round classes for students. New this year are monthly children's exhibits at the Center.

In 2001, Kansas ranked 45th in the country with per capita funding of the arts. We spent 63 cents per person each year on the arts. Ten years later, the state currently spends 29 cents per capital on the arts. If the Governor's order, impacting the arts, is not rescinded, we will only be spending 7 cents per person, far less than any other state in the nation.

The questions that need to be asked are what effect will losing funding have on rural Kansas? Can we be as competitive in tourism, economic development and community revitalization as other states that have received far more funding for the arts?

Kay Younger
Goodland Arts Council

Arts & Economic Prosperity III

The Economic Impact of Nonprofit Arts and Culture Organizations and Their Audiences in THE STATE OF KANSAS (FY2007)

The *Arts & Economic Prosperity III* study provides compelling new evidence that the nonprofit arts and culture are a \$153.5 million industry in the State of Kansas—one that supports 4,612 full-time equivalent jobs and generates \$15.6 million in local and state government revenue.

Economic Activity		Arts and Culture Organizations	+	Arts and Culture Audiences	=	Total Expenditures
Total Industry Expenditures		\$80,286,603		\$73,235,995		\$153,522,598

Nonprofit arts and culture organizations, which spend \$80.3 million each year, leverage a remarkable \$73.2 million in additional spending by arts and culture audiences—spending that pumps vital revenue into local restaurants, hotels, retail stores, parking garages, and other businesses.

Impact of Nonprofit Arts and Culture Organizations	
Total Expenditures	\$80,286,603
Full-Time Equivalent Jobs	3,114
Resident Household Income	\$60,311,000
Local Government Revenue	\$2,708,000
State Government Revenue	\$3,897,000

Impact of Nonprofit Arts and Culture Audiences	
Total Expenditures	\$73,235,995
Full-Time Equivalent Jobs	1,498
Resident Household Income	\$34,749,000
Local Government Revenue	\$3,310,000
State Government Revenue	\$5,719,000

Event-Related Spending by Arts and Culture Audiences Totaled \$73.2 million (excluding the cost of admission)

Attendance at Arts and Culture Events	Resident* Attendees	+	Non-Resident* Attendees	=	All Attendees
Total Attendance at Arts and Culture Events	3,297,586		445,417		3,743,003
Percentage of Total Attendance	88.1 percent		11.9 percent		100 percent
Average Event-Related Spending Per Person	\$15.20		\$51.89		\$19.58
Total Event-Related Expenditures	\$50,123,307		\$23,112,688		\$73,235,995

By demonstrating that investing in the arts and culture yields economic benefits, *Arts & Economic Prosperity III* lays to rest the common misconception that communities support the arts and culture at the expense of local economic development. In fact, communities that support the arts and culture not only enhance their quality of life, they also invest in their economic well-being.

This report shows conclusively that **the arts mean business in Kansas!**

*Residents live within the State of Kansas; Non-residents live outside of Kansas.
For study details visit <http://arts.ks.gov>
Source: Americans for the Arts, 2009, www.AmericansForTheArts.org





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NCSL Labor and Economic Development Committee - Policy

Arts, Culture and Economic Development

expires August 2013

Arts and culture can influence an array of policy goals, including economic development, rural development, urban revitalization, revenue generation, tourism, accessibility and participation, diversity, education, and youth development. For many of these areas, states and the federal government are partnered. Support for the production, distribution, and infrastructure of the arts is critical to success in tourism, attracting business interests, economic development, and quality of life issues. Further, the arts are a core academic subject in our schools. Strong and sequential arts education through primary and secondary school contributes to student success and workforce development. In our education systems, the study of the arts should remain vibrant. The National Conference of State Legislatures (NCSL) encourages a better and stronger understanding of this partnership as well as a reasoned study and understanding of the inputs and benefits.

Economic Development

Arts and culture are consistent sources of economic growth, during both good and difficult economic times. Specifically, arts and culture policies and programs increase economic development in states by attracting businesses, creating new jobs, increasing tax revenues and promoting tourism. Additionally, the arts and culture play a key role in urban revitalization and community renewal strategies. NCSL encourages the federal government to support arts and culture through investments in programs that will promote economic development, jobs creation, and community revitalization at the state and local level.

Tourism

Tourism is a vital element of state economic development, diversification, and rural development programs, as well as a leading services sector employer. NCSL encourages Congress and the Administration to open and maintain consultative processes with state governments, and state legislatures in particular, to ensure that state and federal policies and programs encourage the continued vitality of this important sector of the economy. Further, federal economic development and disaster recovery programs should include tourism among the activities eligible for support.

National Heritage Areas

The National Park Service defines a National Heritage Area as a place designated by the United States Congress where natural, cultural, historic, and recreational resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. Recognizing these areas as viable drivers for historic preservation and cultural tourism, the National Park Service and the Congress should consult state legislators, as both state policymakers and community leaders, to identify ways of maximizing the National Heritage Area designation to the benefit of their communities and their states.

