

## MINUTES

### JOINT COMMITTEE ON ARTS AND CULTURAL RESOURCES

November 15-16, 2007  
Room 514-S—Statehouse

#### Members Present

Representative Deena Horst, Chairperson  
Senator Peggy Palmer, Vice-Chairperson  
Senator Marci Francisco  
Senator Chris Steineger (November 16)  
Senator Dennis Wilson  
Representative Oletha Faust-Goudeau (November 15)  
Representative Lana Gordon  
Representative Kay Wolf

#### Members Absent

Senator Jean Kurtis Schodorf  
Representative Candy Ruff

#### Staff

Melissa Calderwood, Kansas Legislative Research Department  
Aaron Klaassen, Kansas Legislative Research Department  
Jason Thompson, Revisor of Statutes Office  
Matt Todd, Revisor of Statutes Office

#### Thursday, November 15 Morning Session

Chairperson Deena Horst called the meeting to order at 10:05 a.m. The Chairperson welcomed the Committee to Topeka and after a brief introduction of new Committee members, she thanked the staff for coordination of the Annual Tour (Southwest Kansas). The Chairperson and Committee members then shared comments about the tour and an appreciation for the work of the host committee in Dodge City. The Committee received a copy of the *Dodge City Globe* newspaper article written about its tour ([Attachment 1](#)). Vice-Chairperson Palmer noted the impact the Committee tour can have on volunteer groups, such as Tour Butler (2006 Interim).

Chairperson Horst next welcomed Barry Greis, Statehouse Architect and Project Manager, to discuss the status of the Statehouse Restoration (Attachment 2). Mr. Greis provided an update on the West Wing project. For the third and fourth floors, Mr. Greis highlighted the move of House Leadership (December 17), 6 ½ rows of House desks have been installed, chandeliers and wall sconces have been hung, and the voting board will arrive within the next week. Mr. Greis also highlighted discoveries made during the project, from an oil cloth enrollment chart (1928-1944 first grade pupils to college education) to an orange juice can found above a ceiling. Items discussed included the future use of art in the Capitol; Mr. Greis noted that the Restoration Project will not purchase any art, as private funding will be responsible (Capitol Foundation) for such enhancements in the Capitol and on the grounds. Also discussed was the temporary suspension of Dome tours and the location of the State Library collection during North Wing construction. Finally, Committee members and Mr. Greis discussed the planning for and installation of the First Kansas Colored Infantry Mural (KSA 75-2264). Mr. Greis indicated a draft was being prepared and recommendations could be made regarding a selection committee and the budget. Committee members inquired about the mural's location and the best preservation and installation methods to be utilized. Chairperson Horst indicated that the Committee could meet during the Session to address the mural and its installation, as well as the need and possible locations for permanent (and temporary) art exhibition in the renovated areas.

Mr. Greis then led Committee and staff members on a tour of the West Wing renovation areas. A highlight on the fifth floor (seen from the third and fourth floors) was the fifth floor skylight. The skylight has been reinstalled and copper framing was fabricated and installed. The guard rail was under construction. The Committee viewed the House Chamber, including the newly installed chandeliers, the two-tiered House floor, and the leadership offices. Mr. Greis noted the color variances, seen especially in the Speaker's Office. On both the First and Second floor (West Wing), Mr. Greis detailed the stenciling and made comparisons between the East and West Wing (Art Deco and High Style). One interesting detail was the original window and original glass french doors in a first floor office. Finally, the tour concluded with a tour of the basement level office suite for the Legislative Research Department. Committee members requested information about the cost and time frame (to date and projected) for the renovation project. The tour concluded at 12:08 p.m.

