

HB

729

COMMITTEE REPORT

(7)

HOUSE

2/12/80

FURTHER:

Date: 2-21-80

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 729

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

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

A M E N D M E N T

Offered in the HOUSE

By Miller

TO: HOUSE BILL NO. 729

Page 1, lines 23 - 29, delete all material and insert the following in its place:

"(c) The council may use the money in the fund

(1) to commission or purchase a work of art which is to be made a permanent part of, or placed on loan in, a public facility operated by the department which made the deposit to the fund under (b) of this section; and

(2) to meet expenses for commissioned works of art for a public facility operated by the department which made the deposit to the fund under (b) of this section if the cost of the work of art exceeds the amount reserved under AS 35.27.020(c)."

Jan 9th

Dear Mike -

As I went to the PO right after talking with you and found this letter from Chris to you. Representative Sally Smith also has been contacted about this matter. I

called our office in Anchorage & found Chris has been called to New York on urgent family business. So her trip to Geneva may be delayed for a few days.

If you don't know her I believe you will enjoy meeting her the way she is on her son's friend and she does a wonderful job!

If I can be of any help at any time please call.

Sincerely,

Polly Lee



Alaska State Council on the Arts

619 Warehouse Avenue, Suite 220 • Anchorage, Alaska 99501 • (907)277-1558

January 3, 1980

Representative Mike Miller
Box 1494
Juneau, Alaska 99802

Dear Representative Miller:

A number of people have suggested that I contact you regarding a possible amendment to the existing one percent for art law in Alaska, AS 35.27.010-030.

While the existing law provides that one percent of capital construction costs for public buildings and facilities shall be reserved for the purchase or commissioning of works of art, no mention is made of facilities where art work is not feasible or possible. The State Council on the Arts has become aware of the increasing number of projects which the Department of Transportation and Public Facilities feel should be exempted from the 1% for art requirement. While it is sometimes quite obvious that art work is not appropriate at a remote fish and game location, for example, it is often not quite as obvious where the one percent for art is finally spent. In light of this situation, the Council on the Arts is suggesting a possible amendment to the original legislation.

The Council has considered the possibilities of the establishment of a "pool" created with those percent for art funds generated from projects which have been granted variances from the statute. This pool could then be used to commission works in existing state buildings and facilities or on state lands subject to public view. In this way, those dollars originally earmarked for art work and for artists would not be diverted into asphalt and chain link fence.

I have enclosed copies of the existing 1% legislation, the Council's proposed amendment, and the procedures for the administration of the program for your review. I am planning to be in Juneau the week of January 14th and will try to set up a time to discuss the possibilities of the Council's ideas.

Sincerely,

Christine D'Arcy
Christine D'Arcy
Visual Arts Director

cc: ASCA Visual Arts Committee

GOVERNOR

*This same letter was sent to each council member. List is attached.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU



December 5, 1979

Mr. Carl Heinmiller
P.O. Box 271
Haines, Alaska 99827

Dear Mr. Heinmiller:

As you are aware, I am proposing to transfer, next fiscal year, many of the programs and agencies currently under the Office of the Governor to several of the line departments. Under this proposal, the State Council on the Arts and the Alaska Historical Commission, will be placed in the Department of Education. I realize this may be of concern to you and, therefore, I felt the occasion of this week's council meeting would be an appropriate opportunity to convey more information regarding the transfer.

You may recall that a "Management and Efficiency Review" of State government was conducted at my request, by a group of top-level Alaska business executives. Over 75% of the recommendations the review team made have been implemented or responded to. One of the key recommendations was to reduce the excessively large span of responsibility of my office, by transferring a number of the commissions, council and agencies reporting to the Office of the Governor to departments with related responsibilities. A number of programs and agencies have been transferred since this recommendation was first made; ten more, including the Arts Council, are proposed for relocation July 1, 1980. My goal is to limit to the maximum extent permissible, the activities of the Governor's Office to policy development rather than program operations.

