

29-LS0696\H
Bannister
3/30/15

CS FOR HOUSE BILL NO. 160()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE GATTIS

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the art requirements for certain public buildings and facilities and**
2 **to the funding of works of art; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 35.27.020 is amended by adding a new subsection to read:

5 (h) Notwithstanding another provision of this chapter, after July 1, 2015,
6 unless required by a contract entered into under this chapter before July 2015,

7 (1) subsection (a) of this section does not require a building or facility
8 constructed, remodeled, or renovated to include works of art;

9 (2) the department is not required to consult with the Alaska State
10 Council on the Arts under (b) of this section;

11 (3) a percentage of the construction cost of a building or facility may
12 not be reserved for the purposes described under (c) of this section;

13 (4) the department may not specifically authorize the inclusion of
14 works of art in the design and construction of a building or facility under (d) of this

1 section; and

2 (5) an architect, a superintendent of a school district, or the department
3 may not select an artist under (e) or (f) of this section.

4 * **Sec. 2.** AS 44.27.050 is amended by adding a new subsection to read:

5 (b) Notwithstanding (a)(5) of this section, after July 1, 2015, the council shall
6 manage the art in public places fund only to the extent required to manage money
7 deposited in the fund before July 1, 2015, or money deposited into the fund under
8 AS 44.27.060(b) under a contract that is entered into under this chapter before July 1,
9 2015.

10 * **Sec. 3.** AS 44.27.052(a) is amended to read:

11 (a) The council may

12 (1) hold public and private hearings;

13 (2) enter into contracts, within the limit of funds available, with
14 individuals, organizations, and institutions for services furthering the educational
15 objectives of the council's programs;

16 (3) enter into contracts, within the limit of funds available, with local
17 and regional associations for cooperative endeavors furthering the educational
18 objectives of the council's programs;

19 (4) accept gifts, contributions, and bequests of unrestricted funds from
20 individuals, foundations, corporations, and other organizations or institutions for the
21 purpose of furthering the educational objectives of the council's programs;

22 (5) make and sign agreements and do and perform any acts necessary
23 to carry out the purposes of AS 44.27.040 - 44.27.058 [AS 44.27.040 - 44.27.060];
24 and

25 (6) adopt regulations under AS 44.62 (Administrative Procedure Act)
26 to carry out the provisions of AS 44.27.040 - 44.27.058 [AS 44.27.040 - 44.27.060].

27 * **Sec. 4.** AS 44.27.060 is amended by adding a new subsection to read:

28 (e) Notwithstanding the other provisions of this section, after July 1, 2015,

29 (1) the council shall manage the art in public places fund only to the
30 extent required by AS 44.27.050(b);

31 (2) the commissioner of a department responsible for the design and

1 construction of a building or facility may not deposit one percent of the construction
2 cost of a building or facility into the art in public places fund under (b) of this section,
3 except that the commissioner may deposit one percent of the construction cost of a
4 building or facility into the art in public places fund if, before July 1, 2015, the
5 commissioner enters into a contract requiring the one percent to be used for art under
6 (b) of this section;

7 (3) notwithstanding (c) of this section, the council may not use the
8 money in the art in public places fund as allowed under (c) of this section, unless,
9 before July 1, 2015, the council enters into a contract under (c) of this section for the
10 commissioning, purchase, or expenses of a work of art for a building or facility.

11 * **Sec. 5.** AS 44.35.030 is amended to read:

12 **Sec. 44.35.030. Construction of memorials to Alaska veterans.** The
13 Department of Military and Veterans' Affairs may construct memorials to Alaska
14 veterans. A memorial constructed under this section is not subject to AS 35.15 [OR
15 AS 35.27].

16 * **Sec. 6.** AS 35.27.010, 35.27.020, 35.27.030; AS 44.27.050(a)(5), 44.27.050(b), and
17 44.27.060 are repealed.

18 * **Sec. 7.** Sections 1, 2, and 4 of this Act take effect July 1, 2015.

19 * **Sec. 8.** Sections 3, 5, and 6 of this Act take effect July 1, 2020.