### **Afternoon Session**

Chairperson Horst reconvened the meeting at 1:38 p.m. The Chairperson welcomed Jennie Chinn, Executive Director, Kansas State Historical Society, to provide an overview of history programming for K-12 (Attachment 3; notebook on file with the Research Department). Ms. Chinn noted that by statute (KSA 72-1117) all Kansas children graduating from high school must complete a course in state history. State curricular standards require the teaching of aspects of Kansas history in grades K-4, middle school, and high school. In addition to highlighting the standards and the individual benchmarks by grade level, Ms. Chinn addressed the Kansas history textbook and the efforts to find a publisher, noting that no state dollars were used to produce the textbook. Committee members viewed copies of *The Kansas Journey* which was first published in 2005. To date, approximately 27,000 books have been sold. Ms. Chinn next highlighted *Read Kansas!* and the history lesson planning/reading cards currently available for elementary and middle school students. One such lesson was "Games Children Play: Then and Now." The Executive Director also highlighted *Kansas Memory* (digital access to the Society's collections), the Statehouse Dome tours (recently had the 50,000 visitor), and *Real People, Real Stories* (including trading cards and bookmarks, famous Kansans). Chairperson Horst commended Ms. Chinn for her efforts on behalf of the Historical Society to focus on individuals and their lives and the importance of Kansas for

future generations. A Committee member inquired about a recent Atchison, Topeka, and Santa Fe bill in her local newspaper; Ms. Chinn responded that the Society through its digital collection efforts is providing a weekly image to the news media.

The Chairperson next called on Joyce Huser with the Kansas State Department of Education to discuss the visual arts curriculum update and any necessary budget highlights ([Attachments 4-5](#)). Ms. Huser began her presentation by noting that often Kansas students do not get Arts training until middle or high school, so the standards cannot be specified to grade level and instead are geared toward performance level (*i.e.*, Basic, Intermediate, Proficient, Advanced, and Exemplary). Ms. Huser also noted that the Department has set standards for music, theatre, and dance. Ms. Huser also highlighted the statewide standards teaching trainings held in the summer and fall of 2007 and indicated that the trainings were held to “train art teachers to incorporate the art standards into their curriculum and help provide students with high quality, standards-based, engaging art education.” In response to a Committee member’s question about arts requirements for Kansas students, Ms. Huser noted that there are federal level requirements (Core requirement, – No Child Left Behind Law) and state requirements through the QPA process (Arts criteria – 1 Credit in Fine Arts, High School level; Opportunity for learning and growth, K-8).

The Committee then heard from Becky Blake, Travel and Tourism Division, Kansas Department of Commerce ([Attachment 6](#)). Ms. Blake provided a review of 2007 Division activities, noting that the year’s key priorities have been marketing, product development, education/communication, and research. Ms. Blake highlighted advertisements including magazine, newspaper, and television. She noted a partnership with the Kansas Press Association to reach 144 newspapers. Ms. Blake also noted improvements to the travel web site, including video and photo blogs, improved navigation, and more images. Television advertising is working, with inquiries up 30 percent over 2006 year-to-date (YTD) (six participating convention and visitors bureaus). Also highlighted was the travel information centers and the TakeKansasHome.com pilot project (web sales of Kansas products, ordering at centers). Ms. Blake also spoke to attraction signage and specifically addressed an issue raised during the Committee’s 2006 meeting. She noted that nine signs were approved for FY 2007 and the Department was implementing, as a pilot project, the TODS program (Tourist Oriented Direction Signs) for rural areas. The three pilot locations were identified as the Beaumont Hotel, Walter’s Pumpkin Patch, and Arnold’s Greenhouse.

Becky Blake also discussed the Kansas Travel and Tourism 2008 Cooperative Integrated Marketing Plan, emphasizing the importance of market research (demographics and psychographics). Strategies for 2008, she noted, were fewer magazines (emphasis on top performers), no regional newspaper travel sections (due to budget), emphasis on e-marketing, and increase television. Product development also was highlighted as another goal and Ms. Blake discussed the efforts to bring more recognition to the Flint Hills. A Committee member questioned the status of the state’s tourism and what areas of the state and themes receive focus. Ms. Blake indicated that the “authentic experience,” especially the Wild West, is seen from both foreign and American tourists, as well as nature, scenic drives and open spaces, and attractions in Wyandotte and Johnson counties.

