

HB

106



February 3, 1995

Representative Jeannette James
Chair,
House State Affairs Committee
The Alaska Legislature
State Capitol, Room 102
Juneau, Alaska 99801-1182

Dear Representative James:

I am writing on behalf of the Alaska State Council on the Arts to express the Council's unanimous opposition to House Bill 106 (An Act relating to art in public places requirements and art in public places fund.) Here is an outline of the Council's position.

HB 106 would negatively effect the two constituencies the Percent for Art program is designed to serve: the public and artists. Public Art is an aesthetic enrichment of the public environment that comments on who we are as Alaskans, and what it means to live, work, and study in this place. The biggest public impact of the repeal would be on Alaska's schools and children. In FY93, every project was in either a school or university building. Artists would also be severely effected. The program is a vital means of supporting the development Alaskan artists' skills and careers. It means work for artists (about 875 Alaskan artists are on the Council's Percent for Art mailing list).

The Council considers Percent for Art an ideal program, and a fiscally conservative program. The amount of Percent for Art activity is tied directly to eligible projects in the capital budget. ASCA records indicate that in FY95, the Percent for Art program has eight active and pending projects totaling \$948,862. Each project includes from four to eight separate art commissions. These projects include appropriations dating back to at least FY91. It often takes months or years after the budget is passed for Percent for Art Projects to be announced.

According to the Department of Transportation and Public Facilities, repeal of the Percent for Art program would not affect the Capital budget. One percent is not added to the cost of capital projects, rather, once appropriated, it is dedicated to public art. If the program is repealed, this percent will be absorbed in other costs associated with the project.

Percent for Art operates without direct administrative expense. Every dollar spent in the Percent for Art program goes directly to the art project. The program has no staff. Responsibility for compliance is that of the department constructing the building or facility. Departments are required to consult with ASCA (35.27.020 [b] and [e]). Until 1986, the Council's Visual Arts Coordinator provided Percent for Art program services (due to budget cuts the position was eliminated in 1986). Although the Council has a strong interest in the prudent operation of the program, we do not have management authority over projects. Every department, agency, or school district maintains the authority to develop public art appropriate for their building.

Alaska State Council on the Arts

411 West 4th Avenue, Suite 1E, Anchorage, Alaska 99501-2343 (907) 269-6610 Fax: (907) 269-6601

Art commissioned and installed under AS 35.27 becomes a permanent part of the building or facility. Amortized over the life of a building, the cost of public art is a modest investment in the enhancement of the public environment and the quality of life in Alaska.

The Art in Public Places Fund has a balance of approximately \$38,500. As you know, under AS 35.27, a building or facility with an estimated construction cost of less than \$250,000, and/or a building or public facility without substantial public use, is exempt from the Percent for Art Program. For these buildings or facilities, AS 44.27.060 (Art in Public Places Fund) established a fund with which the ASCA can purchase art for permanent installation or loan. The balance of the fund is not a reflection of current spending, but the accrual of projects dating back to 1987.

Today, there are over one hundred public percent for art programs in the United States. The Federal government, twenty-nine states, and scores of cities operate percent for art programs. Anchorage is the only city in Alaska to operate a municipal program, and it is managed by a full-time position at the Anchorage Museum of History and Art. Public art has been commissioned since the antiquities. Public art is one of the important ways in which we can come to know and understand civilization. Try to picture Rome, London, or Washington, DC without public art. Public Art is a legacy to the leaders and cultures that produced it.

The art produced in the Percent for Art program becomes a testament to what we value as a state and as a people. It speaks to the Alaskan spirit, tells our history, and inspires our dreams. The Alaska Percent for Art program is a legacy for Alaska's future.

If you have an questions, or would like additional information, please direct your inquiries to the Council's Executive Director, Tim Wilson. If I can be of further assistance, don't hesitate to call.

Sincerely,



Carol Y. Heyman, Chair, for:

Gloria Marinacci Allen, Anchorage
Wanda Chin, Fairbanks
Joann Congdon, Anchorage
Rose Atuk Fosdick, Nome
Dale Hanson, Sitka
Joan Bugbee Jackson, Cordova

Gary Klopfer, Anchorage
Shannon McDade, Anchorage
Sister Carolyn A. Roeber, O.P., Fairbanks
Tisket Seslar, Juneau

enclosure

cc: Pat Pourchot, Legislative Director, Office of the Governor
Commissioner Jerry Covey, DOE
Commissioner Joseph Perkins, DOTPF

Fax Transmission

No. of pages incl. this one: 2

To: Representative Jeannette James

Fax number: 465-2186 Voice: 465-3743

From: Patricia J. Petrivelli *Pat*

Date: Thursday, February 9, 1995

If you do not receive all pages, please contact:

Institute of Alaska Native Arts
P. O. Box 70769
Fairbanks, AK 99707
907-456-7491/907-451-7268

Subject: HB 106

Attached is testimony that I would like to present to the House State Affairs committee. If you have any questions please let me know.

Please read testimony into record per her request

HB 106



Institute of Alaska Native Arts, Inc.