December 5, 1979

Let me stress that this transfer in no way reflects a lack of interest in the arts or faith in the council, its staff, or you as a council member.

Transfer of the council to the Department of Education will only mean that the administrative support now provided by my office, will be provided by that agency.

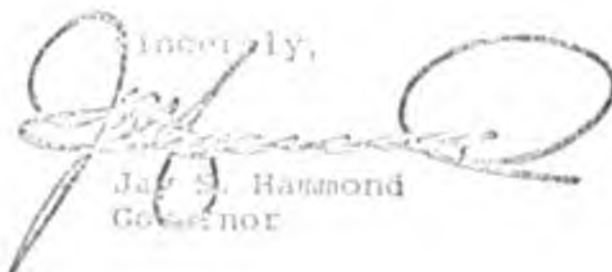
Commissioner Lind intends for the Arts Council to retain its independent status under the Department of Education. He will not attempt to direct the policies or actions of the council. Also, the council will not be placed within the Division of Libraries and Museums. It will remain autonomous within the department. Let me emphasize again, that the Department of Education will be providing administrative support only.

Further, my staff will monitor and assist in the transition process that will result in classification of existing staff positions, transfer of accounting records, etc. In my view, the Executive Director should remain in the partially exempt service.

I understand Commissioner Lind will be meeting with you this week to discuss the transfer and any specific questions you may have. I am confident he will be responsive to your concerns.

Thank you for your continued service on the council, your understanding of the reasons for this decision, and for your dedication to Alaska arts programs.

Kind regards,

Sincerely,

Jay S. Hammond
Governor

cc: Commissioner Lind

bcc: Don Argetsinger

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Kind regards.

Sincerely,

Jay S. Hammond
Governor

cc: Commissioner Lind

bcc: Don Aruetsinger

Delete lost

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frames

PERCENTAGE FOR PUBLIC ART PROGRAM PROCEDURES

Revised draft issued 9/1/77

Revised draft issued 4/1/78

PERCENTAGE FOR PUBLIC ART PROGRAM PROCEDURES

I. Purpose of Alaska Statute 35.27.010-030, amended.

The legislation declares, "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."

The Department of Transportation and Public Facilities (DOTPF) and the Alaska State Council on the Arts (ASCA) have defined the following goals related to the purpose of the Act:

GOAL: To nurture our living culture by recognizing and providing for the aesthetic needs and the artistic growth of the people of Alaska.

SUBGOALS:

1. To Provide access to works of art in public spaces;
2. To offer a variety of visual experiences in varied styles, methods and media.
3. To further humanize our man-made surroundings with the artistic statements of living artists.
4. To provide a supportive working environment and the opportunity for personal creative accomplishment;
5. To contribute to the development and recognition of a professional artistic community; and
6. To accomplish broad cultural goals by introducing new visual ideas to the general public.

II. Definitions

A. "Works of Art": For the purpose of this Act, all forms of original creations of visual art objects, including but not limited to:

1. Sculpture; in the round, bas relief, high relief, mobile, fountain, kinetic, electronic, etc., in wood, clay, stone, metal, plastic, fiber, ivory, concrete, etc.
2. Painting; in oil, tempera, acrylic, water soluble medium, etc on wood, paper, canvas, skin, prepared surface, etc.
3. Graphics;
 - a. Prints in silk-screen, lithography, etching, embossing, and other techniques on paper, etc.
 - b. Drawing in pencil, ink, charcoal, pastel, etc. on paper skin, bone, etc.

