

"An Act relating to art works for public buildings and facilities; and providing for an effective date."

COMMITTEE REPORT

3/27/75

HOUSE

Mr. Speaker:

Date 4/8/75

The Committee on FINANCE has had HB 133

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 133 AND THAT
CS FOR HB 133 DO PASS

() "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>		_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

Introduced: 2/10/75
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 133

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art works for public 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 is amended by adding a new chapter to read:

10 CHAPTER 27. ART WORKS IN PUBLIC BUILDINGS AND FACILITIES.

11 Sec. 35.27.010. PURPOSE. The state recognizes its responsibility
12 to foster culture and the arts and the necessity for the viable develop-
13 ment of its artists and craftsmen. The legislature declares it to be a
14 state policy that a portion of appropriations for capital expenditures
15 be set aside for the acquisition of works of art to be used for state
16 buildings and other public facilities.

17 Sec. 35.27.020. ART REQUIREMENTS FOR PUBLIC BUILDINGS AND
18 FACILITIES. (a) Plans for public buildings and facilities constructed
19 after June 30, 1975 shall contain provisions for the inclusion of works
20 of art including but not limited to sculptures, paintings, murals, or
21 objects relating to Native art.

22 (b) The department, before preparing plans and specifications for
23 public works and facilities, shall consult with the Alaska State Council
24 on the Arts regarding the desirability of inclusion of works of art.

25 (c) At least one per cent of the overall construction cost of a
26 building or facility approved for construction by the legislature sub-
27 sequent to the enactment date of this chapter will be reserved for the
28 following purposes: the design, construction, mounting and administra-
29 tion of works of art in the public building or public facility.

1 (d) Utilitarian buildings and other public works such as ware-
2 houses, repair shops, maintenance buildings, and other structures of a
3 similar nature are exempt from the requirements of this chapter unless
4 inclusion of works of art in their design and construction is specifi-
5 cally authorized.

6 (e) The artist who executes these works of art shall be sele ted
7 by the architect for the department with the approval of the department,
8 after consultation with the Alaska State Council on the Arts and the
9 principal user of the public buildings or facilities.

10 Sec. 35.27.030. DEFINITIONS. In this chapter

11 (1) "department" means the Department of Public Works;

12 (2) "public facilities" includes, but is not limited to, the
13 vessels of the state ferry system.

14 * Sec. 2. This Act takes effect July 1, 1975.
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HB
133

"STATE AFFAIRS COMMITTEE REPORT

ON

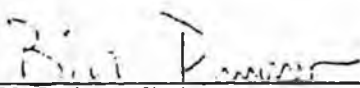
HOUSE BILL NO. 133

It is the Committee's intent that resident Alaskan artists and craftsmen be used to the fullest extent possible in obtaining art works for public buildings and facilities.

The Committee would like to stress that the phrase on page 1, line 22, "Objects relating to Native art", is not meant to limit art to Native art; but rather to stress the importance of including Native art.

The phrase on line 21, "not limited to sculptures, paintings, murals or objects relating to Native art" is not intended to exclude any other art form.

The Committee takes exception to the Fiscal Note prepared by the Department of Public Works. The intent of the bill is that the cost of the acquisition of works of art be included in the original appropriation for capital expenditures, and not be a separate and additional appropriation.


Bill Parker, Chairman
House State Affairs Committee"

HB 210 The Finance Committee has had HOUSE BILL NO. 210 (Alaska business license tax; effective date) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Malone, Chairman, and concurred in by Buchholdt, Duncan, Naughton, Guy, Haugen, Gruening and Malone.

HOUSE BILL NO. 210 was referred to the Rules Committee for placement on the calendar.

HB 237 The Judiciary Committee has had HOUSE BILL NO. 237 (mediation in divorce actions) under consideration and a majority of the members of the Committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 237 (same title) and that it do pass. The report was signed by Mr. Gardiner, Chairman, and concurred in by Gardiner, Parr, Bradley, Cotten and Brown.

HOUSE BILL NO. 237 was referred to the Rules Committee for placement on the calendar.