Collaboration and Coordination

The National Endowment for the Arts, the National Endowment for the Humanities, the National Trust for Historic Preservation, the White House Preserve America initiative, offices within USDA Rural Development, the National Park Service, the Smithsonian Institution, the U.S. Department of Education, and many others are engaged in promoting various aspects of culture, the arts, heritage preservation, and tourism. NCSL encourages collaboration and coordination among these disparate agencies and budgetary line-items with state legislatures to ensure that the policy and program outcomes meet the needs and goals identified by state policymakers. Further, this collaboration and coordination should improve the identification and sharing of best practices from and among the states and the federal government.

[Labor and Economic Development Committee](#)

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The Value of the Kansas Arts Commission

Five years ago our farmers' market grossed in the mid \$60,000 for a season. They were only half full of vendors and were constantly looking for ways to increase vendors and customers. Three years ago our local arts commission - partially funded by the Kansas Arts Commission - started providing entertainment on Saturday mornings at the farmers' market. This past season the market grossed just under \$300,000, has a waiting list of vendors and is looking to build more market space. With the addition of the musicians, artists, actors, etc, our farmers' market became the place to be on Saturday morning. Incomes were increased, new businesses were started...and much of that due to the partnership with the Arts Commission.

- Comment on Kansas.com

Private sources tell me all their funds are committed for projects they have already funded and there are no new funds for the coming year. The one grant that I had secured goes away without the Kansas Arts Commission. As I work on the budget, I wonder if I will be able to employ anyone next year.... so much for stabilizing the economy. Again, this will happen multiple many times over in the state of Kansas.

I have tears and rage all mixed together for what has been done. This year I had to find an additional \$27,000 because of the cuts to KAC. Next year I will have to add another \$29,000 trying to find sources to help fund our programs.

- Arts organization executive director

The arts are an extremely important part of the fabric of this state and bring in far more money than it costs the state to promote them through the KAC. In my opinion, it is very, very short sighted to eliminate this organization. Making it a nonprofit as suggested by the Governor for all intents and purposes will sound the death knell for this organization... or worse, politicize it among the various geographic regions of the state to the extent that it is totally ineffective. The private sector is already investing millions of dollars into the arts in order to strengthen their respective communities and the state as a whole.

The support that the arts receive through the private sector is indicative of the importance that our citizens place on the arts in our State. With our public schools cutting out arts related programs as a result of state funding cutbacks, we are going to be left with a cultureless pit in this State if we don't step forward and demand that our state government help support this aspect of our culture. . . . [O]ur leaders in the statehouse . . . talk about economic development and at the same time drop support for an area (arts and culture) which makes this a desirable place for businesses to locate. As you know, thousands of Kansans are employed by and through arts related organizations and the cost to the State of Kansas in adequately funding the KAC is a pittance in relation to the entire state budget...even after it is cut to shreds.

-Roger Viola, President
Topeka Community Foundation

The Arts in Kansas: A Return on Investment

The arts build prosperity.

Kansas nonprofit arts and cultural sector is a \$153.5 million industry, supporting over 4,000 full-time equivalent jobs and generating over \$15 million in state and local government revenues.*

Cities thrive, grow, attract and retain businesses when the arts are supported. Investment in the arts increases the capacity of Kansas cities to build tourism and broaden their tax base.

The arts build our future workforce.

Arts education is proven to keep students in school, increase high school graduation rates and prepare students for college and for the careers of the 21st century economy.

The new economy requires a workforce that will be highly disciplined, innovative, creative and focused. These are the traits the arts teach.

The arts enrich us all.

Kansas is a national leader in personal artistic creation.**

Kansans value the arts, and they understand how the arts contribute to their lives, to their communities and to their children.

People who are involved in the arts are also more civically engaged – they volunteer and they vote.

State funding leverages local and private funding, but many communities, particularly in rural areas, are unable to raise enough private dollars to sustain arts programs without state support.

Kansas commits 85% of state general fund dollars annually to education and Medicaid. The arts significantly increase the return on this investment by addressing issues such as workforce development and childhood poverty and health, while broadening the tax base statewide.

* 2007 Economic Impact of Nonprofit Arts and Culture Organizations and Their Audiences in the State of Kansas, Americans for the Arts

** 2008 Survey of Public Participation in the Arts, National Endowment for the Arts



Visit <http://arts.ks.gov> for more information.