P.O. Box 70769 • Fairbanks, Alaska 99707
(907) 456-7491 • FAX (907) 451-7268

Testimony on HB 106

Madame Chair and other members of the House State Affairs Committee, I am Patricia Petrivelli, executive director of the Institute of Alaska Native Arts, a statewide organization formed in 1976 to provide services to Alaska Native artists and the general public. I would like to address HB 106, a bill that would repeal Alaska's Percent for Art program and deplete the Art in Public Places Fund. The following text is almost exactly what I submitted as testimony last year to HB 411, legislation that would have done what HB 106 proposes. The situation has not changed, art is still an integral portion of many Alaskan's lives and both of these programs still serve the valuable functions of providing support to artists and providing public access to the work of Alaska's artists. Without these programs, the work of today's Alaskan artists will be limited to private collectors and museums, and in today's economic climate, the acquisition budgets of most museums are declining.

The Percent for Art program still costs the State of Alaska less than a penny for every dollar spent on construction because rural schools get just one-half percent for art. In the schools, by spending this penny, children in Alaskans are exposed to outstanding examples of art made especially for their environment. When I attended the WWII reunion in Unalaska, in June 1992, many of the events were held in the newly remodeled high school. The art in the school gave a warmth and identity to the otherwise empty building. By filling schools and other public places with the work of today's artists, we send a message to children emphasizing creativity and opportunity. Empty buildings would send a very different message.

I strongly urge you not take any action on HB 106; and wherever possible, please maintain the current level of support for art programs throughout the state. Thank you for your attention.

Alaska State Legislature



While in Session:
State Capitol Building
Juneau, Alaska 99801-1182
907-465-3719

Interim:
119 N. Cushman
Suite 211
Fairbanks, Alaska 99701
907-456-5081

Representative Al Vezey

MEMORANDUM

DATE: January 26, 1995

TO: Representative Jeanette James

FROM: Representative Al Vezey

SUBJECT: Hearing HB 106

I request that you hear my bill, HB 106-Repeal Art in Public Places, at your earliest convenience, in your House State Affairs Committee.

Alaska State Legislature



While in Session:
State Capitol Building
Juneau, Alaska 99801-1182
907-465-3719

Interim:
119 N. Cushman
Suite 211
Fairbanks, Alaska 99701
907-456-5081

Representative Al Vezey

SPONSOR STATEMENT

January 26, 1995

"An Act relating to the art in public places requirements for state-owned and state leased buildings and facilities."

This is a simple bill. It merely removes the existing mandate that one percent of the appropriation for state buildings and facilities go to the Arts Council for the procurement of art. This bill does not prohibit the legislature and/or other appropriating bodies from appropriating any it deems appropriate for the procurement of art. Nor does it prohibit public agencies of political subdivisions from allocating any amount they deem appropriate for are for any public facility.

It is the intent of this legislation that the decision as much is spent on art be determined on individual projects rather than a statutory mandate.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 106

Revision Date: _____

Department Affected: Education

Title: Repeal Art in Public Places Requirement

BRU: School Finance

Component: Educational Facilities Support

Sponsor: Representative Vezey

Requestor: Representative Vezey

COMPONENT SERIAL NO. 1957

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| REVENUE FUND SOURCE: | | | | | | |
|----------------------|--|--|--|--|--|--|

FUNDING:

(Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY95) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

All Capital Improvement Projects issued by the Department of Education have a contractual obligation to comply with the art in public places requirement. Any savings derived by this legislation would be based on future capital appropriations.

Prepared by: Duane Guilev 

Phone: 465-8679

Division: School Finance

Date: January 24, 1995

Approved by Commissioner: Jerry Covey 

Date: January 24, 1995

Agency: Education

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 106

1995 LEGISLATIVE SESSION

Revision Date: Introduced 1/20/95 Dept. Affected: DOT&PF
 Title: An Act relating to art in public places requirements and the art in public places fund. BRU: Engineering & Operations/Design & Construc
 Component: Commissioners Office
 Sponsor: Rep. Vezey
 Requester: _____ COMPONENT SERIAL NO. 530

Expenditures/Revenues

(Thousands of Dollars)

| OPERATING EXPENDITURES | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL EXPENDITURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CHANGE IN REVENUES () | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

FUND SOURCE

(Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary)

The savings of capital monies resulting from cancellation of the "one percent for art" funds (about \$50,000) would be redirected towards the inclusion of higher quality materials or the construction of additional amenities.

Prepared by: Rod Wilson, Architect
 Division: Engineering and Operations
 Approved by Commissioner: *[Signature]*
 Agency: Department of Transportation & Public Facilities

Phone: 465-2960
 Date: 01/25/95
 Date: 1/30/95

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 106

1995 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: Education

Title: Repeal Art in Public Places Requirement

BRU: School Finance

Component: Educational Facilities Support

Sponsor: Representative Vezey

COMPONENT SERIAL NO. 1957

Requestor: Representative Vezey

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|----------------|--|--|--|--|--|--|

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| REVENUE FUND SOURCE: | | | | | | |
|-----------------------------|--|--|--|--|--|--|

FUNDING:

(Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY95) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

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Prepared by: Duane Guilev 

Division: School Finance

Approved by Commissioner: Jerry Covey

Agency: Education

Phone: 465-8679

Date: January 24, 1995

Date: January 24, 1995

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