Miscellaneous



UNITED ALASKAN ARTISTS

P. O. BOX 4398, ANCHORAGE, ALASKA 99509

March 20, 1975

Representative Bill Parker
Pouch V
Juneau, Alaska 99801

Sir:

With reference to your proposed bill, No. 133, regarding art works in public buildings and facilities, etc., our organization expressed the following opinions when we discussed this bill at our last meeting.

- The intent of this proposed bill is good -- but we are asking for your attention particularly to paragraph (e). The bill should be revised to include the passage that any art in public places shall be selected by competition, with the approval of the Alaskan public, open competition which would require compliance with the "local hire law" and which would be judged by Alaskans.

Sincerely,

A handwritten signature in cursive script that reads "Peggy Benson".

"Peggy" Benson, President
United Alaskan Artists

We, the undersigned, believe that public funding should be used to provide works of art in public places. We are in favor of the passage of House Bill Number 133, "An Act Relating to Works for Public Buildings and Providing for an Effective Date."

Name	Address
<u>Muriel C. Koster</u>	<u>Box 274 - Glennallen</u>
<u>Lidia B. Romm</u>	<u>Box 6 - Glennallen, Alaska</u>
<u>Donna Tolman</u>	<u>Box 3177 Glennallen</u>
<u>Deanne (Mrs.)</u>	<u>Box 193 Glennallen (Ala), AK 995</u>
<u>Paul Lewis</u>	<u>Box 191 Glennallen, AK 99588</u>
<u>Beverly W. Barber</u>	<u>Box 354 Glennallen, AK</u>
<u>Barbara G. Lard</u>	<u>Drawer 1, Copper Center, AK</u>
<u>Coral Post</u>	<u>Box 26 Glennallen, AK 99588</u>
<u>Joyce M. Fish</u>	<u>Box 42 Glennallen, AK 99588</u>
<u>Martine Clayton</u>	<u>Box 303 Glennallen, Alaska 99588</u>
<u>James L. Purvis</u>	<u>Box 14</u>
<u>Islander Rempel</u>	<u>Box 184 Glennallen, Alaska</u>
<u>Lois A. Purvis</u>	<u>Box 14</u>
<u>Joia Robinson</u>	<u>Box 375 Glennallen, Alaska</u>
<u>Marion L. Sanchez</u>	<u>Box 72 Glennallen, Alaska</u>
<u>R. Daniels</u>	<u>Box 6 Glennallen, Alaska</u>
<u>Fri. Ann McIlroy</u>	<u>Box 304 Glennallen</u>
<u>Shirley S. Spitzer</u>	<u>Box 283, Glennallen</u>
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A proposed bill for Alaska:

IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

HOUSE BILL NO. 133

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to art works for public buildings and facilities; and providing for an effective date."

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

*Section 1. AS 35 is amended by adding a new chapter to read:

CHAPTER 27. ART WORKS IN PUBLIC BUILDINGS AND FACILITIES.

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

Sec. 35.27.020. ART REQUIREMENTS FOR PUBLIC BUILDINGS AND FACILITIES. (a) Plans for public buildings and facilities constructed after June 30, 1975 shall contain provisions for the inclusion of works of art including but not limited to sculptures, paintings, murals, or objects relating to Native art.

(b) The department, before preparing plans and specifications for public works and facilities, shall consult with the Alaska State Council on the Arts regarding the desirability of inclusion of works of art.

(c) At least one per cent of the overall construction cost of a building or facility approved for construction by the legislature subsequent to the enactment date of this chapter will be reserved for the following purposes: the design, construction, mounting and administration of works of art in the public building or public facility.

(d) Utilitarian buildings and other public works such as warehouses, repair shops, maintenance buildings, and other structures of a similar nature are exempt from the requirements of this chapter unless inclusion of works of art in their design and construction is specifically authorized.

(e) The artist(s) who executes these works of art shall be selected by the architect for the department with the approval of the department, after consultation with the Alaska State Council on the Arts and the principal user of the public buildings or facilities.