4. Murals, mosaics, super-graphics, frescos; in paint, tile, glass, stone, etc., on a prepared surface.
 5. Photographs; on light sensitive paper, light sensitive emulsions, etc.
 6. Ceramics; in porcelain, clay, etc., in functional and non-functional application.
 7. Fiber; in wool, cotton, leather, grass, etc., in functional and non-functional application.
 8. Metalcrafts; in copper, silver, gold, etc., singularly or in combination with other metals or materials.
 9. Mixed Media; any combination of materials or forms.
- B. "Artist": A practitioner in the visual arts, generally recognized by critics and his or her peers as a professional who is committed to producing high quality work on a regular basis. Indicators of professionalism include but are not limited to proportion of income received from art sales, or art related activities, frequent or consistent exhibitions, purchase of works by museums and other public institutions. The project architect or a member of the project architect's firm will generally not be considered as an eligible artist for consideration unless they are specifically solicited by the art advisory committee.
- C. "User Agency": The state agency or state-funded institution for which funds have been set aside for artworks from the construction appropriation for any new facility or renovation project within its jurisdiction.
- D. "Agency Representative": A person within the user agency, or another person designated by and from that agency who represents the agency and has decision authority during the selection process.
- E. "Site": The physical space occupied by the work of art.
- F. "Construction Cost": The cost expended for the actual construction of the facility, exclusive of the costs of the land acquisition, site investigation design services, administrative costs, equipment purchase and any other costs not specifically incurred within the construction contract or contracts awarded for the construction of the facility.
- G. "Public Facilities": Including, but not limited to, schools, office buildings, court buildings, the vessels of the state ferry system, and other facilities designed for substantial public use.

III. Location

The work of art must either be an integral part of the facility, attached to the facility or detached within or outside the facility. The artwork must be within reasonable proximity of the facility. Portable artworks may be exhibited outside the facility in other public facilities as long as the artworks have a permanent place to reside in the facility that is being constructed.

IV. Inclusions and Exclusions

- A. Inclusions: The portion of the capital appropriations reserved for works of art may be expended for the purchase of existing works of art or commissioned pieces and the design consultant services of artists. The following are included:
1. The cost of the work of art: Generally if the artist is commissioned to produce a new work, the following are taken into account in the contract:
 - a. Artists's fee for professional design and execution of a work of art and for consultation and on-site preparation for art works.
 - b. Labor of assistants, and materials required for production of the work.
 - c. Studio and operating costs of the artists, including rent, depreciation, utilities, communications, insurance, and other direct and indirect costs.
 - d. Travel of the artist for the site visitation(s) and research.
 - e. Transportation of the work to the site.
 - f. Installation of the completed work.
 - g. Taxes where applicable.
 2. Waterworks and electrical and mechanical devices or equipment which are integral parts of the work of art.
 3. Frames, mats, or pedestals necessary for the proper presentation of the works of art.
 4. Exhibitions and educational aspects.
 5. Site modification necessary for the installation of the work of art.
- B. Exclusions: The portion of the capital appropriation reserved for works of art may not be expended for the following:
1. Reproductions by mechanical or other means of original works of art. Included, however, may be limited editions, controlled by the artist, of original prints, cast sculpture, photographs, etc.
 2. Decorative, ornamental, or functional elements which are designed by the building architect or consultants other than artists under these procedures engaged by the architect (see V., paragraph 3.)
 3. Those elements generally considered to be components of a landscape architectural design: plant material, pools, paths, benches, receptacles, fixtures, planters, etc. (Exceptions to this are noted under General Policies).

4. "Art Objects" which are mass produced of standard design such as a playground sculpture or fountains.
5. Directional, or other functional elements, such as super-graphics signing, color coding, maps, etc., except where a recognized graphic artist is employed under these procedures.
6. Those items which are required to fulfill the basic purpose of the agency. Examples would be works of art in the collection of a state museum, or works of art fulfilling an interpretive or educational role in a state park, the state library, or a college or university art museum or gallery.
7. Preparation of the adjacent areas necessary for access to the work of art.
8. Recurring operational costs of electrical, water, or mechanical service for activation of the work.
9. In connection with the works of art, after they are installed; lighting, registration, dedication, unveiling, insurance, security, publicity or publications, and maintenance (preservation, conservation, restoration, repair).