Fiscal Year 2011: Constituents Served

Listed by County

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Allen	Total Grantees this County: 4	Total Granted this County:	\$15,788
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Bowlus Fine Arts Cultural Center Trust	American Masterpieces Program	\$1,000	
Bowlus Fine Arts Cultural Center Trust	Kansas Arts on Tour Program	\$7,279	
Bowlus Fine Arts Cultural Center Trust	Operational Support	\$5,286	
Iola Community Theatre Inc	Operational Support	\$2,223	

Atchison	Total Grantees this County: 2	Total Granted this County:	\$9,743
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Atchison Art Association	Operational Support	\$4,457	
Theatre Atchison Inc	Operational Support	\$5,286	

Barber	Total Grantees this County: 1	Total Granted this County:	\$2,425
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Border Line Theatre Inc	Operational Support	\$2,425	

Barton	Total Grantees this County: 3	Total Granted this County:	\$8,376
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Barton County Arts Council Inc	Operational Support	\$2,460	
Barton Cty Comm College, Shafer Gallery	Operational Support	\$3,603	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Great Bend Community Theatre Inc	Operational Support	\$2,313
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Bourbon	Total Grantees this County: 2	Total Granted this County:	\$5,109
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Bourbon County Arts Council		Operational Support	\$1,805
Gordon Parks Center for Culture & Diversity		Operational Support	\$3,304

Butler	Total Grantees this County: 3	Total Granted this County:	\$13,313
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Augusta Arts Council Inc		Kansas Arts on Tour Program	\$3,350
Augusta Arts Council Inc		Operational Support	\$5,286
Coutts Memorial Museum of Art		Operational Support	\$4,677

Chase	Total Grantees this County: 2	Total Granted this County:	\$12,786
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Symphony in the Flint Hills Inc		Kansas Arts on Tour Program	\$7,500
Symphony in the Flint Hills Inc		Operational Support	\$5,286

Cloud	Total Grantees this County: 2	Total Granted this County:	\$7,286
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Brown Grand Opera House Inc		Operational Support	\$5,286

FY11 ANT LISTING BY COUNTY, 1/18/2011

Solomon Valley Highway 24 Heritage Alliance	Arts-in-Communities Project Mini-Grant	\$2,000
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Cowley	Total Grantees this County: 4	Total Granted this County:	\$19,107
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Arkansas City Area Arts Council Inc		Kansas Arts Learning	\$8,000
Arkansas City Area Arts Council Inc		Kansas Arts on Tour Program	\$1,050
Arkansas City Area Arts Council Inc		Operational Support	\$5,286
Winfield Arts & Humanities Council Inc		Operational Support	\$4,771

Crawford	Total Grantees this County: 2	Total Granted this County:	\$7,634
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
City of Pittsburg Memorial Auditorium		Operational Support	\$5,286
Pittsburg Community Theatre Inc		Operational Support	\$2,348

Decatur	Total Grantees this County: 1	Total Granted this County:	\$3,291
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
City of Oberlin Arts and Humanities		Operational Support	\$3,291

Dickinson	Total Grantees this County: 2	Total Granted this County:	\$7,902
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Arts Council of Dickinson County Inc		Operational Support	\$2,616

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Great Plains Theatre	Operational Support	\$5,286
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Douglas	Total Grantees this County: 27	Total Granted this County:	\$121,957
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<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>
Americana Music Academy	Operational Support	\$3,862
Baldwin City Community Theater Inc	Operational Support	\$2,207
Baldwin Community Arts Council Ltd	Operational Support	\$1,696
Downtown Lawrence Inc	Arts-in-Communities Project Mini-Grant	\$2,000
Francisca Maria Velasco	Artist Collaboration Grant	\$5,000
Kansas Univ Endowment Assn, Friends of Theatre	Operational Support	\$2,742
Lawrence Art Guild Association	American Masterpieces Program	\$1,000
Lawrence Art Guild Association	Operational Support	\$2,421
Lawrence Arts Center Inc	Kansas Arts Education Leadership	\$10,000
Lawrence Arts Center Inc	American Masterpieces Program	\$1,000
Lawrence Arts Center Inc	Kansas Arts on Tour Program	\$480

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Lawrence Arts Center Inc	Operational Support	\$5,286
Lawrence Chamber Orchestra	Operational Support	\$1,777
Lawrence Children's Choir Inc	Operational Support	\$5,286
Lawrence Children's Choir, Inc.	Kansas Arts Learning	\$8,000
Lawrence Children's Choir, Inc.	American Masterpieces Program	\$1,000
Lawrence Community Theatre Inc	Kansas Arts Education Leadership	\$7,840
Lawrence Community Theatre Inc	Operational Support	\$5,286
Lucia Orth	Artist Innovation Grant	\$1,927
Mari LaCure	Artist Innovation Grant	\$289
Univ of Kansas Ctr for Research Inc (Lied Center)	Kansas Arts Education Leadership	\$10,000
Univ of Kansas Ctr for Research Inc (Lied Center)	American Masterpieces Program	\$1,000
Univ of Kansas Ctr for Research Inc (Lied Center)	Operational Support	\$5,286
Univ of Kansas Ctr for Research Inc (Spencer)	Kansas Arts Education Leadership	\$16,000

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Univ of Kansas Ctr for Research Inc (Spencer)	Operational Support	\$5,286
Van Go Mobile Arts Inc	Kansas Arts Education Leadership	\$10,000
Van Go Mobile Arts Inc	Operational Support	\$5,286

Edwards	Total Grantees this County: 1	Total Granted this County:	\$1,408
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Edwards Cty Economic Development Corp		Arts-in-Communities Project Mini-Grant	\$1,408