Sec. 35.27.030. DEFINITIONS. In this chapter

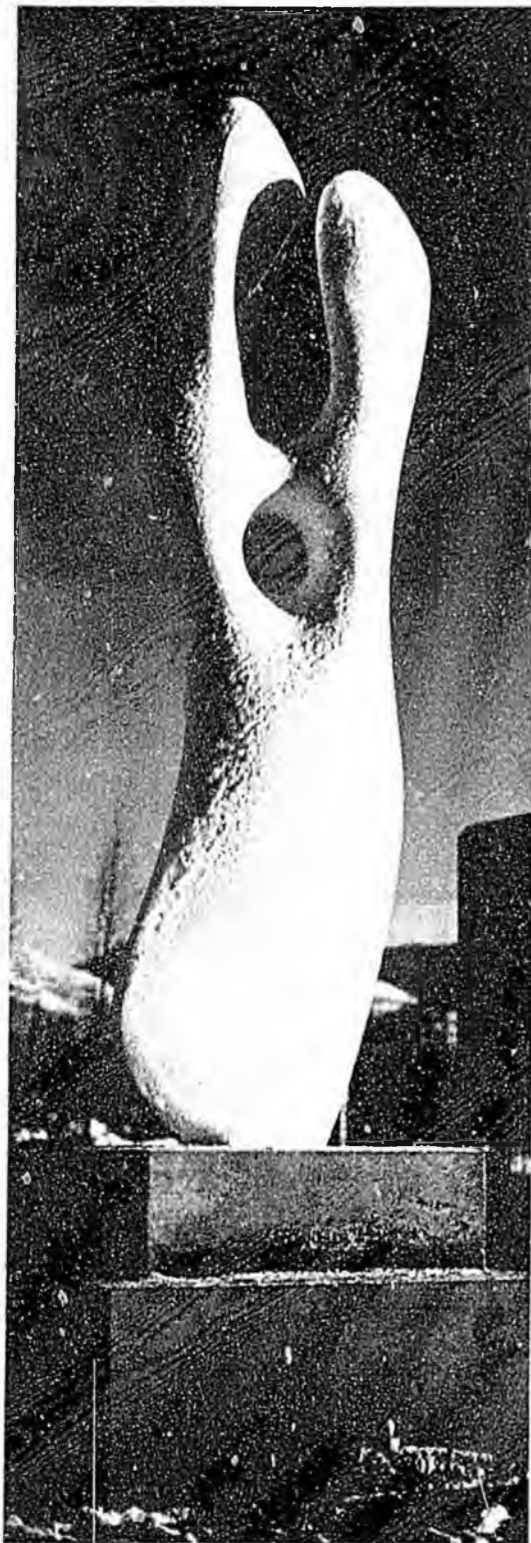
(1) "department" means the Department of Public Works;

(2) "public facilities" includes, but is not limited to, the vessels of the state ferry system.

*Sec. 2. This Act takes effect July 1, 1975.



Is your
community
enriched
by art
in public
places?



What is public art?

The concept of dedicating a percentage of building construction costs for the inclusion of art is as old as recorded time. The great monuments of architecture bear witness to the desires of past civilizations to enrich their environment and the visual quality of life through works of public art.

Translating the concept into reality is a fairly recent development in this country, however; federal legislation reserving a percentage of construction costs for art was passed in 1963, and several states and communities have followed suit in the years since then. The result has been a transformation of public gathering places from drab, inhibiting settings into cheerful, appealing centers of beauty and interest.

Public places are many and varied: government buildings, courthouses, college campuses, office buildings, banks, parks, playgrounds, civic centers, airports, ferries... in short, any place accessible to the people.

Art forms which may be considered for inclusion in public places cover the broad spectrum of creative activity: for example... sculpture, murals, paintings, tapestries, fiber wall hangings, fountains, friezes and bas-relief work in the building design.



The works of art in public places illustrated in this brochure are: FRONT COVER: frieze by Alex Duff Combs, Anchorage Historical and Fine Arts Museum; BACK COVER: "Eskimo Dancers," painting/welded sculpture by Larry Ahvakana, George F. Boney Memorial Court Building, Anchorage; OVERLEAF: "Fisk," bronze fountain by Carson Boysen, Carroll Clausen Memorial Museum courtyard, Petersburg; LEFT: fiberglass sculpture by Janice White, Anchorage Community College campus; ABOVE: doors carved by Alaska Indian Arts of Haines, Tyonek Building, Anchorage; RIGHT: sculpture by Peter Macksey, Anchorage Community College campus.

