

LEG. FINANCE - BILLS

1983 - 1984 1934

HB 518 - HB 519

1934

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

4/11/84

Date: 5-4-84

The Committee on FINANCE has had HB 518

"An Act establishing a fisheries business tax credit."

under consideration and recommends:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 518 (ices) same title
 new title
and recommends DO PASS

AND attaches a "Letter of Intent" New Fiscal Note 4-17-84

reports it back without recommendation Zero Fiscal Note Attached

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Albert P. Adams
W.H. Moore
MILTON FRUIT
[Signature]
[Signature]
[Signature]

Albert P. Adams
CHAIRMAN

Offered: 4/11/84
Referred: Finance

Original sponsors: Zharoff and
Grussendorf

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 518 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the fisheries business tax."

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

8 * Section 1. AS 43.75.015(a) is amended to read:

9 (a) A person engaged in a fisheries business is liable for and
10 shall pay the tax levied by this section on the value of each of the
11 following fisheries resources processed during the year at the rate
12 set out after each:

13 (1) salmon canned at a shore-based fisheries business
14 [CANNERY] - four and one-half percent;

15 (2) salmon processed by a shore-based fisheries business,
16 except salmon for which the tax is due under (1) of this subsection,
17 and all other fisheries resources processed by a shore-based fisheries
18 business - three percent;

19 (3) fisheries resources processed by a floating fisheries
20 business - five percent.

21 * Sec. 2. AS 43.75 is amended by adding new sections to read:

22 Sec. 43.75.018. FISHERIES BUSINESS TAX CREDIT. (a) A fisheries
23 business is entitled to a credit of not more than 50 percent of the
24 business tax liability under AS 43.75.015 for capital expenditures
25 related to a shore-based fisheries business facility in the state made
26 during the tax year if an application for the credit is approved by
27 the department.

28 (b) A fisheries business may claim a credit under (a) of this
29 section for a maximum period of five consecutive years. An applicant

1 for the credit may elect to begin the five-year period with any tax
2 year from 1984 through 1988.

3 (c) The portion of a capital expenditure that exceeds the amount
4 eligible for a credit under (a) of this section during a single tax
5 year may not be carried back to a prior taxable year, but may be
6 claimed as a credit under (a) of this section for a subsequent tax
7 year within the five-year period elected under (b) of this section.
8 In no event may tax credits be approved for more than 100 percent of a
9 capital expenditure.

10 (d) The department may not approve a tax credit under (a) of
11 this section if the property for which the capital expenditure was
12 made was the subject of a previous capital expenditure by another
13 taxpayer for whom a corresponding tax credit under (a) of this section
14 has been approved.

15 (e) The department shall adopt regulations providing for the
16 application for a credit under (a) of this section and for the review
17 and approval or disapproval of an application.

18 (f) The department shall approve or disapprove an application
19 for a credit under this section not later than 60 days after receiving
20 the application.

21 Sec. 43.75.019. TAX CREDIT REPORT. Not later than the 60th
22 legislative day of each regular legislative session the Department of
23 Revenue, in conjunction with the Department of Commerce and Economic
24 Development, shall submit to the legislature a report on the fisheries
25 business tax credit program under AS 43.75.018. The report shall
26 describe the expenditures for which a credit was claimed during the
27 previous tax year and, if possible, the increase in employment and
28 processing capacity by the fisheries businesses for whom the credit
29 was approved. Reporting under this section shall begin with the

1 second regular session of the Fourteenth Alaska Legislature.

2 * Sec. 3. AS 43.75.130 is amended by adding a new subsection to read:

3 (b) For purposes of this section, tax revenue collected under
4 AS 43.75.015 from a person entitled to a credit under AS 43.75.018
5 shall be calculated as if the person's tax had been collected without
6 applying the credit.