Jennie Chinn, Kansas State Historical Society, was again recognized by the Chairperson to discuss the budget and upcoming activities for the Society ([Attachment 7](#)). Ms. Chinn began her presentation by highlighting the agency’s four enhancement requests for FY 2009: Collection shelving (\$172,000); Goodnow House State Historic Site (\$93,275 for structural stabilization and \$61,500 to restore interior finishes); electronic state archives (\$207,000 over the next two years); and the State Sesquicentennial Commission (no dollar amount; originally requested \$77,500 to develop programming and a fund-raising plan). Ms. Chinn spoke of important historical celebrations on the horizon, including the bicentennial of President Lincoln’s birth (2009), the Pony Express anniversary

(2010), and the State's sesquicentennial (2011). Ms. Chinn presented the Committee with three working papers to further detail planning for these events. Ms. Chinn informed the Committee that the Society served over six million people last year which indicated a strong interest in Kansas and its history. Ms. Chinn and Committee members discussed the planning for the Statehouse visitor's center, with Ms. Chinn asking the Committee to help remember the visitors to the Statehouse and their experience. A list of statehouse exhibit items and artifacts was requested by Chairperson Horst. Another Committee member indicated that the Sesquicentennial Commission proposal should include regional groups and activities to strengthen the overall statewide activities and the state's tourism dollars should be evaluated to assist in these activities and highlight individual town's historical celebrations and anniversaries. Chairperson Horst indicated that this item likely will require review during the 2008 Session.

The Committee was adjourned at 4:25 p.m.

### **Friday, November 16 Morning Session**

Chairperson Horst called the meeting to order at 9:00 and asked Julie Mulvihill, Executive Director of the Kansas Humanities Council (KHC), to provide an overview of the Council's activities and budget ([Attachment 8](#)). Ms. Mulvihill began her testimony by noting that annually, KHC supports over 700 programs in more than 115 Kansas communities. Ms. Mulvihill noted the success of two enhancements granted during the last year; the funds were used for two programs, *Kansans Tell Their Stories* and *Prime Time Family Reading Time*. Next, Ms. Mulvihill shared about the past year and activities, starting with the 2007 *Famous Kansans Chautauqua*, which was hosted in Medicine Lodge and Baldwin City. The Chautauqua featured newspaper editor William Allen White, poet Langston Hughes, prohibitionist Carry A. Nation, and doctor turned politician Dr. J.R. Brinkley. KHC also had the opportunity, Ms. Mulvihill noted, to bring a traveling Smithsonian exhibition ("Between Fences") to six communities: Wamego, Lucas, Winfield, Paola, Larned, and Oakley. Each community looked at "fences" within their own community, from a more literal approach using surveying equipment and a photo display of area fences in Miami County to cultural "fences" and cultural celebrations including a Laotian celebration, an International Food Tasting Fair, and a look at political fences in Winfield. The Committee also was provided lists detailing programming funded (*Speakers Bureau*, *History Alive*, and *Talk About Literature*), Heritage and Humanities grants, and *Kansans Tell Their Stories* grants.

Additionally, Ms. Mulvihill noted the FY 2009 budget request is identical to the Council's FY 2008 request. The base request is \$81,830 for Resource Center Outreach programs and two enhancements have been requested: \$50,000 for *Prime Time Family Reading Time* (reading discussion program) and \$70,000 for *Kansans Tell Their Stories* grants (funds up to ten grants for community history). Following her presentation, a Committee member asked Ms. Mulvihill how the Council could help smaller, nonprofit groups who are working to provide historical interpretation. Ms. Mulvihill indicated that there are Heritage grants that may be appropriate, including a grant to assist volunteers with caring for the collection of artifacts (best practices). Humanities grants also could be utilized, with federal dollars available for public programming. Ms. Mulvihill asked that the organization contact the Council for further information.

