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HOUSE CS FOR CS FOR SENATE BILL NO. 71(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/9/22

Referred: Finance

Sponsor(s): SENATOR STEVENS

REPRESENTATIVES Kreiss-Tomkins, Tarr, Foster, Thompson, Drummond, Josephson, Wool, Schrage,
Johnson

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; establishing the Alaska arts and cultural investment fund; and**
5 **providing for an effective date."**

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

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

8 (a) Unless otherwise provided by law,

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

11 (2) an additional fee of \$10 shall be added to the registration fee set out
12 in this section for registration not conducted by mail, on the department's Internet
13 website, or at an emissions inspection station or contract office offering vehicle

1 registration services; the department may waive this additional fee for a good cause
 2 based on criteria established in regulations adopted by the department; and

3 (3) an additional fee in an amount not to exceed \$50 shall be added
 4 to the registration fee set out in this section for a vehicle registration plate
 5 celebrating the arts under AS 28.10.161(b)(1)(C); the Alaska State Council on the
 6 Arts shall determine the fee required under this paragraph in regulation; the
 7 additional fee shall be collected only on the first issuance of the special request
 8 plates; the commissioner of administration shall separately account for the fees
 9 received under this paragraph that the department deposits in the general fund;
 10 notwithstanding (g) of this section, the annual estimated balance in the account
 11 that is in excess of the cost of issuing the vehicle registration plate celebrating the
 12 arts may be appropriated by the legislature to the arts and cultural investment
 13 fund established in AS 44.27.059.

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

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

18 * **Sec. 3.** AS 37.05.146(c) is amended by adding a new paragraph to read:

19 (80) Alaska arts and cultural investment fund (AS 44.27.059).

20 * **Sec. 4.** AS 44.27.050 is amended to read:

21 **Sec. 44.27.050. Duties of council.** The council shall

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

25 (2) conduct research considered advisable on public and private
 26 institutions engaged in the state in artistic and cultural activities, including music,
 27 theatre, dance, painting, sculpture, architecture, and allied arts and crafts, and make
 28 recommendations concerning appropriate methods to encourage participation in and
 29 appreciation of the arts to meet the legitimate needs and aspirations of persons in all
 30 parts of the state;

31 (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;

(8) manage the Alaska arts and cultural investment fund.

* **Sec. 5.** 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. 6.** AS 44.27 is amended by adding a new section to read:

Sec. 44.27.059. Alaska arts and cultural investment fund. (a) The Alaska arts and cultural investment fund is created in the general fund. The fund consists of money appropriated to the fund by the legislature, including donations, money from other sources, and interest earned on money in the fund. Appropriations to the fund do not lapse.

(b) The council shall administer the fund in accordance with the provisions of this chapter. The council may spend money appropriated to the fund to carry out the purposes of this chapter and to pay the costs of administering the fund without further appropriation.

* **Sec. 7.** AS 44.27.080(a) is amended to read:

(a) The council **may** [SHALL] hold a competition every four years to select a

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

8 * **Sec. 8.** AS 44.27.080 is amended by adding a new subsection to read:

9 (c) The council may, in consultation with the Department of Administration,
10 recommend an amount to be appropriated from the annual estimated balance in the
11 account under AS 28.10.421(a)(3) to pay an artist for a winning design.

12 * **Sec. 9.** This Act takes effect July 1, 2022.