7 * Sec. 4. AS 43.75.140 is amended by adding a new paragraph to read:

8 (9) "capital expenditures" includes the price paid for
9 equipment and the costs of improvements made to depreciable property,
10 but does not include expenditures that are deducted entirely for
11 federal income tax purposes in the year in which they accrued or were
12 paid.

13 * Sec. 5. AS 43.75.018, 43.75.019, 43.75.130(b), and 43.75.140(?) are
14 repealed June 30, 1993.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 04/18/84

REQUEST

Bill/Resolution No: CSHB 518(Res)
 Title: Act establishing a fisheries business tax credit.
 Sponsor: Zharoff, Grussendorf
 Requestor: House Finance
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Department of Revenue
 Program Category Affected: Collection and Management
 BRU, Program of Subprogram(s) Affected: Audit Division

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	2.0	-	-	-	-
300 CONTRACTUAL	-	1.0	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	3.0	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	(7250.0)	(7250.0)	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	3.0	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	3.0	-	-	-	-

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis.

Prepared By: Maureen O'Brien

Phone: 465-2320

Division: Audit Division

Date: 04/18/84

Approved by Commissioner: *Paula O'Connell*

Date: 4/19/84

Agency: Revenue

Distribution (by Agency preparing fiscal note):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

analysis for CSHB 518(Res):

Travel \$2.0 - passage of CSHB 518 will require the Audit Division to draft regulations and conduct public hearings throughout the state. Air fare and per diem costs are estimated at \$2,000 for travel to Ketchikan, Anchorage, and Kodiak by one Audit Division employee.

Contractual Services \$1.0 - conducting public hearings requires the presence of a court reporter and advertising in statewide newspapers.

The above estimates are derived from the Revenue Sources March, 1984 projections for fisheries business taxes, and provide for tax credits effective in FY 85. The estimates reflect the maximum revenue loss the state would experience if all shore-based fisheries business tax returns applied for a 50 percent tax credit, and were subsequently approved by the department. It should be noted that although the fish processors would be the primary beneficiaries of the tax credit, there exists the possibility in certain cases where, if the processors are given a 50 percent credit and the remaining 50 percent is refunded to local governments per AS 43.75.130, the state could eventually not receive any revenues from those fisheries business taxes.

Estimates are duplicated for FY 86 and not shown beyond since price/catch projections are unknown.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HR 518
 Title: Fisheries business
tax credit
 Sponsor: Zharoff
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: ADEC
 Program Category Affected: None
 BRU, Program or Subprogram(s) Affected:
None

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Richard Peifer Phone: 465-2600
 Division: Seafood & Animal Industry Date: 1/24/84

Approved by Commissioner: Richard A. Kevie Date: 1/24/84
 Agency: Department of Environmental Conservation

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

HOUSE BILL 518

An act establishing a fisheries business tax credit

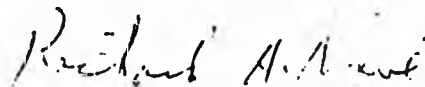
POSITION PAPER

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The Department of Environmental Conservation supports the concept of this bill. Improvement of quality control and facilities, and development of new commercial fish species represent significant costs to the industry. These costs constitute a major deterrent to much-needed improvements in industry processing methods, facilities, and product quality.

The incentive offered by this legislation represents an investment in the economic future of the State of Alaska.

Dated: January 24, 1984



Richard A. Nevé
Commissioner
Department of Environmental
Conservation

Alaska State Legislature

REPRESENTATIVE
FRED F. ZHAROFF
P.O. BOX 403
KODIAK, ALASKA 99615
(907) 486-3254

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811
(907) 465-4986
465-4968



House of Representatives

DISTRICT 27:
AKHIK
BELLS FLATS
CHIGNIK
CHIGNIK LAGOON
CHIGNIK LAKE
CHINIAK
IVANOF BAY
KARLUK
KODIAK
LARSEN BAY
OLD HARBOR
OUZINKIE
PERRYVILLE
PORT LIONS

MEMO

TO: Rep. Al Adams
Chairman, House Finance

FROM: Rep. Fred Zharoff

DATE: May 2, 1984

RE: HB 518

I would appreciate your scheduling HB 518, an Act relating to the fisheries business tax, for a hearing before the House Finance Committee.

