

Original sponsor: State Affairs Committee

Offered: 4/25/80  
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 729

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to works of art in state buildings and  
7 facilities; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 35.27.020(a) is repealed and re-enacted to read:

10 (a) A building or facility constructed after June 30, 1975, or  
11 remodeled or renovated after June 30, 1975, shall include works of art,  
12 including but not limited to sculptures, paintings, murals or objects  
13 relating to Native art.

14 \* Sec. 2. AS 35.27.020(b) is amended to read:

15 (b) The department, before preparing plans and specifications for  
16 buildings [PUBLIC WORKS] and facilities, shall consult with the Alaska  
17 State Council on the Arts regarding the desirability of inclusion of  
18 works of art.

19 \* Sec. 3. AS 35.27.020(c) is amended to read:

20 (c) At least one percent or, in the case of a rural school facil-  
21 ity, at least one-half of one percent of the construction cost of a  
22 building or facility approved for construction by the legislature after  
23 September 1, 1977, [THE ENACTMENT DATE OF THIS CHAPTER] will be reserved  
24 for the following purposes: the design, construction, mounting and  
25 administration of works of art in a school, office building, court build-  
26 ing, vessel of the marine highway system, or other [THE PUBLIC] building  
27 or [PUBLIC] facility which is subject to substantial public use.

28 \* Sec. 4. AS 35.27.020(d) is repealed and re-enacted to read:

29 (d) A building or facility with an estimated construction cost of

1 less than \$250,000 is exempt from the requirements of this chapter  
2 unless inclusion of works of art in the design and construction of the  
3 building or facility is specifically authorized by the department.

4 \* Sec. 5. AS 35.27.030(2) is repealed and re-enacted to read:

5 (2) "building" or "facility" means a permanent improvement  
6 constructed by the department; the term

7 (A) includes, but is not limited to,

8 (i) schools, office buildings, and court buildings;

9 (ii) other buildings which the commissioner deter-  
10 mines are designed for substantial public use;

11 (iii) boats and vessels of the marine highway system;

12 (iv) transportation facilities which accommodate  
13 traveling passengers;

14 (B) excludes other transportation facilities.

15 \* Sec. 6. AS 35.27.030 is amended by adding a new paragraph to read:

16 (4) "commissioner" means the commissioner of transportation  
17 and public facilities;

18 \* Sec. 7. AS 44.19.930 is amended by adding a new paragraph to read:

19 (6) to manage the art in public places fund.

20 \* Sec. 8. AS 44.19 is amended by adding a new section to read:

21 Sec. 44.19.942. ART IN PUBLIC PLACES FUND. (a) The art in public  
22 places fund is established. The council shall manage the fund.

23 (b) The commissioner of a department responsible for the design  
24 and construction of a building or facility shall deposit into the art in  
25 public places fund one percent of the construction cost of a building or  
26 facility which is exempt from the requirements of AS 35.27 and the  
27 exemption is because

28 (1) the estimated construction cost of the building or facil-  
29 ity is less than \$250,000; or

1 (2) the building or facility is not designed for substantial  
2 public use.

3 (c) The council may use the money in the art in public places fund

4 (1) to commission or purchase a work of art which is to be  
5 made a permanent part of, or placed on loan in, a building or facility  
6 owned or leased by the state which has substantial public use; and

7 (2) to meet expenses for a commissioned work of art for a  
8 building or facility which has substantial public use if the cost of the  
9 work of art exceeds the amount reserved under AS 35.27.020(c).

10 (d) In this section, "building" or "facility" means

11 (1) a building or facility of the state, as defined by AS 35.-  
12 27.030(2), which is designed for and which is subject to substantial  
13 public use; and

14 (2) a building or facility which is leased by the state and  
15 subject to substantial public use.

16 \* Sec. 9. This Act takes effect July 1, 1980.  
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