

**Name of Fund:** Iowa Arts and Cultural Enhancement and Endowment  
**State Arts Agency:** Iowa Arts Council  
**Year Authorized:** 1991 (legislation rescinded in 1998)

*The following is a word-for-word transcription of the legislation that enabled this state's cultural endowment or trust. Legislation must be understood in its unique context. Please contact the state arts agency for more information on the development process and for information on the legislation particular to this state.*

## **Chapter 303C**

### **Arts and Cultural Enhancement and Endowment**

Legislative intent; 91 Acts, ch 157, Section 1

#### **SUBCHAPTER I**

#### **DEFINITIONS AND FINANCING**

##### **303C.1 Definitions**

For the purposes of this chapter, the following definitions apply:

1. "Arts" means music, dance, theater; opera and music theater, visual arts, literature, design arts, media arts, and folk and traditional arts.
2. "Culture" or "Cultural" means programs and activities which explore past and present human experience.
3. "Department" means the department of cultural affairs.
4. "Endowment account" means the arts and cultural endowment account established in section 303C.2, which consists of funds received from private sources, and which may include funds appropriated by the general assembly.
5. "Endowment program" means the arts and cultural endowment program established in section 303C.7.
6. "Enhancement account" means the arts and cultural enhancement account established in section 303C.2, which consists, upon the making of an appropriation by the general assembly, of public funds.
7. "Enhancement program" means the arts and cultural enhancement program created in section 303C.2.
8. "Foundation" means the arts and cultural endowment foundation established in section 303C.8.

91 Acts, ch 157, Section 2

##### **303C.2 Iowa arts and cultural enhancement and endowment accounts established.**

The Iowa arts and cultural enhancement account and the Iowa arts and cultural endowment account are established in the office of the treasurer of the state. The moneys deposited in each accounts shall be invested by the treasurer of state in investments authorized for the Iowa public

employees' retirement fund in section 97B.7. Interest earned on each account shall be transferred to the credit of the account. The provision of section 8.33 do not apply to the accounts.

1. *Enhancement account.* The enhancement account shall be administered by the arts division of the department for purposes of the enhancement program described in section 308C.3.

Upon the making of an appropriation by the general assembly for deposit in the enhancement account, funds in the enhancement account shall be used as follows; eighty percent shall be available for distribution on a matching basis to nonprofit organizations pursuant to section 303C.4; fifteen percent shall be available for distribution as block grants to qualified organizations pursuant to section 303C.5; and five percent shall be available to the arts division for the administration of the regional conferences and the statewide caucus on arts and cultural enhancement pursuant to section 303C.6 and for the administration of the enhancement program.

2. *Endowment account.* The endowment account shall be administered by the endowment foundation established in section 303C.8, for purposes of the endowment program established in section 303C. 7.

Beginning in 1993, the endowment foundation shall, annually, on July 1, certify to the department of management and the legislative fiscal bureau, the amount of funds received from private sources for use in the endowment program. The general assembly may appropriate funds to the endowment account. However, the use of funds in the endowment account described in this subsection is not contingent upon the making of an appropriation by the general assembly.

Only the interest on the funds in the endowment account is available for use for the endowment account is available for use for the endowment program, and shall be allocated as follows; ninety-five percent for distribution for grants, fellowships, and scholarships to nonprofessional, professional, and student artist pursuant to section 303C.7; and five percent of the endowment foundation established in section 303C.8, for the administration of the endowment program.

91 Acts ch 157, Section 3

### **SUBCHAPTER III**

#### **ENDOWMENT PROGRAM**

##### **303C.7 Arts and cultural endowment program established.**

The arts and cultural endowment programs is established. The program shall be administered by the arts and cultural endowment foundation governing board established in section 303C.8, which shall adopt rules pursuant to chapter 17A to fulfill the purposes of this section. Interest on the funds in the endowment account established in section 303C.2, subsection 2, is available for the purposes of this section. The endowment foundation shall establish criteria for the awarding of grants, fellowships, and scholarships to nonprofessional, professional, and student artists to develop, encourage, and enhance the arts and cultural programs in the state, upon submission of a proposal by the artist. An artist shall request no more than twenty-five thousand dollars in a proposal.

91 Acts, ch 157, Section 8; 95 Acts, ch 173, Section 8

**303C.8 Arts and cultural endowment foundation - governing board - established.**

1. The arts and cultural endowment foundation is established and shall be administered by a governing board consisting of seven members, three of whom shall be appointed the Iowa humanities board and four of whom shall be appointed by the director of the department. Members shall be knowledgeable about education, arts, the humanities, and fund-raising activities in this state. A vacancy shall be filled by the original appointing authority. Members shall serve three-year staggered terms which shall commence and end as provided in section 69.19. The governing board shall be bipartisan and gender balance in accordance with sections 69.16 and 69.16A.
2. The Iowa arts council shall provide administrative services for the arts and cultural endowment foundation and shall advise and assist the governing board. The exercise of the powers granted to the endowment foundation in this chapter is an essential governmental function. The endowment foundation shall be located in the department 's offices.
3. The endowment foundation may solicit and accept gifts, grants, donations, bequests, and in-kind contributions for deposit in the endowment account. The endowment foundation shall, to the extent possible, use gifts, donations, and bequests in accordance with the expressed desires of the person making the gift, donation, or bequest.

95 Acts, ch 173, Section 9

Initial appointments to governing board and staggering of terms; 95 Acts, ch 173, Section 11