Rhode Island State Council on the Arts (1979-1992): Correspondence 03

Joanne Pearlstein

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January 19, 1979

Mr. Alexander Crary
Senate Sub-Committee on Arts
& Humanities
Room 4228
Dirksen Building
Washington, D.C. 20510

Dear Mr. Crary:

Following our phone conversation yesterday on Rhode Island, I collected the following information which I hope will assist you:

1) Model State Arts Council Act
2) Report of Special Commission on Cultural Arts -- State of Rhode Island and Providence Plantations (February 1963)
3) Act creating Rhode Island Council (January 1963)
4) Rhode Island Fine Arts Council By-Laws (Revised 1964)

The Rhode Island State Agency of Cultural Arts was created in April 1964 as a division of the State Department of Education by the State Legislature. The Agency was activated in fall 1965 with the appointment of the Advisory Council. The Commissioner of Education (assisted by the advisory group) appointed the director for a three year term. The Advisory Council numbered seven and they were appointed by the Governor as men and women who had "an intimate knowledge of the cultural and artistic climate and composition" of the state. The chairman and vice-chairman were elected from the membership of the Council.

I do not have records of the earliest officers (the Endowment, of course, did not exist until 1966) but among the persons who were instrumental in the Agency in the mid-1960's were Dr. William Robinson, Acting Division Chief of the Commission of Education, and Council members Barnet Fain, Professor Arlan Coolidge, Mrs. Hugh Allison, Mrs. William Belconis, Jr., Dr. Francis Horn, Dr. Stanton Garner and Joseph Fazzano.

If you require more information, please phone me again at 634-6055.

Sincerely,

Joanne Pearlstein
Federal-State Partnership Program
AN ACT Creating an Agency of Cultural Arts, and in Amendment of and in Addition to Title 16 of the General Laws, Entitled "Education".

Whereas, the general assembly by its appropriations in the past has demonstrated its recognition that encouragement and financial assistance by the state to cultural organizations in the fields of vocal, band and symphonic music, opera, ballet, art festivals, museums, historical and preservation societies is an inducement
7 to industry to locate within this state, and otherwise
8 contributes to the health, morals and general welfare
9 of the citizens of the state, and
10 Whereas, it is desirable in order not to unnecessarily
11 add to the burdens of taxation that monies appropriat-
12 ed by the state for such purposes be used to perpetuate
13 organizations which have achieved a reasonable level
14 of excellence in performance, have demonstrated a con-
15 sistent record of accomplishment directed towards the
16 encouragement of creative activity in the performance
17 and practice of the arts, and have enjoyed widespread
18 public participation and appreciation,
19 It is enacted by the General Assembly as follows:

Section 1. Title 16 of the general laws, entitled "Ed-
2 cation," as amended, is hereby further amended by
3 adding thereto the following chapter:
4 "CHAPTER 45
5 "AGENCY OF CULTURAL ARTS
6 "16-45-1. Legislative determination. — The general assembly determines and therefore declares that the health, morals and general welfare of the citizens will be promoted by the recognition of the cultural arts as an aspect of our heritage and as a means of expanding the scope of educational programs, and that the provisions hereinafter enacted are necessary in the public interest for the promotion of the general welfare.

14 "16-45-2. Creation of agency.—Within the department of education there is hereby established a division to be known as the 'agency of cultural arts', hereinafter referred to as the agency.

18 "16-45-3. Council on cultural arts.—To guide and counsel the director of the agency of cultural arts, the governor with the advice and consent of the senate shall appoint an advisory council of seven (7) persons who have intimate knowledge of the cultural and artistic climate and composition of our state and who are
qualified to express critical appraisals of performances in the cultural arts.

Forthwith upon the passage of this act, the governor with the advice and consent of the senate shall appoint two (2) members to serve until the first day of March, 1964, two (2) members to serve until the first day of March, 1965, and three (3) members to serve until the first day of March, 1966, and until their respective successors shall be appointed and qualified. In the month of February, 1964, and in each year thereafter, the governor with the advice and consent of the senate, shall appoint two (2) members and in every third year one additional member of said council to hold office until the first day of March in the third year after his appointment and until his successor has been appointed and qualified to succeed the member whose term will next expire. Any vacancy which may occur in said council shall be filled by the governor with the advice
and consent of the senate for the remainder of the un-
expired term. Any member of the council shall be
eligible to succeed himself.

