

HOUSE BILL NO. 161

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DRUMMOND

Introduced: 4/5/21

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to special request registration plates celebrating the arts; relating to**
2 **artwork in public buildings and facilities; relating to the management of artwork under**
3 **the art in public places fund; relating to the powers and duties of the Alaska State**
4 **Council on the Arts; and providing for an effective date."**

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

6 * **Section 1.** AS 28.10.421(a) is amended to read:

7 (a) Unless otherwise provided by law,

8 (1) the fees prescribed in this section shall be paid to the department at
9 the times provided under AS 28.10.108 and 28.10.111; [AND]

10 (2) an additional fee of \$10 shall be added to the registration fee set out
11 in this section for registration not conducted by mail, on the department's Internet
12 website, or at an emissions inspection station or contract office offering vehicle
13 registration services; the department may waive this additional fee for a good cause
14 based on criteria established in regulations adopted by the department; **and**

(3) an additional fee in an amount not to exceed \$50 shall be added to the registration fee set out in this section for a vehicle registration plate celebrating the arts under AS 28.10.161(b)(1)(C); the Alaska State Council on the Arts shall determine the fee required under this paragraph in regulation; the fee shall be collected only on the first issuance and the replacement of the special request plates; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing the vehicle registration plate celebrating the arts may be appropriated by the legislature to the Alaska State Council on the Arts.

* **Sec. 2.** AS 35.27.020 is amended by adding a new subsection to read:

(h) The Alaska State Council on the Arts shall manage the relocation, disposition, and exchange of works of art acquired under this chapter as provided in AS 44.27.050(7).

* **Sec. 3.** AS 44.27.050 is amended to read:

Sec. 44.27.050. Duties of council. The council shall

(1) stimulate and encourage throughout the state the study and presentation of the performing, visual, literary, and fine arts and public interest, participation, and investment in the arts;

(2) conduct research considered advisable on public and private institutions engaged in the state in artistic and cultural activities, including music, theatre, dance, painting, sculpture, architecture, and allied arts and crafts, and 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) take steps necessary and appropriate to encourage public interest in the cultural heritage of the state and to expand the state's cultural resources;

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

(5) manage the art in public places fund;

(6) administer the provisions of AS 45.65 relating to the identification seal for authentic Alaska Native art created or crafted in the state and adopt regulations to carry out those provisions;

(7) manage and adopt policies and procedures for the relocation, disposition, and exchange of works of art acquired under AS 35.27 or with money from the art in public places fund.

* **Sec. 4.** AS 44.27 is amended by adding a new section to read:

Sec. 44.27.053. Legal counsel. (a) The attorney general is the legal counsel for the council. The attorney general shall advise the council in legal matters arising in the discharge of the council's duties and represent the council in suits to which the council is a party.

(b) The council may employ temporary legal counsel for good cause and with the approval of the attorney general. The attorney general may not unreasonably withhold approval.

* **Sec. 5.** AS 44.27.055(d) is amended to read:

(d) The operating budget of the council is subject to AS 37.07 (Executive Budget Act), **except that AS 37.07 does not apply to funds received from private nonprofit organizations. In this subsection, "nonprofit organization" means an organization that is exempt from taxation under 26 U.S.C. 501(c)(3).**

* **Sec. 6.** AS 44.27.080(a) is amended to read:

(a) The council **may** [SHALL] hold a competition every four years to select a design for the vehicle registration plate celebrating the arts under AS 28.10.161(b)(1)(C). **If the council holds a competition, the** [THE] council shall select a panel of judges to judge the submissions for the contest and shall include the previous design winner on the panel. The panel shall select the top submissions, and the council shall conduct a public vote to determine the winner of the competition. The council shall use the winning design when consulting with the commissioner of administration under AS 28.10.161(b)(1)(C).

* **Sec. 7.** AS 44.27.080 is amended by adding a new subsection to read:

(c) The council may, in consultation with the Department of Administration, recommend an amount to be appropriated from the annual estimated balance in the

- 1 account under AS 28.10.421(a)(3) to pay an artist for a winning design.
- 2 * **Sec. 8.** This Act takes effect July 1, 2021.