V. Scope and Nature of Expenditures

The act applies to all state facilities and all grants of state funds to municipal and other agencies for capital construction projects.

The one per cent of construction cost is a required minimum with the exception of public schools funded after September 1, 1977 for which the required minimum is one-half of one per cent of the construction cost.

In cases where the project architect is working closely with the artist(s) from the inception of a project, the DOTPF may negotiate a separate contract with the project architect for the artist(s)' design services. Such a contract for artist consultation will not be construed to define the artist as a member of the architectural firm.

VI. Selection Principles

A. Criteria for selected works:

1. Quality: Of highest priority is the inherent quality of the work itself.
2. Media: All visual art forms may be considered.
3. Style and Nature: The art should be appropriate in scale, material, form, and content for both its immediate environment and for the general environment in which it is placed.

4. Elements of Design: The art advisory committee and the artist will take into account the fact that, as differentiated from works in a museum context, art in public places may serve to establish focal points; terminate areas, modify, enhance, or define specific places; or establish identity.
5. Permanence: Due consideration will be given to structural and surface soundness and to permanence in terms of relative proof against theft, vandalism, weathering, or excessive maintenance or repair costs.
6. Method of acquisition: Either existing works or those commissioned specifically for the site may be acquired.
7. Diversity: The participating agencies will strive, in the overall program, to attain reasonable diversity in style, scale, media, and materials represented.

B. Eligibility of Artists:

1. Alaska artists: Preference will be given to artists currently residing in the State of Alaska at the time of review by the art advisory committee for the project.
2. Artists from Other Areas: Certain artists from other areas may, because of their unique talents or style, be the logical choice of an art advisory committee.

VII. Selection Procedures

- A. Public Schools: The superintendent of a school district in which a public school is to be constructed will be responsible for establishing selection procedures for artist and art work selection with the approval of the local school board. The Alaska State Council on the Arts may be consulted concerning procedures, review of artist portfolios, contracting procedures, and purchase of art from the Public Art Collection.
- B. Facilities Except Public Schools:
 1. Notification: Upon receipt of allocated construction funds the DOTPF shall notify the ASCA of the amount of the projected construction contract, the function and location of the proposed facility, the amount of the 1% public art allocation, and the name and address of the project architect when that person and firm has been selected.
 2. Methods of Acquisition: The ASCA will advise the agency representative of the owner agency which of the acquisition methods is the most feasible, depending upon the amount of public art monies available and the function and location of the proposed facility. Three recommended categories are identified:

- a. Category I - Amounts under \$5,000.
 - 1) Portable Art: Selection of existing works by arts advisory committees either by public viewing or through slide presentation.
 - 2) Artists-in-Residence: An educational participatory residency by an artist selected by the art advisory committee resulting in a permanent work of art for the facility.
 - b. Category II - Amounts over \$5,000 but less than \$20,000.
 - 1) Includes Portable Art and Artists-in-Residence and,
 - 2) Design Integrated Commissions: Works of art especially commissioned for the specific sites which will in some way be integrated into the overall facility or specific site, or which will reflect some special function or aspect of the owner agency.
 - c. Category III - Amounts over \$20,000.
 - 1) Includes Portable Art and Artists-in-Residence, Design Integrated Commissions, and,
 - 2) Architecture Integrated Commissions: Major works of art which are integrated into the facility design, or works which will require special design consideration for their installation or display.
3. Art Advisory Committee: A special committee will be chosen according to the category of acquisition. The Committee shall be responsible for the necessary recommendations and/or the selections of art for the proposed facility.
- a. Appointments:
 - 1) Facility Users and Community representatives will be appointed by the agency representative. Composition should include individuals knowledgeable in the arts and be representative of the regular users of the facility. To insure maximum involvement of the community and users, a wide variety of view points should be included.
 - 2) Public Art Panel members are artists appointed to the panel by the Chairman of the ASCA. A regional representative of the panel will be delegated by the ASCA Chairman to each of the art advisory committees where their presence is indicated.
 - 3) ASCA Visual Arts Committee members are appointed by the ASCA Chairman from among the members of the ASCA and delegated to each appropriate committee by the ASCA Chairman.