"16-45-4. Organization of council.—Forthwith upon
their appointment and upon the appointment of any
new member for a full term, the members shall meet
and elect one of their number as chairman and another
as vice chairman and shall also elect a secretary who
may or may not be a member of the council. Three
members shall constitute a quorum and the vote of
three members shall be necessary for any action taken
by the council. No vacancy in the membership of the
council shall impair the right of a quorum to exercise
all the rights and perform all the duties of the council.
Meetings of the council shall be held at stated times
and upon one week's notice in writing, at the call of the
director. The members of the council shall serve with-
out compensation, but secretarial service for the coun-
60  "16-45-5. Director—Employees.—The commissioner
61 of education, with the advice and consent of the ad-
62 visory council on cultural arts, shall appoint a director
63 of said agency who shall serve for three years and un-
64 til his successor is appointed and qualified. Said di-
65 rector shall devote such time as is necessary to carry
66 out his duties and shall engage and determine the
67 duties of all other employees of the agency, remove
68 them in the manner provided for by chapter 36-4 of
69 the general laws, fix their compensation within the
70 amounts appropriated therefor, incur such expenses as
71 may be authorized by the council and make all reason-
72 able rules and regulations concerning the operation
73 of the agency.
74 "16-45-6. General duties of director.—The director
75 shall compile and examine requests for appropriations
76 made by cultural organizations, shall correlate the in-
formation necessary to the preparation of an annual recommended budget, and be responsible for the administra-
ministration of those funds which are appropriated.

"16-45-7. Annual report.—The director shall make an annual report to the general assembly together with a full statement of all receipts and disbursements of the agency.

"16-45-8. Acceptance of grants.—The agency is authorized to receive and accept from any federal agency or municipality grants for or gifts in aid of the purposes of this act, and to receive and accept contributions from any source of money, property, labor or thing of value.

"16-45-9. Duties of agency.—The agency shall prepare and furnish to organizations seeking appropriations forms for submitting required information and the rules of procedure to be followed in requesting financial assistance. It shall investigate applications for
assistance to determine the eligibility and qualification of the applicant upon the basis of the standards provided in section 16-45-10 of this chapter, make recommendations to the council as to appropriations to be included in its annual budget request and to distribute the funds appropriated.

"16-45-10. Standards for assistance. — Before any organization is recommended for assistance, the agency shall determine that it meets the following qualifications:

(1) It must be a non-profit corporation the purpose of which is to serve the public welfare by stimulating and encouraging cultural development in the state and advancing public interest in cultural pursuits.

(2) It must provide a service deemed cultural within the scope of music, drama, dance, literature, painting, sculpture, architecture, photography, graphics, crafts, history or preservation.
(3) It must show a need for financial assistance or subsidy on the ground that it is either (a) a new organization requiring initial capital, (b) a deficit operation with a record of community service by accomplishments consistent with its stated purposes requiring funds to continue consistent accomplishment or to expand its program, or (c) oriented towards education or other cultural purposes making a contribution to the strengthening of the cultural background of the youth of our state.

(4) Except it be oriented towards free service to youth, it must show a substantial effort to become self-sustaining through a record of growth in public support measured by ticket sales or fund raising.

(5) It must not duplicate the activities of an existing organization serving well in its field so that a grant of assistance might result in reduction in audience of such existing organization.
(6) Its performance must have achieved a level of excellence commensurate with generally accepted artistic standards so that assistance will help make possible the achievement of the highest standards.

(7) It must have submitted a financial balance sheet, profit and loss statement, record of payroll and overhead charges, and a budget disclosing plans for use of funds if appropriated by the state. It must also have submitted information showing the content and frequency of past performances with records of attendance and admissions charged together with details of projected programs indicating that appropriated funds have been and will be locally managed and administered largely for local talent and chiefly for the benefit of Rhode Island residents.

16-45-11. Annual budget request. — The director with the approval of the council, shall annually prepare and submit through the department of education a
budget request containing recommendations as to the
organizations to be assisted and the amounts to be allo-
cated to such organizations.