Where public art begins...

An aesthetic environment does not happen by accident. People must become concerned and be willing to make an effort.

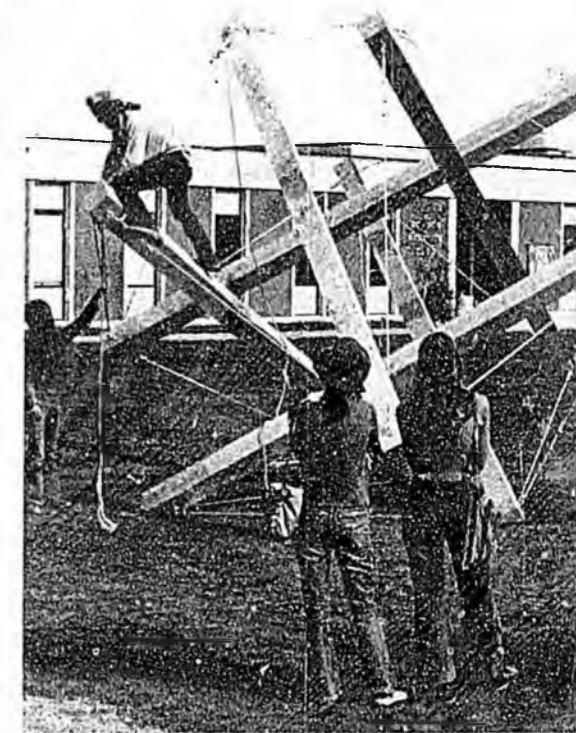
Individuals can seek out means of encouraging a variety of beautification projects and art-in-public-places legislation at all levels of government.

Public officials need to respond to quality-of-life criteria with as much consideration as they give to utilitarian requirements.

Businessmen need to accept their responsibility to the visual attributes of the community.

Arts organizations should seek opportunities to promote community awareness of the necessity for good design and to stimulate positive action in terms of art in public places.

Artists can make themselves available for consultation and commissions.



The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill No. 133
 Title: Art Works for Public Buildings
 Requested by: Department of Public Works Date: February 13, 1975
 Return Date Requested: February 14, 1975
 Agency: Division of Buildings Program: General Government - Services to State Agencies

II. FISCAL DETAIL

Planning & Design 13 95-2-05-01-00

Budget Request Unit(s) Affected: Construction 13 95-2-05-02-00

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES	-0-	500.0	500.0	500.0	500.0	500.0
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER Capital Improvement	-0-	500.0	500.0	500.0	500.0	500.0

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (F./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The above figures are based upon a review of the prior three-year period of new Capital Improvement Construction projects totalling 105.0 million and currently planned projects totalling 54.0 million. Statistics were derived from the Division of Buildings Monthly Project Status Reports from February 1972 through January 1975 (File No. 131-07)

IV. ATTACHMENTS

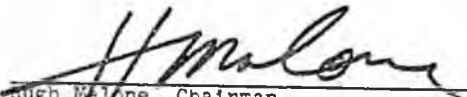
Total cost estimated at \$1,500,000 over next 5 years.

V. DATE: 13 Feb 75

PREPARED BY: *Donald W. Steel*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

HB 133 The House Finance Committee endorses the State Affairs Committee report and their letter of intent on House Bill 133, particularly with regard to the fiscal note. It is the intention of the House Finance Committee that the expenditures necessary for works of art for public buildings and facilities would be reserved out of the total appropriation for the building itself and no additional appropriation would be entertained for the purpose.


 Hugh Malone, Chairman
 House Finance Committee "

HB 139 The Finance Committee has had HOUSE BILL NO. 139 (periodic rental adjustment on land leased other than for the extraction of natural resources) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Malone, Chairman, and concurred in by Buchholdt, Duncan, Gruening, Haugen and Malone.

HOUSE BILL NO. 139 was referred to the Rules Committee for placement on the calendar.

HB 208 The Finance Committee has had HOUSE BILL NO. 208 (Alaska net income tax deductions and credits; effective date) under consideration and a majority of the members of the Committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 208 (Finance)(same title) and that it do pass. The report was signed by Mr. Malone, Chairman, and concurred in by Duncan, Itta, Naughton, Guy, Cr... and Malone.

