

BY REP. HANLEY, C.Davis

1 IN THE HOUSE

2

HOUSE BILL NO. 542

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND 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 [AT LEAST ONE] percent or, in the case of a rural school
11 facility, [AT LEAST] one-half of one percent of the construction cost
12 of a building or facility, up to a total of \$50,000 on any one proj-
13 ect, shall [APPROVED FOR CONSTRUCTION BY THE LEGISLATURE AFTER
14 SEPTEMBER 1, 1977, WILL] be reserved for the following purposes: the
15 design, construction, mounting, and administration of works of art in
16 a school, office building, court building, vessel of the marine
17 highway system, or other building or facility that [WHICH] is subject
18 to substantial public use. If the building is a school or
19 post-secondary educational facility, the selection committee estab-
20 lished under AS 35.27.021 may use part of the money reserved under
21 this subsection for an artist-in-residence program to produce a
22 permanent piece of visual art. All administrative costs, including
23 those of the department, associated with the art project shall be paid
24 from the money reserved under this subsection.

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

26 (d) A building or facility with an estimated construction cost
27 of less than \$250,000 is exempt from the requirements of this chapter
28 unless inclusion of works of art in the design and construction of the
29 building or facility is specifically authorized by the department.

1 The authorization may not be granted unless the building or facility
2 is subject to substantial public use or the works of art will have
3 substantial public visibility.

4 * Sec. 3. AS 35.27.020(g) is amended to read:

5 (g) Each selection committee established under AS 35.27.021 [THE
6 ARCHITECT, SUPERINTENDENT, DEPARTMENT, AND THE ALASKA STATE COUNCIL ON
7 THE ARTS] shall encourage the use of state cultural resources in these
8 art works and the selection of Alaska resident artists for the commis-
9 sion of these art works. A work of art shall be identified by a
10 permanent plaque installed on or near the work of art. The plaque
11 must contain the name or title of the work of art, the name of the
12 artist, and the year of completion.

13 * Sec. 4. AS 35.27 is amended by adding a new section to read:

14 Sec. 35.27.021. SELECTION OF ART. (a) The artist who executes
15 a work of art for a public school shall be selected by a majority vote
16 of a committee, with the approval of the school board. The committee
17 shall be composed of the superintendent or principal, one represen-
18 tative from the school district staff, and three members of the public
19 who reside in the community where the school is located. The presi-
20 dent of the school board or a designee shall provide reasonable public
21 notice that public member seats on the committee are available. The
22 school board shall select the representative from the school district
23 and the members of the public. The committee may consult with the
24 Alaska State Council on the Arts, the architect, and the project
25 manager administering the facility construction project.

26 (b) Except as provided in (a) of this section, an artist who
27 executes a work of art for buildings and facilities shall be selected
28 by a majority vote of a committee convened by the project manager
29 administering the facility construction. The committee shall be

1 composed of the architect, the project manager, a designee of the
2 Alaska State Council on the Arts, a designee of the principal user of
3 the public building or facility, and three members of the public who
4 reside in the community where the building is located. To select the
5 public members, the department shall advertise for applicants by
6 appropriate public notice. The four named committee members shall
7 select the three public members from the applicants.

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

11 * Sec. 5. AS 44.27.060(b) is amended to read:

12 (b) The commissioner of a department responsible for the design
13 and construction of a building or facility shall deposit into the art
14 in public places fund one percent or, in the case of a rural school
15 facility, one-half of one percent of the construction cost of the [A]
16 building or facility, up to a total of \$50,000 on any one project, if
17 the building or facility is exempt from the requirements of AS 35.27.
18 and the exemption is because

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

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

23 * Sec. 6. AS 44.27.060(c) is repealed and reenacted to read:

24 (c) The council shall use the money in the art in public places
25 fund for artists-in-residence programs to produce permanent pieces of
26 visual art or for the purchase of Alaskan artifact antiquities or
27 original Alaskan fine art for display for the public in state build-
28 ings.

29 * Sec. 7. AS 44.27.060 is amended by adding a new subsection to read:

1 (e) The council shall, within one year of the effective date of
2 this Act, adopt regulations implementing this section.

3 * Sec. 8. AS 35.27.020(e) and 35.27.020(f) are repealed.

4 * Sec. 9. The amendments made by this Act do not apply to the construc-
5 tion of a building or facility if, before the effective date of this Act,
6 a request for proposal or an invitation to bid has been issued in order to
7 meet the art requirements under AS 35.27 or AS 44.27 for the building or
8 facility.

9 * Sec. 10. This Act takes effect immediately under AS 01.10.070(c).