

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 582 Session of  
2017

INTRODUCED BY HUGHES, RESCHENTHALER, SCHWANK, RAFFERTY, HAYWOOD,  
MENSCH AND COSTA, APRIL 6, 2017

REFERRED TO STATE GOVERNMENT, APRIL 6, 2017

AN ACT

1 Establishing the Council on Jazz Education and Preservation and  
2 providing for its powers and duties; and establishing the  
3 Jazz Legacy Fund.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Council on  
8 Jazz Education and Preservation Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Council." The Council on Jazz Education and Preservation  
14 established under this act.

15 "Fund." The Jazz Legacy Fund established under this act.

16 Section 3. Establishment, membership and meetings.

17 (a) Establishment.--The Council on Jazz Education and  
18 Preservation is established to preserve knowledge and promote

1 education about jazz.

2 (b) Limitation.--

3 (1) Nothing contained in this act shall be construed as  
4 limiting or vesting power in the council to encroach upon or  
5 usurp the power vested in any other commission or agency  
6 established under the laws of this Commonwealth.

7 (2) In the course of carrying out the council's powers  
8 and duties under this act, the council shall avoid actions  
9 that would interfere with the freedom of artistic expression  
10 or with the established or contemplated cultural programs in  
11 a local community.

12 (c) Membership.--The council shall report directly to the  
13 Governor. The council shall consist of the following members:

14 (1) One member appointed by the Governor who shall be a  
15 representative of any field relating to jazz or music.

16 (2) One member of the Senate appointed by the President  
17 pro tempore of the Senate.

18 (3) One member of the Senate appointed by the Minority  
19 Leader of the Senate.

20 (4) One member of the House of Representatives appointed  
21 by the Speaker of the House of Representatives.

22 (5) One member of the House of Representatives appointed  
23 by the Minority Leader of the House of Representatives.

24 (d) Chairperson.--The Governor shall appoint a member of the  
25 council to serve as chairperson.

26 (e) Open meetings.--All meetings of the council shall be  
27 open to the public.

28 (f) Compensation.--Members of the council may not receive  
29 compensation, except for reimbursements necessary for travel and  
30 other expenses incurred in the performance of official duties.

1 Section 4. Powers and duties of the council.

2 (a) Powers.--The council shall have the powers and authority  
3 necessary to carry out the duties imposed by this act, including  
4 the power to:

5 (1) adopt rules and regulations necessary for proper  
6 execution of the powers and duties granted to and imposed  
7 upon the council by this act;

8 (2) hold hearings, make and sign agreements and do or  
9 perform acts that may be necessary, desirable or proper to  
10 carry out the purposes of this act;

11 (3) request from a department, board, bureau, commission  
12 or other agency of the Commonwealth such assistance and data  
13 as will enable the council to properly carry out the  
14 council's powers and duties under this act;

15 (4) appoint such advisory committees as the council  
16 deems advisable and necessary to the carrying out of the  
17 council's powers and duties under this act; and

18 (5) award grants to promote, protect, preserve and  
19 market jazz throughout this Commonwealth.

20 (b) Duties.--The council shall have the following duties:

21 (1) to promote, encourage, foster, preserve and market  
22 jazz in this Commonwealth;

23 (2) to promote jazz education throughout the public and  
24 private schools throughout this Commonwealth;

25 (3) to promote jazz education throughout this  
26 Commonwealth's institutions of higher education; and

27 (4) to provide grants to support, promote, educate,  
28 encourage, foster, preserve and market jazz throughout this  
29 Commonwealth, which grants may be used to purchase  
30 instruments or equipment.

1 (c) Cooperative support.--The Commonwealth of Pennsylvania  
2 Council on the Arts shall provide administrative, technical and  
3 other personnel as may be necessary for assisting the council in  
4 the performance of the council's powers and duties.

5 Section 5. Jazz Legacy Fund.

6 (a) Establishment.--The Jazz Legacy Fund is established in  
7 the State Treasury. The money in the fund is hereby appropriated  
8 on a continuing basis to the council for the purposes of this  
9 act.

10 (b) Interfund transfer.--The sum of \$5,000,000 is  
11 transferred from the General Fund to the Jazz Legacy Fund.

12 (c) Additional funding.--The fund shall be eligible to:

13 (1) accept Federal funds granted, by act of Congress or  
14 by executive order, for the purposes of this act; and

15 (2) to accept gifts, donations or bequests for the  
16 purposes of this act.

17 (d) Use.--The money in the fund shall be used by the council  
18 to administer and for the purposes of this act.

19 Section 6. Effective date.

20 This act shall take effect immediately.