Ellis	Total Grantees this County: 8	Total Granted this County:	\$27,552
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Fort Hays State Univ Special Events		Operational Support	\$5,286
Fort Hays State Univ Western Strings Academy		Operational Support	\$2,217
Hays Arts Council Inc		Kansas Arts Learning	\$8,000
Hays Arts Council Inc		American Masterpieces Program	\$1,000
Hays Arts Council Inc		Operational Support	\$5,286
Hays Symphony Guild Inc		Operational Support	\$1,763
Herzogfest Inc		Arts-in-Communities Project Mini-Grant	\$2,000

FY11 GRANT LISTING BY COUNTY, 1/18/2011

USD 489 Hays	Arts-in-Communities Project Mini-Grant	\$2,000
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Ellsworth	Total Grantees this County: 1	Total Granted this County:	\$5,286
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Post Rock Opportunities Fdn	Operational Support	\$5,286	

Finney	Total Grantees this County: 4	Total Granted this County:	\$15,539
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Southwest Arts & Humanities Council Inc	Operational Support	\$4,698	
Southwest Kansas Live on Stage	American Masterpieces Program	\$1,000	
Southwest Kansas Live on Stage	Operational Support	\$5,286	
Tumbleweed Festival Inc	Operational Support	\$4,555	

Ford	Total Grantees this County: 2	Total Granted this County:	\$6,286
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Depot Theater Company	Operational Support	\$5,286	
Depot Theater Company*The	American Masterpieces Program	\$1,000	

Franklin	Total Grantees this County: 5	Total Granted this County:	\$20,461
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Ottawa Community Arts Council Inc	Kansas Arts Learning	\$8,000	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Ottawa Community Arts Council Inc	Operational Support	\$3,621
Ottawa Suzuki Strings Inc	American Masterpieces Program	\$1,000
Ottawa Suzuki Strings Inc	Operational Support	\$5,286
Writing Conference Inc	Operational Support	\$2,554

Geary	Total Grantees this County: 3	Total Granted this County:	\$13,154
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Junction City Arts Council Inc	Kansas Arts Learning	\$3,334	
Junction City Arts Council Inc	Operational Support	\$5,286	
Junction City Little Theatre	Operational Support	\$4,534	

Graham	Total Grantees this County: 1	Total Granted this County:	\$600
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Graham County Arts Council Assn	Kansas Arts on Tour Program	\$600	

Harvey	Total Grantees this County: 8	Total Granted this County:	\$22,138
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Bethel College Academy of Performing Arts	Operational Support	\$5,286	
Hesston College, Hesston Bethel Performing Arts	Kansas Arts on Tour Program	\$866	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Hesston College, Hesston Bethel Performing Arts	Operational Support	\$3,927
Newton Community Children's Choir	Operational Support	\$3,281
Newton Fine Arts Association	American Masterpieces Program	\$1,000
Newton Fine Arts Association	Operational Support	\$4,078
Newton Mid KS Symphony Orchestra Assoc Inc	American Masterpieces Program	\$1,000
Newton Mid KS Symphony Orchestra Assoc Inc	Operational Support	\$2,700

Johnson	Total Grantees this County: 22	Total Granted this County:	\$111,529
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Arts Council of Johnson County	Operational Support	\$5,137	
Arts In Prison Inc	Operational Support	\$5,286	
Chestnut Fine Arts Center	Operational Support	\$5,286	
Diane Glancy	Artist Innovation Grant	\$1,000	
Filipino Assn of Greater Kansas City	Operational Support	\$5,286	
Hidden Glen Arts Festival Inc	Operational Support	\$2,446	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Johnson County Comm College Fdn, Nerman	Operational Support	\$5,286
Kansas City Chamber Orchestra Inc	American Masterpieces Program	\$1,000
Kansas City Chamber Orchestra Inc	Operational Support	\$3,822
Kansas City Friends of Alvin Ailey	Kansas Arts Education Leadership	\$10,000
Kansas City Repertory Theatre	Kansas Arts Education Leadership	\$16,000
Kansas City String Quartet Program	Kansas Arts Learning	\$8,000
Kansas City Youth Jazz Inc	Operational Support	\$5,286
Lacy Johnson	Artist Innovation Grant	\$2,000
Lyric Opera of Kansas City Inc	Kansas Arts Education Leadership	\$10,000
Olathe Civic Band Inc	Operational Support	\$1,550
Red Echo Group	Operational Support	\$5,286
Reena Berger-Natenberg	Artist Innovation Grant	\$2,000
Theatre for Young America Inc	Operational Support	\$5,286

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Wonderscope Inc	Operational Support	\$5,286
Youth Symphony Assn of Kansas City Inc	American Masterpieces Program	\$1,000
Youth Symphony Assn of Kansas City Inc	Operational Support	\$5,286

Labette	Total Grantees this County: 1	Total Granted this County:	\$1,569
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
City of Parsons, Parsons Arts & Humanities		Operational Support	\$1,569