HOUSE BILL NO. 208 was referred to the Rules Committee for placement on the calendar.

HB 242 The State Affairs Committee has had HOUSE BILL NO. 242 (rights of state employees; effective date) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Parker, Chairman, and concurred in by Miller, McKinnon, Wallis and Parker. Not concurring were Specking and Beirne who recommend do not pass.

HOUSE BILL NO. 242 was referred to the Judiciary Committee.

HB 373 The Finance Committee has had HOUSE BILL NO. 373 (financial assistance for oil-development-impacted municipalities; effective date) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Malone, Chairman, and concurred in by Duncan, Itta, Naughton, Guy, Haugen, Gruening, Cowper and Malone.

HOUSE BILL NO. 373 was referred to the Rules Committee for placement on the calendar.

The Community and Regional Affairs Committee has had HOUSE BILL NO. 21 (revenue sharing with local governments for providing certain mass transit facilities or services) under consideration and the members of the Committee report it back with the following amendment and with individual recommendations:

HB
21

Amendment No. 1 by the Community and Regional Affairs Committee:

Page 2, line 6: On page 2, line 6, add a new subsection to read:

"Sec. 5. AS 43.18.050 is amended to read: SPECIFIC EXPENDITURES. A municipality shall expend funds received for mass transit and for the operation and maintenance of hospitals and health facilities and services under secs. 10 - 99 of this chapter only for those specific facilities and services."

The report was signed by Mr. Cotten, Chairman. Davis and Ostrosky recommend do pass; Ose and Cotten have no recommendation.

HOUSE BILL NO. 21 was referred to the Finance Committee.

The Finance Committee has had HOUSE BILL NO. 133 (art works for public buildings and facilities; effective date) under consideration and a majority of the members of the Committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 133 (same title) and that it do pass. The report was signed by Mr. Malone, Chairman, and concurred in by Duncan, Itta, Guy, Haugen, Gruening and Malone.

HB
133

HOUSE BILL NO. 133 was referred to the Rules Committee for placement on the calendar.

The Chairman's report on HOUSE BILL NO. 133 appears as follows:

"FINANCE COMMITTEE REPORT

ON

HOUSE BILL 133

The language added to Sec. 35.27.020 (a) is to include remodeling of public buildings and facilities where the cost is over \$250,000.

Sec. 35.27.020 (d) was replaced with a new subsection that would eliminate the reference to utilitarian buildings and make this chapter effective in any case where the cost was in excess of \$250,000.

HOUSE JOURNAL

STATE AFFAIRS COMMITTEE REPORT

ON

HOUSE BILL NO. 133

It is the Committee's intent that resident Alaskan artists and craftsmen be used to the fullest extent possible in obtaining art works for public buildings and facilities.

The Committee would like to stress that the phrase on page 1, line 22, "Objects relating to Native art", is not meant to limit art to Native art; but rather to stress the importance of including Native art.

The phrase on line 21, "not limited to sculptures, paintings, murals or objects relating to Native art" is not intended to exclude any other art form.

The Committee takes exception to the Fiscal Note prepared by the Department of Public Works. The intent of the bill is that the cost of the acquisition of works of art be included in the original appropriation for capital expenditures, and not be a separate and additional appropriation.



Bill Parker, Chairman
House State Affairs Committee

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER

POUCH Z — JUNEAU 99801

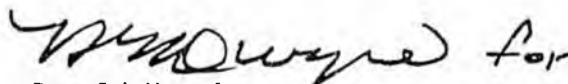
February 14, 1975

Mr. J. H. Hogan, Director
Division of Legislative Finance
State Capital, Room 409
Pouch WF
Juneau, Alaska 99801

Dear Mr. Hogan:

In reply to a request from the State Affairs Committee, enclosed is the Fiscal Note for House Bill 133 for the use of Legislative Finance.

Sincerely,



Donald Harris
Commissioner

cc: Bill Parker, Chairman
House State Affairs Committee
w/copy of Fiscal Note

Budget & Management,
w/copy of Fiscal Note