NOTE: The project architect, a member of the project architect's firm, an ASCA member or Public Art Panel member that is participating on an art advisory committee may not be considered for a commission or have their work considered for purchase.

b. Composition:

- 1) Category I: Agency Representative (Chairman)
Project Architect
Facility Users/Community Representatives
- 2) Category II: Agency Representative (Chairman)
DOTPF Regional Design Manager
Project Architect
Facility Users/Community Representatives
Regional member of the Public Art Panel
- 3) Category III: Agency Representative (Chairman)
DOTPF Regional Design Manager
Project Architect
Facility Users/Community Representatives
Regional Member of the Public Art Panel
Member of the ASCA Visual Arts Committee

4. Methods of Commission

- a. Direct Commission. The art advisory committee will review the portfolios of artists that have been filed with the ASCA. If there are artists in whom they express interest that are not represented by the portfolios, they may request that the artist be contacted to determine if he/she would like to file a portfolio and be considered. The committee will select three artists of their choice for each work of art to be commissioned and place them in priority. Upon approval from the ASCA the artists will be contacted by the user agency in order to determine if they are willing and able to undertake the commission.

When a contract has been negotiated by DOTPF, it will include a 5% design fee as the first payment. The artist will prepare a written presentation accompanied by sketches, plans, and/or a model of the proposed work of art. The committee will review the plan and recommend acceptance, rejection or modifications. If and when approval is given by the art advisory committee the artist will proceed into the production phase of the project. If agreement is not reached the contract will be terminated and the next artist on the priority list will be contracted for a similar procedure.

- b. Limited Competition. Based on portfolio review the art advisory committee will invite a limited number of artists to present a detailed written proposal accompanied by sketches, plan and/or model for the selected site(s). A design fee equal to 5% of the total commission value will be paid to each artist that is invited to enter. The artists may be invited to personally present their proposal to the committee. In such a case the artists' transportation and per diem costs will be provided by the owner agency.

When a decision is reached a contract will be negotiated with the selected artist(s) per 5. below. Should none of the designs be selected the committee will start the selection process over (See Reconsideration).

The design fees paid to the artists will be drawn from the percentage for public art funds available to the project.

- c. Other forms of competitions: Special projects may suggest other selection methods.
- 5. Contract Authority: For all methods the contracting authority shall be DOTPF with approval of contract and payments by the ASCA. Technical assistance in contract preparation may be obtained from the ASCA upon request.

VIII. Reconsideration process

When reconsideration of the selection of artist or works for purchase is requested by an agency's art advisory committee approval of reconsideration must be obtained from the ASCA.

The art advisory committee must discuss the project with the selected artist(s). If no agreement can be reached the agency must notify the ASCA and the following methods may be implemented:

- A. A joint meeting with the artist, agency, and Visual Arts Committee of the ASCA to work out a solution.
- B. Request the artist to resubmit alternative examples or designs for the project.
- C. Place the project into another round of selections.
- D. Employ another procedure for selection.

All costs of reconsideration will be born by the owner agency requesting the reconsideration.

IX. Variance

There may be some capital construction projects funded by the State of Alaska for which inclusion of works of art may be inappropriate due to lack of substantial public use. The owner agency of the proposed facility may request in writing permission for exemption, in whole or in part, from the requirements of the Percentage for Public Art Act from the ASCA. The ASCA will review the request in relation to the potential aesthetic benefits to the principal users of the building and the community-at-large and recommend to DOTPF to accept, reject, or modify the percentage of construction costs that will be allocated.