The purpose of the bill is to provide an incentive to fish processors to invest in the development of the bottomfish industry. In light of declining crab and salmon stocks the bottomfish industry could definitely be a viable source of income for coastal communities and the state.

The fiscal note from the Department of Revenue shows a large reduction to state revenues in the amount of \$7.2 million. This amount is the most the state would lose and is based on income from the entire Raw Fish Tax. It is highly unlikely this full amount will be used in any one year.

Thank you for your consideration in this matter.

SECTIONAL ANALYSIS

HB 518 -- Establishing a Fishery Business Tax Credit

Section one: This section amends existing statute to delete the word cannery and insert fishery business.

Section two: This section sets up the fisheries business tax credit program. Under the program a fish processor is entitled to receive a credit of not more than 50% of its raw liability for capital investments in shore-based facilities. The program has a consecutive five year eligibility period for each fish processor, which the processor can initiate in any year through 1988. Fish processors will be allowed to carry eligible investments forward during their five year period, but will be unable to begin a tax credit for an item which as already been credited under this program.

This section also provides for an annual report to the legislature on the benefits and utilization of this tax credit program (to begin in 1986).

Section three: This section provides that the calculation of raw fish tax refunds to local governments will not change and will continue as if the raw fish tax credit did not exist.

Section four: Defines capital expenditure.

Section five: This section repeals the raw fish tax program in 1993; after all eligibility under the program has expired.

Offered: 4/11/84
Referred: Finance

Original sponsors: Zharoff and
Grussendorf

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

CS FOR HOUSE BILL NO. 518 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the fisheries business tax."

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

8 * Section 1. AS 43.75.015(a) is amended to read:

9 (a) A person engaged in a fisheries business is liable for and
10 shall pay the tax levied by this section on the value of each of the
11 following fisheries resources processed during the year at the rate
12 set out after each:

13 (1) salmon canned at a shore-based fisheries business
14 [CANNERY] - four and one-half percent;

15 (2) salmon processed by a shore-based fisheries business,
16 except salmon for which the tax is due under (1) of this subsection,
17 and all other fisheries resources processed by a shore-based fisheries
18 business - three percent;

19 (3) fisheries resources processed by a floating fisheries
20 business - five percent.

21 * Sec. 2. AS 43.75 is amended by adding new sections to read:

22 Sec. 43.75.018. FISHERIES BUSINESS TAX CREDIT. (a) A fisheries
23 business is entitled to a credit of not more than 50 percent of the
24 business tax liability under AS 43.75.015 for capital expenditures
25 related to a shore-based fisheries business facility in the state made
26 during the tax year if an application for the credit is approved by
27 the department.

28 (b) A fisheries business may claim a credit under (a) of this
29 section for a maximum period of five consecutive years. An applicant

1 for the credit may elect to begin the five-year period with any tax
2 year from 1984 through 1988.

3 (c) The portion of a capital expenditure that exceeds the amount
4 eligible for a credit under (a) of this section during a single tax
5 year may not be carried back to a prior taxable year, but may be
6 claimed as a credit under (a) of this section for a subsequent tax
7 year within the five-year period elected under (b) of this section.
8 In no event may tax credits be approved for more than 100 percent of a
9 capital expenditure.

10 (d) The department may not approve a tax credit under (a) of
11 this section if the property for which the capital expenditure was
12 made was the subject of a previous capital expenditure by another
13 taxpayer for whom a corresponding tax credit under (a) of this section
14 has been approved.

15 (e) The department shall adopt regulations providing for the
16 application for a credit under (a) of this section and for the review
17 and approval or disapproval of an application.

