

Offered: 3/23/84
Referred: Rules

Original sponsors: Adams, Ward
and Szymanski

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 519 (Rules)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to art works by Alaska artists in
7 public buildings and facilities; and providing for an
8 effective date."

8

9

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

10

* Section 1. AS 35.27.010 is amended to read:

11

Sec. 35.27.010. PURPOSE. The state recognizes its responsibility to foster culture and the arts and the necessity for the viable development of Alaska [ITS] artists and craftsmen. The legislature declares it to be a state policy that a portion of appropriations for capital expenditures may be set aside for the acquisition of works of art by Alaska artists to be used for state buildings and other public facilities.

12

13

14

15

16

17

18

* Sec. 2. AS 35.27.020(a) is amended to read:

19

(a) If the appropriate body of the community where the building or facility is constructed or the school board of a school district or a regional educational attendance area where a public school is constructed approves, a [A] building or facility constructed after June 30, 1975, or remodeled or renovated after June 30, 1975, shall include works of art by Alaska artists, including but not limited to sculptures, paintings, murals or objects relating to Native art. The appropriate body of the community or a school board of a school district or a regional educational attendance area shall hold a public meeting or otherwise consult with the residents of the community or regional educational attendance area before deciding to approve or

20

21

22

23

24

25

26

27

28

29

1 disapprove the inclusion of art works under this chapter.

2 * Sec. 3. AS 35.27.020(b) is amended to read:

3 (b) The department, before preparing plans and specifications
4 for a building or facility, may [BUILDINGS AND FACILITIES, SHALL]
5 consult with the Alaska State Council on the Arts and shall consult
6 with the appropriate body of the community or the school board of a
7 school district or a regional educational attendance area regarding
8 the desirability of inclusion of works of art.

9 * Sec. 4. AS 35.27.020(c) is amended to read:

10 (c) Not more than [AT LEAST] one percent or, in the case of a
11 regional educational attendance area [RURAL] school facility, not more
12 than [AT LEAST] one-half of one percent, of the construction cost of a
13 building or facility approved for construction by the legislature
14 after September 1, 1977, may [WILL] be reserved for the following
15 purposes: the design, construction, mounting and administration of
16 works of an Alaska artist [ART] in a school, office building, court
17 building, vessel of the marine highway system, or other building or
18 facility which is subject to substantial public use. If the appropri-
19 ate body of the community, or the school board of a school district or
20 a regional educational attendance area, approves the use of funds for
21 art works under this subsection, then the work of art must be that of
22 an Alaska artist.

23 * Sec. 5. AS 35.27.020(e) is amended to read:

24 (e) Except as provided in (f) of this section, the Alaska [THE]
25 artist who executes these works of art shall be recommended for final
26 approval to the department [SELECTED] by the architect for the depart-
27 ment [WITH THE APPROVAL OF THE DEPARTMENT,] after consultation with
28 the Alaska State Council on the Arts and the appropriate body of the
29 community where [PRINCIPAL USER OF] the public building or facility is

1 constructed. In selecting an artist under this section, the depart-
2 ment shall approve an artist who will execute a work of art without a
3 cost overrun or delay in construction of the public building or facil-
4 ity [BUILDINGS OR FACILITIES].

5 * Sec. 6. AS 35.27.020(f) is amended to read:

6 (f) The Alaska artist who executes these works of art in a [THE]
7 public school [SCHOOLS] shall be recommended [SELECTED] by the super-
8 intendent of the [A] school district or regional educational atten-
9 dance area in which the [A] public school is to be built before final
10 [WITH THE] approval of the artist by the school board. In selecting
11 an artist under this section, the school board shall approve an artist
12 who will execute a work of art without a cost overrun or delay in
13 school construction [SHOULD THE DEPARTMENT FIND IN THE BEST INTEREST
14 OF THE STATE THAT THE SELECTION OF THE ARTIST WHO EXECUTES THESE WORKS
15 OF ART BY THE SUPERINTENDENT MAY RESULT IN A COST OVERRUN TO THE STATE
16 OR DELAY OF CONSTRUCTION, THE DEPARTMENT SHALL MAKE THE SELECTION OF
17 THE ARTIST IN CONSULTATION WITH THE SUPERINTENDENT].

18 * Sec. 7. AS 35.27.020(g) is amended to read:

19 (g) The architect, superintendent, department, and the Alaska
20 State Council on the Arts shall encourage the use of state cultural
21 resources in these art works and require the selection of Alaska
22 [RESIDENT] artists for the commission of these art works.

23 * Sec. 8. AS 35.27 is amended by adding a new section to read:

24 Sec. 35.27.025. GOVERNMENTAL AUTHORITY OF NATIVE VILLAGE COUN-
25 CILS. Neither the designation of a Native village council as an
26 appropriate body in AS 35.27.030 nor any action taken by a Native
27 village council under this chapter enlarges or diminishes the govern-
28 mental authority or jurisdiction of a Native village council.

29 * Sec. 9. AS 35.27.030(1) is amended to read:

1 (1) "department" means the department responsible for the
2 planning and construction of a building or facility [DEPARTMENT OF
3 TRANSPORTATION AND PUBLIC FACILITIES];

4 * Sec. 10. AS 35.27.030(4) is amended to read:

5 (4) "commissioner" means the commissioner of a department
6 responsible for the planning and construction of a building or facili-
7 ty [TRANSPORTATION AND PUBLIC FACILITIES].

8 * Sec. 11. AS 35.27.030 is amended by adding a new paragraph to read:

9 (5) "appropriate body" means, as suitable, a city council,
10 a borough assembly, or in an unincorporated community, a Native vil-
11 lage council or a board of directors of a community nonprofit corpora-
12 tion.

13 * Sec. 12. AS 35.27.020(d) and AS 44.27.060 are repealed.

14 * Sec. 13. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).