X. Documentation and Evaluation

- A. For the documentation of the Percentage for Public Art Program the artist will furnish the ASCA and the DOTPF the following photographs of the completed work as installed:
 1. Two 35 mm color slides of good quality to each agency;
 2. Two 8" x 10" black and white glossy photographs to each agency; and
 3. A full written description of each piece.
- B. Identification: Plaques or labels identifying the work will be provided by the ASCA and will be permanent, unobtrusive and well designed. Included will be the name of the artist, title of the work (if any), medium and year completed.
- C. Registration: The ASCA will maintain accession records similar to those of art museums for all public art acquisitions, including those of public schools. Owner agencies including public schools will register all portable works as public agency property under the normal procedures.
- D. Evaluations: The ASCA shall annually make a public written report to the DOTPF on the projects of the previous year and shall conduct periodic evaluations of the program.

PERCENTAGE FOR PUBLIC ART RESPONSIBILITIES AND GENERAL POLICIES

Responsibilities

- A. The Department of Transportation and Public Facilities shall:
 1. Upon receipt of allocated construction funds for a specific project(s), notify the ASCA of the projected amount of the construction contract, the facility(s) location(s) and function(s), agency representative(s), and amount of Percentage for Public Art allocation.

2. Contract with the selected artist(s) for works of art and make contract payments upon approval of the ASCA.
 3. Maintain such records as are required for the execution of contracts.
 4. Accept, reject, or modify the ASCA recommendations for variance from the Act.
- B. The Alaska State Council on the Arts shall:
1. Notify the user agency of the amount of Percentage for Public Art allocation and request the appointment of an agency representative, and facility user/community representatives.
 2. Appoint Public Art Panel members or Visual Arts Committee members to the Art Advisory Committees as required.
 3. Approve final selections of Art Advisory Committees and forward the names of recommended artists to DOTPF.
 4. Assist in contract negotiations with artists.
 5. Review requests for variances and forward recommendation to DOTPF.
 6. Maintain accession records of all art acquisitions.
 7. Provide identification labels for all art acquisitions.
 8. Conduct a yearly review of the overall program.
- C. The Advisory Committee shall:
1. Meet to consider the location(s), method(s) of acquisition, and artist(s) based upon the amount of Percentage for Public Art allocation.
 2. Forward recommendations to ASCA.
 3. Review proposals prepared by artists and forward recommendation to the DOTPF.
- D. The User Agency shall:
1. Appoint an agency representative and form a local art advisory committee in consultation with the ASCA.

2. Be responsible for maintenance, repair and security of the work(s)
 3. Handle public information aspects of the project with assistance from the ASCA.
- E. The Project Architect shall:
1. Recommend to the art advisory committee specific sites for works of art and the scale and type of work most appropriate.
 2. If requested, work closely with the artist, provide engineering and technical assistance to the artist and supervise the delivery and installation of the work under contract with the contracting agency.
 3. Assure that all service requirements for the work of art are met in the design documents.
- F. The Artist shall:
1. Submit proposals as outlined by contract.
 2. Be commissioned by the contracting agency to execute and complete the work in a timely and professional manner, or transfer title of an existing work of art to the agency for incorporation in its new or renovated facility.
 3. Preferably deal personally with all other parties in all phases of the negotiations. However, the artist may, at his/her option, designate dealers or agents to represent him/her in certain aspects of the project.
 4. Maintain a close working relationship with the architect.

General Policies

- A. **Integration of Art and Architecture:** So that artists and architects can gain from each others' design insights and, thereby produce a more integrated solution, all parties involved should strive for engagement of the artist or artists as soon as possible after the employment of the architect.
- B. **Design Services by Artists:** Architects are encouraged to contract with artists for custom design of lighting fixtures and systems, gates, railings, fences, doors, door knobs, drawer pulls, furniture, hand-crafted musical instruments, planters, benches, windows, signs maps and other equipment, accessories, and architectural elements. The consultation of an artist(s) is also encouraged during the design of display areas for portable works of art. The cost of artist design services may be borne by the Percentage for Public Art Program monies. The selection of artists would fall under these procedures.