Christie Brandau, State Librarian, was next welcomed by Chairperson Horst. Ms. Brandau began her presentation by highlighting the history of the State Library ([Attachment 9](#)). She noted that the State Library of Kansas was founded as a territorial library in 1855 and has been located on the

third floor of the north wing of the Statehouse since 1900. The Library operates with 24 FTE (includes staff at the Talking Books Library, Emporia) and provides legislative reference and research through contacts made by walk-in patrons, via phone and e-mail, and most recently via Instant Messaging. The Library is responsible for distributing state aid to local libraries (\$3.5 million) and administering federal funds (\$1.7 million) from the Library Services and Technology Act. Ms. Brandau highlighted a number of statewide initiatives for the State Library, including:

- Statewide Databases (information, genealogy, newspapers, other resources online);
- Online, downloadable audio books;
- Homework Kansas (online homework tutoring, grades 4-12);
- ELMeR (enhanced library meeting rooms for virtual meetings, education opportunities for the public);
- Children's summer reading program; and
- Kansas Library Catalog and interlibrary loan.

Ms. Brandau also highlighted the Kansas Center for the Book and the programming provided through this effort, including Kansas Reads to Preschoolers, Kansas Notable Books, Kansas Reads, Letters About Literature, National Book Festival, and the Kansas Book Festival. After learning that the book chosen for the Kansas Reads program was *In Cold Blood*, the Committee discussed the inclusion of former Governor John Anderson and what resources could be used to bring his story and other such perspectives to the book's discussion, such as the Kansas Humanities Council's grants. Committee members also inquired about school librarians' continuing education programming and Ms. Brandau indicated that she would be meeting with State Department of Education officials in the next few weeks.

Ms. Brandau continued her presentation and noted that less than 20 percent of libraries across the state have adequate internet access (held a broadband summit in August). Committee members discussed the purpose of KAN-ED and the availability of a commercial internet for libraries statewide. Ms. Brandau informed the Committee that in the State of Missouri, every library has T1 access. Committee members indicated that further study was needed to better understand how local libraries connect now and what resources would be needed to accomplish statewide connectivity. Ms. Brandau also highlighted the library's planned web site launch using the Quova software which will enable Kansans to access on-line library services without an authenticating Kansas Library Card.

Finally, Ms. Brandau highlighted the agency's budget request and requested enhancements (\$250,000 for a statewide courier system; \$200,000 for an educational database of standardized tests for statewide usage; \$60,864 to fund a statewide youth services librarian; \$70,000 to digitize valuable newspaper clippings; and \$76,500 to continue outreach for the Kansas Talking Books program). Committee members inquired about the planned renovation of the North Wing and the impact on the State Library and whether any enhancements would be sought. Ms. Brandau was encouraged to come to the Committee with any concerns about the Renovation Project. The creation of a private foundation to support the State Library also was discussed.

Chairperson Horst then recognized Peter Jasso, Kansas Film Commission Manager, to speak before the Committee ([Attachment 10](#)). Mr. Jasso noted that the Kansas Film Commission is a program in the Department of Commerce's Business Development Division which was created to encourage and service film and video production in Kansas. The Commission currently has one full-time employee and an operational budget of \$100,000, as well as an advisory board (board appointments are pending). Mr. Jasso highlighted film activities during FY 2007, indicating that film production dollars spent in Kansas totaled an estimated \$30 million. The Film Commission assisted

several productions including independent features, cable television shows, shorts/music videos, and IMAX films. Mr. Jasso stated that since 1985, a total of over \$298 million in production dollars has been spent in Kansas. The Film Commission Manager then discussed 2007 HB 2004 and the provisions that allowed for the creation of a 30 percent film production tax credit (allows production companies to claim a tax credit equal to 30 percent of their total in-state expenditures for a particular project, with a cap of \$2 million). The tax credit, Mr. Jasso noted, is non-refundable and can only be claimed against the applicant's state income tax liability. Mr. Jasso noted a refundable credit would be more aggressive.

The Chairperson asked about the preference of a refundable tax credit. Mr. Jasso indicated that most states offer some way for production companies to recoup some of the costs and provided an example of a film production company operating in Missouri – the out-of-state production company is permitted to transfer the credit to a Missouri company. Another Committee member inquired about states offering varying incentives to in-state and out-of-state companies (higher percentage for in-state). The Committee and Mr. Jasso discussed tax credits, with a certain percentage refundable (5-10 percent) and then a percentage made nonrefundable.