"16-45-12. Annual appropriations.—The general as-
sembly annually shall appropriate such sums as it may
deem necessary for the purposes of this chapter; and
the state controller is hereby authorized and directed
to draw his orders upon the general treasurer for the
payment of such sums appropriated, or so much thereof
as may from time to time be required, upon receipt by
him of proper vouchers approved by the commissioner
of education and by the director of the agency of cul-
tural arts."

Sec. 2. To carry out the purposes of this act during
the fiscal year ending July 1, 1964, the sum of one
hundred thousand dollars ($100,000.) is hereby appro-
piated out of any money in the treasury not otherwise
appropriated; and the state controller is hereby au-
6. authorized and directed to draw his orders upon the general treasurer for the payment of such sum, or so much thereof as may be required from time to time, upon receipt by him of vouchers approved by the commissioner of education and by the director of the agency of cultural arts.

Sec. 3. This act shall take effect upon its passage.
REPORT
OF
SPECIAL COMMISSION
ON
CULTURAL ARTS
February, 1963
REPORT

OF

SPECIAL COMMISSION

ON

CULTURAL ARTS

SUBMITTED TO

The Governor and General Assembly

February, 1963

Francis Cappalli
Barnet Fain
William H. Hopwood
John Jackson, Jr.
C. Alexander Peloquin
Benjamin Premack
Robert Rosen
Paul Rylander
Eleanor Slater
Antonio C. Trovato
Michael F. Walsh
Pat Nećo, Chairman
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Resolution creating a special commission to study the feasibility of establishing certain minimum standards to be met by organizations and undertakings in the field of music and the arts receiving financial assistance from the state of Rhode Island.

Whereas, The general assembly has from time to time encouraged the cultural advancement of the citizens of the state by appropriating funds providing for the giving of free public musical concerts and opera performances, and for assisting in the expenses of many worthwhile, cultural, esthetic and artistic undertakings; and

Whereas, In recent years recurring and increasing requests have been presented to the general assembly for financial assistance for such and other concerts, performances and artistic endeavors; and

Whereas, The general assembly is aware of the fact that substantial sums of money are being appropriated and expended in these undertakings whereby a realization of the responsibility of the state in supporting such undertakings requires the establishment of certain minimum standards which should be met in considering such requests for assistance by the state; now, therefore, be it

Resolved, That a commission be and the same is hereby created consisting of eleven (11) members, two (2) of whom shall be from the senate to be appointed by the lieutenant governor, one (1) from each of the major political parties, two (2) of whom shall be from the house of representatives
to be appointed by the speaker one (1) from each of the major political parties, six (6) of whom shall be appointed by the governor, and the commissioner of education, ex officio.

In making appointments to said commission, the governor shall select persons in the community who are recognized for their interest in the music and art fields.

It shall be the duty of said commission to study and give consideration to the several programs in the field of music and the arts which the state has been supporting financially and to study the feasibility of the establishment of certain minimum standards which should be met in considering such requests for assistance by the state.

Vacancies in said commission shall be filled in the same manner as the original appointments.

Forthwith upon the passage of this resolution the members of the commission shall meet upon the call of the governor and organize and shall elect from among their number a chairman, vice chairman and a secretary.

The members of said commission shall serve without compensation.

Said commission shall report to the governor and to the general assembly on or before February 1, 1962; provided, however, that a preliminary report shall be rendered on or before April 1, 1961.

To His Excellency, the Governor of the State of Rhode Island and Providence Plantations and
the General Assembly:

The Special Commission to study the feasibility of establishing certain minimum standards to be met by organiza-
tions and undertakings in the field of music and the arts receiving financial assistance from the State of Rhode

Respectfully submitted,

[Signature]

Chairman

February 1, 1963
REPORT OF THE COMMISSION

INTRODUCTORY STATEMENT

The Commission to study and establish minimum standards to be met by cultural organizations receiving financial assistance from the State of Rhode Island begs leave to submit herewith to His Excellency, Governor John H. Chafee, and to the General Assembly through its presiding officers, His Honor, Edward P. Gallogly, Lieutenant-Governor, and Hon. Harry F. Curvin, Speaker of the House of Representatives, its final report.

