

Offered: 2/24/89  
Referred: State Affairs and  
Finance

6-0216E

Original sponsors: Hanley, Zawacki,  
and Leman

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE  
2 CS FOR HOUSE BILL NO. 3 (Transportation)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to art in public places; and provid-  
7 ing for an effective date."

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

9 \* Section 1. AS 35.27.020(c) is amended to read:

10 (c) One-half [AT LEAST ONE PERCENT OR, IN THE CASE OF A RURAL  
11 SCHOOL FACILITY, AT LEAST ONE-HALF] of one percent of the construction  
12 cost of a building or facility shall [APPROVED FOR CONSTRUCTION BY THE  
13 LEGISLATURE AFTER SEPTEMBER 1, 1977, WILL] be reserved for the follow-  
14 ing purposes: the design, construction, mounting and administration of  
15 works of art in a school, office building, court building, vessel of  
16 the marine highway system, or other building or facility that [WHICH]  
17 is subject to substantial public use. All administrative costs,  
18 including those of the department, associated with the art project  
19 shall be paid from the money reserved under this subsection.

20 \* Sec. 2. AS 35.27.020(g) is amended to read:

21 (g) Each selection committee established under AS 35.27.021 [THE  
22 ARCHITECT, SUPERINTENDENT, DEPARTMENT, AND THE ALASKA STATE COUNCIL ON  
23 THE ARTS] shall encourage the use of state cultural resources in these  
24 art works and shall select [THE SELECTION OF ALASKA RESIDENT] artists  
25 for the commission of these art works who are residents of the state  
26 under AS 01.10.055.

27 \* Sec. 3. AS 35.27 is amended by adding a new section to read:

28 Sec. 35.27.021. SELECTION OF ART. (a) The artist who executes  
29 a work of art for a public school shall be selected by a majority vote

1 of a committee, with the approval of the school board. The committee  
2 shall be composed of the architect, the project manager administering  
3 the facility construction, two representatives from the school dis-  
4 trict staff, and three members of the public who reside in the commu-  
5 nity where the school is located. The president of the school board  
6 or a designee shall provide reasonable public notice that public  
7 member seats on the committee are available. The school board shall  
8 select the representatives from the school district and the members of  
9 the public.

10 (b) Except as provided in (a) of this section, an artist who  
11 executes a work of art for buildings and facilities shall be selected  
12 by a majority vote of a committee convened by the project manager  
13 administering the facility construction. The committee shall be  
14 composed of the architect, the project manager, a designee of the  
15 Alaska State Council on the Arts, a designee of the principal user of  
16 the public building or facility, and three members of the public who  
17 reside in the community where the building is located. To select the  
18 public members, the department shall advertise for applicants by  
19 appropriate public notice and pick the members by lottery from among  
20 the applicants.

21 (c) All meetings of the selection committee under (a) or (b) of  
22 this section are subject to the public meeting and notice requirements  
23 of AS 44.62.310.

24 \* Sec. 4. AS 44.27.060(b) is amended to read:

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

1           (1) the estimated construction cost of the building or  
2 facility is less than \$250,000; or

3           (2) the building or facility is not designed for substan-  
4 tial public use.

5 \* Sec. 5. AS 44.27.060 is amended by adding a new subsection to read:

6           (e) A work of art shall be identified by a permanent plaque  
7 installed on or near the work of art. The plaque must contain the  
8 name or title of the work of art, the name of the artist, the year of  
9 completion, and the names of the members of the selection committee.

10 \* Sec. 6. AS 35.27.020(e) and (f) are repealed.

11 \* Sec. 7. The amendments made by this Act do not apply to the construc-  
12 tion of a building or facility if, before the effective date of this Act,  
13 the department or the Alaska State Council on the Arts has entered into a  
14 contract to meet the art requirements under this chapter for the building  
15 or facility.

16 \* Sec. 8. This Act takes effect immediately under AS 01.10.070(c).