Leavenworth	Total Grantees this County: 1	Total Granted this County:	\$5,286
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Carnegie Arts Center in Leavenworth		Operational Support	\$5,286

Lincoln	Total Grantees this County: 1	Total Granted this County:	\$2,953
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Lincoln Arts & Humanities Fdn		Operational Support	\$2,953

Linn	Total Grantees this County: 1	Total Granted this County:	\$1,762
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Library District 2 of Linn County		Kansas Arts on Tour Program	\$1,762

Lyon	Total Grantees this County: 3	Total Granted this County:	\$18,486
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Emporia Arts Council		Kansas Arts Learning	\$8,000

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Emporia Arts Council	Kansas Arts on Tour Program	\$5,200
Emporia Arts Council	Operational Support	\$5,286

Marshall	Total Grantees this County: 4	Total Granted this County:	\$8,971
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
City of Marysville	Arts-in-Communities Project Mini-Grant	\$2,000	
Marshall County Arts Cooperative	Operational Support	\$3,176	
Marshall County Community Band	Operational Support	\$1,644	
Marysville Area Community Theater Inc	Operational Support	\$2,151	

McPherson	Total Grantees this County: 6	Total Granted this County:	\$16,091
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Birger Sandzen Memorial Gallery	American Masterpieces Program	\$800	
Birger Sandzen Memorial Gallery	Operational Support	\$5,286	
Broadway RFD Inc	Operational Support	\$2,182	
Lindsborg Arts Council	Operational Support	\$2,314	
McPherson Arts Council Inc	Operational Support	\$2,149	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Raymer Society for the Arts	Operational Support	\$3,360
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Meade	Total Grantees this County: 1	Total Granted this County:	\$3,164
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Fowler Arts Council Inc		Operational Support	\$3,164

Montgomery	Total Grantees this County: 3	Total Granted this County:	\$9,723
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Coffeyville Cultural Arts Council Inc		Operational Support	\$3,497
William Inge Theatre Festival Fdn		Operational Support	\$5,286
Zion Evangelical Lutheran Church		Kansas Arts on Tour Program	\$940

Nemaha	Total Grantees this County: 1	Total Granted this County:	\$2,000
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Nemaha County Training Center, Inc		Arts-in-Communities Project Mini-Grant	\$2,000

Neosho	Total Grantees this County: 2	Total Granted this County:	\$3,871
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Chanute Community Theatre Inc		Operational Support	\$1,871
Southeast Kansas Area Agency on Aging		Arts-in-Communities Project Mini-Grant	\$2,000

Osage	Total Grantees this County: 2	Total Granted this County:	\$1,786
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Osage City Area Arts Council	Kansas Arts on Tour Program	\$220
Osage City Area Arts Council	Operational Support	\$1,566

Phillips	Total Grantees this County: 2	Total Granted this County:	\$7,557
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Huck Boyd Foundation		Operational Support	\$5,286
Phillips County Arts Council Inc		Operational Support	\$2,271

Pottawatomie	Total Grantees this County: 1	Total Granted this County:	\$5,286
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Columbian Theater Foundation Inc		Operational Support	\$5,286

Reno	Total Grantees this County: 10	Total Granted this County:	\$29,722
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Haven Chamber of Commerce		Arts-in-Communities Project Mini-Grant	\$2,000
Hutchinson Art Assn		Operational Support	\$4,790
Hutchinson Arts and Humanities Inc		Operational Support	\$3,299
Hutchinson Symphony Assn		Operational Support	\$3,264
Hutchinson Theatre Guild		Operational Support	\$2,083

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Hutchinson's Historic Fox Theatre Inc	American Masterpieces Program	\$1,000
Hutchinson's Historic Fox Theatre Inc	Kansas Arts on Tour Program	\$3,200
Hutchinson's Historic Fox Theatre Inc	Operational Support	\$5,286
Kansas State Fair	Kansas Arts on Tour Program	\$2,800
USD 313 Buhler	Arts-in-Communities Project Mini-Grant	\$2,000

Riley	Total Grantees this County: 8	Total Granted this County:	\$36,574
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Kansas State University, Beach Museum of Art	Kansas Arts Education Leadership	\$16,000	
Kansas State University, Beach Museum of Art	American Masterpieces Program	\$1,000	
Kansas State University, Beach Museum of Art	Operational Support	\$5,286	
Kansas State University, McCain	Operational Support	\$5,286	
Manhattan Arts Center Inc	Operational Support	\$5,286	
Manhattan Arts Center, Inc.	American Masterpieces Program	\$1,000	
Manhattan Arts Center, Inc.	Kansas Arts on Tour Program	\$1,251	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Side by Side Theatre & Music Inc	Operational Support	\$1,465
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Russell	Total Grantees this County: 4	Total Granted this County:	\$12,109
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
City of Russell-Deines Cultural Ctr	Operational Support	\$3,289	
Erika Nelson	Artist Innovation Grant	\$2,000	
Lucas Area Community Theater Inc	Operational Support	\$1,886	
Lucas Arts and Humanities Council Inc	Operational Support	\$4,934	