The Commission was formed in 1961 as a result of a resolution of the General Assembly creating a Special Commission to make a comprehensive examination of the establishment of certain minimum standards to be met by organizations and undertakings in the field of music and the arts receiving financial assistance from the State of Rhode Island. This resolution became effective on the seventh day of June, 1961, and the members selected by the Governor were appointed and qualified in October of 1961.

Subsequent resolutions were passed during the 1962 session of the General Assembly, extending the time for filing a preliminary report to April 1, 1962, final report to February 1, 1962 and providing for an appropriation of Five Hundred Dollars for continuance of the Commission’s study.

On April 1, 1962, the Commission submitted its preliminary report to the Governor and the General Assembly.

The twelve members of the Commission held many meetings, inviting representatives from the various departments within the State government to present vital statistics and information, and to explain budget, fiscal and administrative aspects of the various appropriations to those cultural organizations which received financial assistance from the State over the years. Representatives from cultural organizations that received appropriations from the State at one time or another were invited and did appear before the Commission.
Several meetings were held for the purpose of allowing other cultural leaders of our State to appear before the Commission.

The Commission devoted considerable time investigating various cultural organizations seeking appropriations from the General Assembly. The preliminary report included an objective evaluation of these organizations in accordance with standards promulgated and outlined in this report.

CONCLUSIONS

Rhode Island is one of the first states in the nation to recognize the need for financial aid to various cultural groups, and has assumed a responsibility over the years for financially assisting certain cultural organizations in the fields of band music, symphonic music, opera, museums, vocal music, historical societies, preservation societies, and art festivals. Because of the time limitations placed upon the legislature, very often investigations of recipient organizations were inadequate and consequently appropriations resulted in less productivity than might be desired.

The Commission recognizes the need for establishing a more realistic approach to effective continuity in the State's investment in this area. The financial encouragement provided by the State to the cultural arts through its appropriations must be directed toward the perpetuation of cultural groups which have demonstrated a consistent record of accomplishment, reasonable level of excellence and an awareness, as indicated by their activities, of the basic cultural needs of our state.

The Commission concludes that the State has accepted in principle, as indicated by past appropriations, an obligation to encourage and support the cultural arts, but has not entirely resolved the problem of direction. The Commission also concludes that state financial aid to the most worthy recipients can best be accomplished by specialized attention by those experienced in handling such matters. Thus, it is desirable to seek specialized services from in-
individuals who know intimately the cultural and artistic climate of our State.

The Commission also spent considerable time investigating the efforts of our nation's political leaders to enact Federal legislation establishing a Federal Agency to assist in the development of our nation's cultural growth. Although the Commission draws no conclusions regarding the advisability of Federal subsidization, it is clear that it is imminent that Federal matching funds, direct grants and other financial assistance be made available to assist the States in supporting existing cultural projects and programs which are making significant public contributions. It further appears, from a study of a number of projected Federal bills, that the Federal Government, if these bills are enacted, will contribute or match funds to the several states under certain conditions, namely:

a) that a state agency be in existence to administer cultural projects and programs.

b) Federal funds appropriated or matched with State funds are to be expended solely on cultural projects and programs approved by a State agency.

c) requiring the State agency to comply with other Federal regulations.

RECOMMENDATIONS

Legislation be enacted authorizing the establishment of a Cultural Arts Agency.

The purposes of the Cultural Arts Agency:

1. To stimulate and encourage, by the distribution of State funds, the cultural development of our State and advance public interest therein.

2. To investigate, pursuant to formalized standards, the advisability of financial appropriations to those cultural organizations requesting State aid.

3. To recommend to the General Assembly, itemized budget requests and administer appropriated funds.

4. To qualify for projected Federal participation funds.
5. To have such other purposes as may be legislated in the future, consistent with the initial intent of the agency’s establishment.

A Cultural Arts Agency to be established within the State Department of Education.

1. The Governor of the State of Rhode Island to appoint to the Cultural Arts Agency, a seven member Council, to guide and counsel the Director of said Agency. The Commission recommends, pursuant to its previously stated conclusions, that the members of the council be individuals who know intimately the cultural and artistic climate and composition of our State.

2. Members of the advisory council to serve for a period of three years with appointments staggered. The members to receive no compensation.