- C. Freedom of expression: All parties shall encourage the artists to reach creative solutions to the design problems they have been employed to solve. The artist, on their part, must be sensitive to the unique qualities of public art and the guidelines and parameters which, of necessity, have been agreed upon.
- D. Exhibitions and Educational Aspects: To serve various publics more fully, the contracting agencies should consider undertaking the following, funded with monies other than those made available under the Percentage for Public Art Act:
1. Exhibitions of sketches and maquettes from limited or open competitions.
 2. Involvement of students and art instructors in workshops with artists creating works, especially those for educational institutions.
 3. Employment of an artist to design, jointly, with elementary and secondary school students, a work for a school with the design motifs springing from the school's history and heritage, the cultural traditions of ethnic minorities, or simply the rich imagination of the students. A present or former Artist-in-Residence could be a candidate for such a project.
 4. Tours of a site involving many works, conducted by trained docents.
 5. Use of state educational and other facilities by the artist in development of concepts and creation of the work, so that state employees and students can witness and assist in the creative act. Such facilities might include studio space, foundries, machine welding and woodworking shops, printing and photographic facilities, etc.
- E. Professional Assistance. Where suitable, the private sector may be consulted. Gallery owners and dealers provide valuable assistance in gaining access to quality art works throughout the State. The ASCA recommends that dealers' fees on new commissioned works should not exceed 10% of the artist's fee after manufacture or cost of the work is subtracted.
- All public agencies shall deal directly with the artist unless otherwise requested by the artist.
- F. Supplemental Funds: The National Endowment for the Arts provides matching funds for works of art in public places on a grants application basis. In some cases the agency may generate funds locally to supplement their art allocation. The ASCA encourages the utilization of these resources in matching state funds.
- G. Publications: As collections grow, owner agencies are encouraged to publish informative folders and booklets on their works of art. The ASCA will offer editorial and professional assistance if requested.

- H. Dedication: If a dedication or "unveiling" of the work is desired, arrangements and costs incurred will be the responsibility of the owner agency, though technical assistance can be requested of the ASCA.
- I. Administrative Costs: The DOTPF and ASCA will cover all costs of administering the program from funds other than the Percentage for Public Art Allocation.

STATE OF ALASKA

JAY S. HAMMCND, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

OFFICE OF THE COMMISSIONER

POUCH 2
JUNEAU, ALASKA 99811
(TELEX 45-328)

March 13, 1980

000H-

RE: House Bill 729
Art in Public Facilities

The Honorable Mike Miller
House State Affairs Committee
Alaska State Legislature Pouch V
Juneau, Alaska 99811

Dear Representative Miller:

The Department of Transportation & Public Facilities generally concurs with the intent of HB 729 but with one exception. Money not used for art at a particular project should go to the Art Council, but then it should be accumulated under an account belonging to the department/division which contributed it. If, for instance, a remote fish hatchery were not an ideal candidate for artwork because it is inaccessible, and if the Department of Fish & Game requests and obtains a waiver to delete the artwork, then the money should be available for use on one of that agency's other projects, like Fort Richardson or Clear AFS hatcheries which will receive heavy public attention. This way, the department requesting the waiver will not feel like they are losing the money or control of it; they are only putting it to better and more visible use.

If this is not done, the client may have no incentive to request a waiver on artwork in secluded places, since that agency would only lose the money anyway.

Your favorable consideration of this suggestion would be appreciated.

Sincerely,



Robert W. Ward
Commissioner

cc: Keith Spacking
Legislative Assistant
Governors Office



March 18, 1980

Commissioner Bob Ward
Department of Transportation and
Public Facilities
Pouch Z
Juneau, Alaska 99811

Dear Bob:

Just a short note to thank you for your letter of March 14 and for your suggested amendment to HB 729. The bill with the amendment you suggested passed the House this morning. Thanks for your suggestion.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Miller".

Mike Miller

REP. MIKE MILLER
ALASKA STATE LEGISLATURE

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