Saline	Total Grantees this County: 11	Total Granted this County:	\$59,349
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
City of Salina, Salina Arts & Humanities	Kansas Arts on Tour Program	\$7,465	
City of Salina, Salina Arts & Humanities Comm	Operational Support	\$5,286	
Rolling Hills Wildlife Adventure	Kansas Arts Learning	\$3,454	
Rolling Hills Wildlife Adventure	Arts-in-Communities Project Mini-Grant	\$2,000	
Salina Area Chamber of Commerce	Arts-in-Communities Project Mini-Grant	\$2,000	
Salina Art Center Inc	Kansas Arts Education Leadership	\$10,000	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Salina Art Center Inc	Operational Support	\$5,286
Salina Community Theatre Association Inc	Kansas Arts Education Leadership	\$8,000
Salina Community Theatre Association Inc	Operational Support	\$5,286
Salina Symphony Inc	Operational Support	\$5,286
Stiefel Theatre for the Performing Arts Fdn	Operational Support	\$5,286

Scott	Total Grantees this County: 1	Total Granted this County:	\$3,947
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Scott County Arts Council Inc		Operational Support	\$3,947

Sedgwick	Total Grantees this County: 26	Total Granted this County:	\$114,362
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Arts Council Inc		Operational Support	\$2,213
Arts Partners Inc		Operational Support	\$5,286
Ballet Wichita		Operational Support	\$5,286
Chamber Music at the Barn		Operational Support	\$5,286
Heart of America Men's Chorus Inc		Operational Support	\$3,465

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Kansas African American Museum	Operational Support	\$5,286
Kansas Music Educators Assn	Operational Support	\$5,286
Kansas Music Educators Association	American Masterpieces Program	\$1,000
Kristin Beal-DeGrandmont	Artist Innovation Grant	\$2,000
Mid-America All-Indian Center	Operational Support	\$5,286
Music Theatre for Young People Inc	Operational Support	\$5,101
Music Theatre of Wichita Inc	Operational Support	\$5,286
Opera Kansas Inc	Operational Support	\$2,655
Orpheum Performing Arts Centre Ltd	Operational Support	\$5,286
Patrick Duegaw	Artist Collaboration Grant	\$5,000
Tallgrass Film Association	Operational Support	\$4,970
Wichita Art Museum Inc	Operational Support	\$5,286
Wichita Black Arts Festival Assn	Operational Support	\$3,964

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Wichita Center for the Arts Inc	Operational Support	\$5,286
Wichita Chamber Chorale Inc	Operational Support	\$2,200
Wichita Children's Theater Inc	Operational Support	\$5,286
Wichita Community Theatre	Operational Support	\$2,504
Wichita Grand Opera Inc	Operational Support	\$5,286
Wichita State University College of Fine Arts Institute	Operational Support	\$5,286
Wichita State University, Ulrich Museum of Art	Operational Support	\$5,286
Wichita Symphony Society	Operational Support	\$5,286

Seward	Total Grantees this County: 4	Total Granted this County:	\$13,015
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Baker Arts Foundation	Kansas Arts on Tour Program	\$1,600	
Baker Arts Foundation	Operational Support	\$5,286	
Baker Arts Foundation*The	Kansas Arts Learning	\$4,392	
Southwest Symphony Society	Operational Support	\$1,737	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Shawnee	Total Grantees this County: 18	Total Granted this County:	\$66,314
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Arts Connect Inc	Operational Support	\$2,609	
Ballet Midwest Inc	Operational Support	\$2,738	
Friends of the Mulvane Art Museum Inc	American Masterpieces Program	\$1,000	
Friends of the Mulvane Art Museum Inc	Operational Support	\$5,121	
Marcia Cebulski	Artist Collaboration Grant	\$5,000	
Performing Arts for Children Inc	Kansas Arts on Tour Program	\$720	
Stephanie Lanter	Artist Collaboration Grant	\$5,000	
Sunflower Music Festival Inc	Operational Support	\$5,286	
Topeka Art Guild Inc	Operational Support	\$2,617	
Topeka Civic Theatre & Academy Inc	Operational Support	\$5,286	
Topeka Community Concert Assn	Operational Support	\$2,400	
Topeka Festival Singers	Operational Support	\$3,561	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Topeka Performing Arts Center Inc	Operational Support	\$5,286
Topeka Symphony Society	Kansas Arts Education Leadership	\$10,000
Topeka Symphony Society	American Masterpieces Program	\$1,000
Topeka Symphony Society	Operational Support	\$5,286
Valeo Behavioral Health Care Inc	Arts-in-Communities Project Mini-Grant	\$1,404
YWCA of Topeka, Ctr for Safety & Empowerment	Arts-in-Communities Project Mini-Grant	\$2,000