3. The Commissioner of Education to appoint a Director of said Agency with the approval of the Council.

4. The Director to serve for a period of three years, devote the necessary time to his duties, correlate the information necessary to the preparation of the annual recommended budget, be responsible for the administration of funds appropriated.

5. The Council to meet at the call of the Director of the Agency.
   a) At least one week’s notice to be given before each meeting.
   b) At least three members of the Council to be present in order that a quorum exist.

6. The Director of the Agency should not include any recommendations in the Agency’s annual budget without the approval of the Council.

7. The Director to be authorized to engage necessary assistance in the administration of the Agency, and with the approval of the Council, include in the an-
annual budget a request for such funds necessary for the administrative overhead of the agency. The Commission recommends that the agency utilize the existing departmental administrative channels to as great a degree as possible.

The recommended legislation should include definitions and standards which define the scope of the Agency and establish background for decisions.

1. Cultural organizations in order to receive Agency consideration should include, as a minimum, the following:
   a) Be a properly constituted organization.
   b) Have the public welfare as its intent.
   c) Provide the community with a service which is deemed cultural.

2. For purposes of Agency consideration, widest latitude should be given to the definition of the word “cultural”. Cultural and historical preserves, literature, architecture, painting, sculpture, photography, graphics and crafts, should also be regarded within the scope of the Agency’s consideration along with music in all its forms, drama and the dance.

3. In order that the Agency be fully informed before making recommendations and decisions, the following information should be made available:
   a) Full financial disclosure including:
      1. Balance sheets.
      2. Profit and loss statements.
      3. Payroll and overhead statement.
      4. Budget.
   b) Statement concerning policy and plans regarding use of State funds if appropriated.
   c) Statement concerning past programs, and projected programs.
      1. Indicate content and frequency of performances.
      2. Admission charge and record of attendance.
4. The Agency should prepare forms to be made available to all requesting organizations indicating procedure for obtaining financial assistance and required information.

5. Cultural organizations seeking appropriations should meet the following standards:

   a) Indicate by appropriate financial statements a proven need for financial assistance or subsidization.

      1. Assistance may be given to those organizations which indicate a deficit operation.
      2. Subsidization may be given to organizations in order to encourage an expanded program.
      3. Aid may be given to new organizations which require initial capital.

   b) Indicate a record of community service by accomplishments consistent with the stated purposes of the organization.

      1. State funds should be used to encourage consistent accomplishment.
      2. Cognizance should be taken of the service offered and whether the organization is oriented towards education or other cultural purposes.
      3. Recognition should be made of an organization's contribution towards the basic need for strengthening the cultural background of the youth of our State.

   c) Should have a non-profit, corporated structure.

   d) Indicate that appropriated funds be locally managed and administered and to a certain extent be locally spent.

      1. Every encouragement should be given to an organization to spend State appropriated funds on local talent within the State. However, depending upon the purposes and scope of an
organization, if money is spent outside the State this should not necessarily preclude State aid.

e) Show evidence of substantial effort to be self-sustaining.

1. Consideration should be given to organizations which indicate, through ticket sales and fund raising, a desire and ability to help themselves. The degree to which they succeed should also indicate a measure of the public support which the organization receives. If an organization is oriented to the youth of the State, and provides free service, this standard should not apply.

f) Show evidence of non-duplication of endeavor with other existing organizations in the community.

1. The Agency should aid organizations serving the community particularly well, rather than scatter appropriations to a number of organizations duplicating each other's programs and reducing each other's audiences and accomplishments.

g) Indicate a level of excellence commensurate with generally accepted artistic standards.

1. It should be a function of the Agency to encourage through its fiscal appropriations, the highest possible artistic standards on the part of recipient organizations.

2. This function assumes that the necessary critical faculties will be present in the members of the Council. It is therefore incumbent upon the Governor to appoint the most qualified individuals.

6. After appropriations are made all recipient organizations should be required to submit statements concerning the utilization of appropriated funds.
APPROPRIATION

The Commission recommends an initial sum of $100,000.00 be appropriated and included in recommended legislation. This sum represents an amount consistent with past per annum appropriations to cultural organizations, plus an increase commensurate with projected needs of the Agency and the community.