The Chairperson then welcomed Llewellyn Crain, Executive Director of the Kansas Arts Commission, to discuss both the Business of Art programming (with the Kansas Small Business Development Center) and the Commission budget and annual report of activities statewide (Attachment 11). Ms. Crain introduced Chris Howell, Chief Operating Officer, who would be available to discuss budget questions. Ms. Crain then provided an overview of the agency, noting the work on the Commission's strategic plan for 2007 - 2012 and an expanded vision to *provide opportunities for the people of Kansas to experience, celebrate and value the arts throughout their lives* (Attachment 12). Ms. Crain next discussed professional development programming offered by the Arts Commission, with a number of workshops being conducted, including six focused on grant writing. The Executive Director highlighted the Business of Art workshops, noting that three workshops were held statewide in conjunction with the Kansas Small Business Development Center (Lied Center, Lawrence; Wichita State University KSBDC, Wichita; and Garden City Community College KSBDC, Garden City). A total of 128 persons attended these presentations which focused on business information for individual artists, including:

- How to write a business plan;
- Financing your business;
- Tax information websites;
- Budgets; and
- Evaluating your market.

In addition to the information provided at the seminars, Ms. Crain noted that the workshops connected artists to the Kansas Small Business Development Center in their areas for access to free resources, business counseling, and development. Ms. Crain also highlighted the *FUNdamentals of Arts Management* workshops. The Executive Director noted that a legislative appropriation of \$100,000 for FY 2008 helped to replace the loss of NEA grant funds and to maintain a focus on arts advocacy. Ms. Crain noted that the Commission plans to offer some 15 to 20 workshops during FY 2009, depending on the needs in the field and funding available.

Ms. Crain next highlighted the Commission's launch of a new user-friendly website in July. A Committee member inquired about artists and other interested persons' use of the website and ability to access the website. Ms. Crain indicated that broadband access would be helpful, as often volunteers are leading small organizations in rural communities. Ms. Crain noted that the Commission spends funds on printing and mailing (6,000 on the print list) and is working to increase

e-mail communication (currently, an estimated 2,000 receive e-mail blasts). At the conclusion of the testimony, the Chairperson noted the Business of Art programming could benefit from having both a basic program at least every other year and also work to have workshops available for teachers and artists on the weekend. Chairperson Horst noted her appreciation of the information provided about the economic impact of the arts (Attachment 13). Ms. Crain was encouraged to include state grant dollars in future estimates, including how many dollars each grant generated.

The Committee then viewed an Oklahoma Educational Television Academy DVD entitled "Young at Art" (Episode 703) about Mary Spurgeon, a Dodge City sculptress and painter. Chairperson Horst noted that Committee members became aware of Mrs. Spurgeon's art while touring Dodge City in September. Mrs. Spurgeon, the presentation noted, began sculpting at the age of 70 while continuing to run her family's ranch (had been painting for a number of years). The presentation also featured her exhibition at the Oklahoma Statehouse. Mrs. Spurgeon's craft was described – she works from the actual person or animal and uses details from photographs, if necessary. Subjects included familiar faces of the Wild West (Doc Masterson and Wyatt Earp), as well as horses on the ranch. Committee members discussed with the Arts Commission Executive Director bringing the Poet Laureate to the Capitol and bringing together art and historical interest groups to encourage a "capitol gallery" in the Visitor's Center. Chairperson Horst indicated the Committee should consider making recommendations to the Capitol Restoration Commission. The Chairperson noted that a review of other state capitols' gallery space/ exhibition practices would be informative.

After a short break, the Committee opened a roundtable discussion about its annual report and recommendations to the 2008 Legislature, which are as follows:

- **Capitol Restoration Project.** The Committee notes that additional information is needed for legislators to better understand the cost of the project to date. Committee members request a report addressing: total cost to date; projected future cost and the anticipated date of completion; a summary of the projects underway and anticipated completion date; and the cost of the exterior restoration and repair. Committee members also requested a review of the legislation, LCC approval, or both, that enabled the project to commence.