Sherman	Total Grantees this County: 2	Total Granted this County:	\$3,579
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Goodland Arts Council Inc	Kansas Arts on Tour Program	\$280	
Goodland Arts Council Inc	Operational Support	\$3,299	

Sumner	Total Grantees this County: 1	Total Granted this County:	\$2,000
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Wellington Recreation Commission	Arts-in-Communities Project Mini-Grant	\$2,000	

Thomas	Total Grantees this County: 4	Total Granted this County:	\$15,186
<u>GRANTEE</u>	<u>PROGRAM</u>	<u>GRANT AWARD</u>	
Kansas Music Teachers Assn	Operational Support	\$2,943	

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Pride of the Prairie Orchestra	Operational Support	\$1,586
Western Plains Arts Assn	Operational Support	\$4,035
Western Plains Arts Association	Kansas Arts on Tour Program	\$6,622

Trego	Total Grantees this County: 1	Total Granted this County:	\$960
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
City of Trego, Trego Arts Council		Kansas Arts on Tour Program	\$960

Wilson	Total Grantees this County: 1	Total Granted this County:	\$2,637
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Fredonia Arts Council Inc		Operational Support	\$2,637

Wyandotte	Total Grantees this County: 12	Total Granted this County:	\$44,003
<u>GRANTEE</u>		<u>PROGRAM</u>	<u>GRANT AWARD</u>
Accessible Arts Inc		Operational Support	\$5,286
Allegro Community Children's Choir		Operational Support	\$5,286
Associated Youth Services Inc		Kansas Arts Learning	\$6,360
Community Housing of Wyandotte County		Arts-in-Communities Project Mini-Grant	\$2,000
Gabriel Lewis-O'Connor		Artist Innovation Grant	\$2,000

FY11 GRANT LISTING BY COUNTY, 1/18/2011

Imago Dei: Friends of Christianity & the Arts	American Masterpieces Program	\$1,000
Imago Dei: Friends of Christianity & the Arts	Operational Support	\$5,286
Kansas City Performing Music & Arts Assn	Operational Support	\$1,982
Kaw Valley Arts & Humanities Inc	Operational Support	\$3,070
Kim Eichler-Messmer	Artist Innovation Grant	\$2,000
Medical Arts Symphony Inc	Operational Support	\$1,733
Storytellers Inc*The	Kansas Arts Learning	\$8,000

GRAND TOTAL GRANTEES: 242**GRAND TOTAL AWARDED: \$950,932**



February 25, 2011

The Honorable Pete Brungardt
Kansas Statehouse, Room 136-E
300 SW Tenth Street
Topeka, KS 66612

Dear Senator Brungardt:

Thank you for your letter and for the opportunity to address your questions concerning Governor Brownback's Executive Reorganization Order calling for the elimination of the Kansas Arts Commission with the provision that the Kansas Historical Society assume the functions of the State Arts Agency.

The National Endowment for the Arts has had a long-standing partnership with the Kansas Arts Commission. We believe that this partnership has brought substantial benefits to the people of Kansas. The Arts Endowment understands that reorganizations within state government are under consideration across the country due to economic pressures. However, the provisions of the Endowment's State Partnership Agreement must be met in order for the Endowment to release federal funds to a state arts agency.

I understand that the Kansas Senate's Federal and State Affairs Committee, of which you are chairman, is seeking guidance from the Endowment regarding the implications of the Governor's Executive Order. Specifically, you seek to understand the following:

1. How well has the current Kansas Arts Commission fulfilled its functions as a state arts agency in terms of its obligations to the federal agency?

The Kansas Arts Commission was last reviewed in January 2010 by an NEA panel of individuals from across the country having operational and programmatic expertise in state arts agency administration and oversight. The panel is charged with assessing the Commission's application and its statewide plan on the basis of the public process by which the plan was developed, the extent to which the plan addresses the cultural priorities of the State of Kansas and the NEA, and the accomplishments achieved by the Commission in relation to the plan. Of particular interest to the NEA is state arts agency's leadership in arts education and in strategies for making the arts available to those in underserved communities throughout Kansas.

Continued

National Endowment for the Arts
The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001

Sn Fed & State
Attachment 14

3-3-11

On the basis of panel review, the Kansas Arts Commission was deemed to have fulfilled its obligations to the National Endowment for the Arts, and qualified for three-year approval of its state arts plan for Kansas, which is the maximum length possible. The grant award of \$778,200 included a mix of basic support for satisfactorily addressing all criteria as well as special competitive support that is limited to those agencies that demonstrate exemplary work and innovative practices.

2. Based on your understanding of the Executive Reorganization Order, would the Kansas Historical Society or the Kansas Arts Foundation be eligible to receive National Endowment for the Arts matching funds?

My senior staff, including the NEA's General Counsel, reviewed the Executive Reorganization Order and provided the following comments to me:

Without more specificity as to the role and purpose of the Historical Society vis a vis a 501(c)3 Kansas Arts Foundation, NEA is unable to respond explicitly to the question of whether either organization would be eligible to receive NEA funding. We can say, however, that the potential exists for Kansas to forfeit its ability to receive NEA funding depending on how the restructuring addresses the NEA requirements for a fully functioning State Arts Agency.