ACKNOWLEDGMENTS

The Commission members, after being organized, held some 24 meetings, not including the hours spent in preparing the preliminary report and carrying on individual investigations pertaining to the task of the Commission. The members of the Commission are grateful to the Department of Education, Budget Division, and the House Finance Committee for their assistance and cooperation, are most appreciative to the many representatives of cultural organizations, cultural leaders in our State and interested persons who appeared before the Commission.
SUMMARY

With the increasing leisure time of our citizenry, the practice and enjoyment of the arts, in all its forms, are increasing.

The general welfare of the people of our State will be greatly promoted by giving continued recognition to the cultural arts as aspects of our heritage and as valued means of expanding the scope of our educational programs.

The policy of the State should be to join with private cultural endeavors, institutions and professional groups concerned with the cultural arts, to insure that the cultural community will continue to flourish and play an even more significant role in the welfare and experience of its citizens.

The recommendations contained herein are directed toward assisting the State to carry out its policy of encouraging the freedom of artistic expression so basic to cultural growth and its attendant benefits to the people of our State.
Model State Arts Council Act *

(Title should conform to state requirements. The following is a suggestion.)

AN ACT

Relating to the establishment of a State Council on the Arts, and
defining the Council's powers and duties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE
OF (state), AS FOLLOWS:

Section 1. (optional introductory declaration of public policy) It is hereby
found that many of our citizens lack the opportunity to view, enjoy,
or participate in living theatrical performances, musical concerts,
operas, dance and ballet recitals, art exhibits, examples of fine
architecture, and the performing and fine arts generally. It is hereby
further found that, with increasing leisure time, the practice and
enjoyment of the arts are of increasing importance and that the
general welfare of the people of the state will be promoted by giving
further recognition to the arts as a vital aspect of our culture and
heritage and as a valued means of expanding the scope of our educa-
tional programs.

It is hereby declared to be the policy of the state to join with private patrons
and with institutions and professional organizations concerned
with the arts to insure that the role of the arts in the life of our
communities will continue to grow and will play an ever more sig-
nificant part in the welfare and educational experience of our
citizens.

Section 2. There is hereby created and established a state commission, to
be known as the "(state) State Council on the Arts," to consist of
fifteen members, broadly representative of all fields of the perform-
ing and fine arts, to be appointed by the governor from among
citizens of (state) who are widely known for their competence and
experience in connection with the performing and fine arts. In
making such appointments, due consideration shall be given to the
recommendations made by representative civic, educational, and
professional associations and groups, concerned with or engaged
in the production or presentation of the performing and fine arts
generally.

Section 3. The term of office of each member shall be five years; provided,
however, that of the members first appointed, five shall be ap-
pointed for terms of one year, five for terms of three years, and
five for terms of five years. Other than the chairman, no member of

* Reprinted from The Politics of Art: Forming a State Arts Council,
published by Associated Councils of the Arts.
the council who serves a full five-year term shall be eligible for reappointment during a one-year period following the expiration of his term. The governor shall designate a chairman and a vice-chairman from the members of the council to serve as such at the pleasure of the governor. The chairman shall be the chief executive officer of the council. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments. The members of the council shall not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

Section 4. The chairman may employ, and at pleasure remove, such officers, experts, and other employees as may be needed and fix their compensation within the amounts made available for such purposes.

Section 5. The duties of the council shall be:

(1) To stimulate and encourage throughout the state the study and presentation of the performing and fine arts and public interest and participation therein;

(2) To make such surveys as may be deemed advisable of public and private institutions engaged within the state in artistic and cultural activities, including but not limited to, music, theatre, dance, painting, sculpture, architecture, and allied arts and crafts, and to make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts to meet the legitimate needs and aspirations of persons in all parts of the state;

(3) To take such steps as may be necessary and appropriate to encourage public interest in the cultural heritage of our state and to expand the state's cultural resources; and

(4) To encourage and assist freedom of artistic expression essential for the well-being of the arts.

Section 6. The council is hereby authorized and empowered to hold public and private hearings, to enter into contracts, within the limit of funds available therefor, with individuals, organizations, and institutions for services furthering the educational objectives of the council's programs; to enter into contracts, within the limit of funds available therefor, with local and regional associations for cooperative endeavors furthering the educational objectives of the council's programs; to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the council's programs; to make and sign any agreements and to do and perform any acts that may be necessary to carry out the purposes of this act. The council may request and shall receive from any department, division, board, bureau, commission, or agency of the state such assistance and data as will enable it properly to carry out its powers and duties hereunder.