The Committee members also addressed the decision-making under the Project. One Committee noted that the replacement of lights in the Supreme Court Chamber could have been done outside the Project. The Committee members then discussed the numbering plan for legislative and staff offices in the Statehouse and concerns about the duplicative numbering plan that assigns rooms in each wing with the same number (*i.e.*, the Revisor's Office is located at 010-E and the Research Department is located at 010-W). The Committee then made a recommendation to reconsider the numbering system in the Statehouse to help with proper orientation for public visitors and constituent/legislative business, including the reception of Statehouse mail. The Committee specifically requests that consideration be given to another system that does not utilize duplicate numbers.

- **Legislative Session Meeting/ Statehouse Art and History Committee.** The Committee then reviewed its activities to date during the Interim and recommended a meeting be conducted during the 2008 Legislative Session. Committee members indicated that the meeting agenda should include reports from the Statehouse Architect and the Capitol Restoration Committee/LCC (see

items referenced under the above Capitol Restoration Project). The Committee members also recommended the agenda include a discussion on the role of the Statehouse Art and History Committee (KSA 75-2266).

*At that time, a motion was made by Representative Gordon to introduce a Committee bill to amend KSA 75-2266 to include the Kansas Arts Commission Executive Director or her designee in the membership of the Statehouse Art and History Committee. The motion was seconded by Senator Palmer. Motion carried.*

- **Sesquicentennial Commission/Kansas Historical Events.** The Committee next discussed the information it received from the Kansas State Historical Society and Director Chinn about the planning for a number of exciting historical anniversaries in the next few years, including the Bicentennial of President Lincoln's birth; the founding of the Pony Express; and the Sesquicentennial of Kansas' Statehood. The Committee reviewed the draft proposal for the creation of a Planning Commission for the 2011 Sesquicentennial of Statehood. A Committee member noted that the Commission assist in the coordination of regional activities (receive frequent reports on these activities). Committee members discussed the draft provisions regarding Commission staff and reimbursement thereof.

*A motion was made by Senator Palmer to approve the proposed legislation (Kansas State Historical Society 11/15 draft), with the following changes: include the Secretary of Commerce as an ex-officio member; eliminate provisions (1)(b) and (1)(c); and include regular reporting intervals (annual) to the Joint Committee on Arts and Cultural Resources, with the report to include recommendations for regional subcommittees. Representative Wolf seconded the motion. The motion carried. Provisions (1)(b) and (1)(c) relate to the compensation of the Commission and the hiring of staff to the Commission.*

Melissa Calderwood, Legislative Research Department staff, reviewed the recommendations and conclusions of the Committee's report to the 2007 Legislature. A Committee member noted the issue brought to the Committee regarding the Lecompton group and State Historical Society and that the Committee meeting helped to bring about dialogue. Another member noted the effectiveness of the discussion on signage and the implementation of the TODS pilot program, as well as the impact of the Committee's annual tour on smaller communities. Committee members then discussed the 2008 tour. It was suggested by a Committee member that the Committee consider touring along the Freedoms' Frontier Trail and work with a number of counties to better learn about Sesquicentennial activities and promotions in these communities. Another member suggested the tour include the Garmin Contemporary Art Museum. It was suggested by the Vice-Chairperson that the Committee plan for two days of touring and one day for a Committee meeting.

The Committee then discussed other topics to be included in Session meeting(s): a private library foundation to support the State Library; broadband access issues for libraries; and the tax credit for film production (exploring refundable credits). *A motion was made by Senator Palmer and seconded by Representative Gordon to continue the Committee's discussions [from this meeting] during [2008] Session meetings, as needed, due to time constraints [of the Interim] for the consideration of additional information. The motion carried. The Committee will submit a request to the LCC for meeting dates.*



Finally, Mr. Thompson noted that the State Librarian's statute indicates that all moneys be directed to the State Treasury. The Committee should consider exploring explicit statutory authority for the Foundation and expenditure of private funds at a future meeting.

The Committee was adjourned at 1:10 p.m.

Prepared by Melissa Calderwood  
Edited by Aaron Klaassen

Approved by Committee on:

December 18, 2007

(date)