Some of our observations concerning the Executive Order which preclude our ability to provide a direct response include:

- The Executive Order is silent on a 501(c)(3). For example, in section 2 of the Governor's Executive Order, the State Historical Society is designated as "the successor agency to which all powers, duties, and functions of the Kansas arts commission" pass on the effective date of the order.
- The relationship of the 501(c)(3) to the State Historical Society is unclear.
- It is unclear as to who will be the applicant to the NEA and who will be responsible for performing the responsibilities of the NEA Partnership Agreement and be accountable and responsible for appropriate use of federal funds.
- What staff will be responsible for developing and implementing the state plan, what will be their expertise, and to whom are they accountable?
- Without having the organizational structure, mission, and bylaws of the Historical Society and the 501(c)(3) available for review by NEA's General Counsel, NEA is unable to comment as to whether either would be eligible to receive NEA funds.

Continued

3. What are the criteria used by the National Endowment for the Arts to determine if an agency receives federal matching funds.

State Arts Agency Partnership Agreements are limited to the fifty state and six jurisdictional arts agencies. The legal eligibility requirements listed in guidelines are governed by the legislation. Both the guidelines and the legislation are on the agency's web site at <http://www.nea.gov/about/Legislation/Legislation.pdf>

The provision specifically concerning state and regional organizations is found at 20 U.S.C. § 954(g). Specifically,

- (g)(1) specifies the NEA Chairman's authority with respect to partnerships with the States;
- (g)(2) specifies what each State is required to provide in its application for funding, including its state plan which the Chairman is authorized to accept if the state plan meets the criteria specified in that subsection;
- (g)(3) specifies how and in what amounts funds are available for release to the States with adequate state plans;
- (g)(4)(A) stipulates that the "amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1)" – this is what is commonly referred to as the 1:1 matching requirement.

Further, the National Endowment for the Arts' investment in a state is predicated on a significant financial and programmatic commitment from state government to its arts council. The agency must have the capacity to carry out the significant responsibilities of the NEA Partnership Agreement, including:

- The implementation of an NEA-approved state arts plan, developed as a result of a comprehensive and inclusive planning process that addresses the state's cultural priorities and those of the NEA, as stipulated in the Endowment's strategic plan.
- Fair funding decisions based on criteria that take into account artistic excellence and merit, as determined primarily through a panel process.
- Maintenance of sound fiscal and administrative procedures.
- Demonstration of leadership in arts education and in strategies for making the arts available and accessible to those in underserved communities throughout the state.

Continued

4. What would be the timeline for effecting such a change as outlined in the Executive Reorganization Order to ensure that Kansas has access to federal funds for the state's next fiscal year, which begins July 1, 2011.

The timeline would be dependent upon satisfactory response to questions and a review of the documentation referenced in response to Question #1 and the State's ability to demonstrate that the newly designated state arts agency has the capacity to meet the requirements provided in the NEA's legislation and stated above in answer to Question #3.

5. If the state provides \$200,000 in state funds in Fiscal Year 2012 as transition funding and additional private funds are raised, would that be sufficient for the designated agency to receive the maximum possible amount of federal funding?

The NEA's authorizing legislation dictates that the NEA cannot exceed support beyond the level of a 1:1 match, in other words Federal funds may not be used to supplant non-federal funds. With respect specifically to a proposal for an allotment of \$200,000 in state funds to the Kansas Arts Commission and the remaining amount required to receive the full federal allotment made up with private funds, the release of those federal funds would be contingent upon the meeting of the match. Should a match be partial (less than 1:1) the NEA, in accordance with its legislation -- again see § 954(g)(3) and (4) -- would be authorized to release an amount equal to the partial match. Further:

- The funds utilized for the 1:1 match to NEA partnership agreement must be directly controlled and managed by the state and may include state appropriated, donated or trust funds. Several states use other funding mechanisms for their state share or to augment their state share, e.g., state lottery proceeds or license plate funds.
- Private funds would qualify as donated funds but must be controlled by the state and its designated state arts agency.
- If the state does not provide state controlled funds for support of the State Arts Agency, on an annual basis, not just as transition funding, all federal funds are at risk.

Continued

Thank you for contacting the National Endowment for the Arts and for the support the Kansas legislature has historically provided the Kansas Arts Commission. We appreciate the difficult budgetary situations states are facing. All of the issues raised above must be considered and addressed before NEA can make a determination as to whether or not an agency other than the Kansas Arts Commission is eligible to receive an NEA Partnership Agreement.

Sincerely,

A handwritten signature in cursive script that reads "Rocco Landesman".

Rocco Landesman
Chairman, National Endowment for the Arts

Cc: Patrice Walker Powell, Deputy Chairman for Programs and Partnerships
Anita Decker, Chief of Staff
Karen Elias, General Counsel
Laura Scanlan, Director State and Regional Partnerships