Section 7. The council is the official agency of this state to receive and disburse any funds made available by the National Foundation on the Arts.

Section 8. The council shall make an interim report to the governor and the legislature not later than (date), and from time to time thereafter.
RHODE ISLAND FINE ARTS COUNCIL

BY-LAWS

ORGANIZATION AND NAME

The undersigned organizations agree to and do hereby associate themselves together to form an association known as The Rhode Island Fine Arts Council, and further agree that the association shall be governed by the following rules and regulations, or by-laws:

ARTICLE I - PURPOSES

The purposes of the Council are to serve and strengthen the cultural life of the State, particularly in the area of the performing and visual arts, through consultations and, where feasible, by combined action.

ARTICLE II - MEMBERS

Section 1. The undersigned organizations are members of the Council on the date hereof. Responsible organizations which are in the charge of duly elected or appointed officers or committees and which have a record of cultural achievement, are eligible to apply for membership in the Council and will become members upon approval of their respective applications by the Board of Directors.

Section 2. Officers and Directors of member organizations shall be, ex officio, Individual Members
of the Council.

Interested individuals not otherwise members may apply for Individual Membership in the Council, and will become Individual Members upon approval of their respective applications by the Board of Directors.

Section 3. Meetings of Individual Members. Meetings of the Individual Members of the Council may be called at the discretion of the President and shall be called upon the request of three members of the Board of Directors. At least one week's notice shall be given of all such meetings.

Section 4. Members may be removed from the membership roles of the Council for the following reasons, and under the following terms and conditions, viz:

A. If a member shall fail to pay its dues or assessments within 60 days after presentation of a statement by the treasurer, the treasurer shall give notice of the fact in writing to the delinquent member and to the Executive Committee. Upon receipt of such notice by the Executive Committee, the recording secretary shall note the same in the records of the Council. If the delinquent member shall not have liquidated the noted indebtedness within 30 days after the date of such notation by the recording secretary, the treasurer, at the next regular meeting of the Board of Directors may move that the delinquent member be dropped from membership in the Council. If a majority
of those directors present and voting shall vote for
the treasurer's motion, the membership of the delin-
quent member shall then and there be terminated, and
the member so dropped shall not be eligible for re-
admission for six months and then only providing dues
in arrears are fully paid.

B. If any individual member or director shall
know of any just cause, other than that specified in
Paragraph A hereinabove, why a member should be dropped
from the roles of this Council, he shall give notice
of the same to the recording secretary, making a full
statement of the reasons for such action. It shall
be the duty of the recording secretary forthwith to
include the statement so filed in the agenda for the
next regular meeting of the Board of Directors; it
shall be further the duty of the recording secretary to
make a full copy of the statement so filed and to mail
such statement, by certified mail, to the party com-
plained of. At the ensuing regular meeting of the
Board of Directors, the recording secretary shall move
that the offending party be dropped from the member-
ship roles of this Council, and the offending party
and the complaining party shall be given full oppor-
tunity, upon the making of such motion, to adduce for
the benefit of the Board of Directors such evidence of
the reason for action as they may elect. Upon the
conclusion of the statements and other actions of the
complaining and complained of parties, the motion of
the recording secretary shall be in order for voting
by the Board of Directors. If 3/4 of the directors
present and voting shall vote for the motion of the
recording secretary, then the party complained of
shall be removed from the membership roles of the Coun-
cil, and shall not be eligible for readmission to the
Council for one year, and then only providing dues in
arrears are fully paid.

ARTICLE III - BOARD OF DIRECTORS

Section 1. There shall be a Board of Directors
of the Council composed of (a) one representative of
each member organization, (b) the officers of the Coun-
cil, who shall be members with the right to vote, and
(c) as members ex officio but serving without vote, the
Musical Director of The Rhode Island Philharmonic
Orchestra, the Musical Director of The Rhode Island
Civic Chorale, and, in the case of each other member
organization, the person occupying a similar position
or relationship in such organization.

A director who is the representative of a member
organization shall continue as a director during the
pleasure of such organization.

An officer of the Council shall continue as a di-
rector during his term as an officer.

Other directors shall continue as directors so
long as they retain the respective positions by virtue
of which they became directors.

Section 2. Powers and duties of Directors. The directors shall have all the powers necessary or appropriate to enable them to carry out the purposes of the Council and shall be responsible for the supervision of its activities.

Section 3. Meetings of Directors. The Board of Directors shall hold a meeting as soon as each of the organizations which are members of the Council on the date hereof has elected a representative on the Board, and the members so elected shall have power to organize and elect the officers of the Council who, upon election, shall become members of the Board. Thereafter as additional organizations become members, each such organization shall elect or appoint a representative to the Board.

The Board of Directors may, if it so determines, specify a time and place for regular meetings. Special meetings may be called at any time by the President, a Vice President, or by any three members of the Board.

Section 4. Notice of Meetings. Notice of all meetings of the Board of Directors shall be given at least forty-eight hours before the time of the meeting, may be given by mail, telegram, telephone or in person, and shall state the time and place of the meeting. If a special meeting of the Board has been called, the notice shall also state in general terms the purpose of
the meeting.

Section 5. Quorum. A majority of the voting members of the Board in office from time to time, but not less than five, shall constitute a quorum at any meeting.

Section 6. Effect of Action. Motions and resolutions passed by the Board shall be considered to be recommendations only and shall not be binding on member organizations or individual members of the Council.

ARTICLE IV - OFFICERS

Section 1. Election. The officers of the Council shall be a President, one or more Vice Presidents, a Secretary, a Treasurer and such other officers as the Board of Directors may from time to time elect. The officers shall be elected from the Individual Membership by the Board to serve for such terms as shall be specified at the time of election.

Section 2. The President. The President shall preside at all meetings of the Council and of the Board of Directors and shall have general supervision of the affairs of the Council.

Section 3. The Vice Presidents. In the absence of the President, the Vice President or one of the Vice Presidents shall perform the duties pertaining to the office of President. The Vice Presidents shall assist the President in the management of the Council and shall perform such other duties as may be assigned to
them by the Board of Directors.

Section 4. The Treasurer. The Treasurer shall perform the usual duties associated with his office and such other duties as may be assigned to him by the Board. If the Board of Directors shall so require, he shall give bond for the faithful performance of his duties.

Section 5. The Secretary. The Secretary shall perform the usual duties associated with the office of Secretary and such other duties as may be assigned to him by the Board of Directors.

Section 6. Officers appointed by the Board. The term of office and the duties of additional officers appointed by the Board shall be such as the Board shall specify when the appointments are made.

ARTICLE V - COMMITTEES

Section 1. The Executive Committee. With the approval of the Board, the President may appoint an Executive Committee of such number as shall be specified when such approval is given, all of whom shall be members of the Board. Between meetings of the Board the Executive Committee shall have and may exercise all of the powers of the Board but shall, at each meeting of the Board, report all action taken by it since the last meeting.

Section 2. Other Committees. The Board shall, from time to time, provide for such other committees
as may be required and shall specify the method of appointment, the term of office and the duties of the members of such committees.

ARTICLE VI - DUES AND ASSESSMENTS

Each member organization and each Individual Member who holds membership under the provisions of Article II, Section 2 (B), shall pay annual dues of such amount as the Board shall determine, but not in excess of $10 per year.

The cost of services rendered to the Council shall be covered by an assessment on each member organization, in such amount as the Board shall determine.

ARTICLE VII - EXECUTION OF DOCUMENTS

All checks, drafts and orders for the payment of money shall be signed by the Treasurer and/or such other officer as the Board of Directors shall from time to time designate.

ARTICLE VIII - AMENDMENTS

Amendments to these by-laws may be made by the Directors at any regular or special meeting by a majority vote of the Directors present, provided that in the notice of the meeting the fact that it is proposed to offer an amendment to the by-laws and the substance of the proposed amendment are stated.
ARTICLE IX - TERMINATION OF EXISTENCE OF THE COUNCIL

If the Council ceases to exist, all funds in the treasury not needed for the payment of debts shall be disposed of in such manner as the Board of Directors shall determine.

Providence, Rhode Island,