18 (f) The department shall approve or disapprove an application
19 for a credit under this section not later than 60 days after receiving
20 the application.

21 Sec. 43.75.019. TAX CREDIT REPORT. Not later than the 60th
22 legislative day of each regular legislative session the Department of
23 Revenue, in conjunction with the Department of Commerce and Economic
24 Development, shall submit to the legislature a report on the fisheries
25 business tax credit program under AS 43.75.018. The report shall
26 describe the expenditures for which a credit was claimed during the
27 previous tax year and, if possible, the increase in employment and
28 processing capacity by the fisheries businesses for whom the credit
29 was approved. Reporting under this section shall begin with the

1 second regular session of the Fourteenth Alaska Legislature.

2 * Sec. 3. AS 43.75.130 is amended by adding a new subsection to read:

3 (b) For purposes of this section, tax revenue collected under
4 AS 43.75.015 from a person entitled to a credit under AS 43.75.018
5 shall be calculated as if the person's tax had been collected without
6 applying the credit.

7 * Sec. 4. AS 43.75.140 is amended by adding a new paragraph to read:

8 (9) "capital expenditures" includes the price paid for
9 equipment and the costs of improvements made to depreciable property,
10 but does not include expenditures that are deducted entirely for
11 federal income tax purposes in the year in which they accrued or were
12 paid.

13 * Sec. 5. AS 43.75.018, 43.75.019, 43.75.130(b), and 43.75.140(9) are
14 repealed June 30, 1993.

Offered: 3/21/84
Referred: Resources and
Finance

Original sponsors: Zharoff and
Grussendorf

1 IN THE HOUSE

BY THE HOUSE SPECIAL
COMMITTEE ON FISHERIES

2

CS FOR HOUSE BILL NO. 518 (Fisheries)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act establishing a fisheries business tax credit."
7 it."

8

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

9

* Section 1. AS 43.75 is amended by adding new sections to read:

10

Sec. 43.75.018. FISHERIES BUSINESS TAX CREDIT. (a) A cannery

11

or fisheries business is entitled to a credit of not more than 50

12

percent of the cannery's or business's tax liability under AS 43.75.-

13

015 for capital expenditures related to a shore-based cannery or a

14

shore-based fisheries business facility in the state made during the

15

tax year if an application for the credit is approved by the depart-

16

ment.

17

(b) A cannery or fisheries business may claim a credit under (a)

18

of this section for a maximum period of five consecutive years. An

19

applicant for the credit may elect to begin the five-year period with

20

any tax year from 1984 through 1988.

21

(c) The portion of a capital expenditure that exceeds the amount

22

eligible for a credit under (a) of this section during a single tax

23

year may not be carried back to a prior taxable year, but may be

24

claimed as a credit under (a) of this section for a subsequent tax

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In no event may tax credits be approved for more than 100 percent of a

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capital expenditure.

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this section if the property for which the capital expenditure was

1 made was the subject of a previous capital expenditure by another
2 taxpayer for whom a corresponding tax credit under (a) of this section
3 has been approved.

4 (e) The department shall adopt regulations providing for the
5 application for a credit under (a) of this section and for the review
6 and approval or disapproval of an application.

7 (f) The department shall approve or disapprove an application
8 for a credit under this section not later than 60 days after receiving
9 the application.

10 Sec. 43.75.019. TAX CREDIT REPORT. Not later than the 60th
11 legislative day of each regular legislative session the Department of
12 Revenue, in conjunction with the Department of Commerce and Economic
13 Development, shall submit to the legislature a report on the fisheries
14 business tax credit program under AS 43.75.018. The report shall
15 describe the expenditures for which a credit was claimed during the
16 previous tax year and, if possible, the increase in employment and
17 processing capacity by the canneries and fisheries businesses for whom
18 the credit was approved. Reporting under this section shall begin
19 with the second regular session of the Fourteenth Alaska Legislature.

20 * Sec. 2. AS 43.75.130 is amended by adding a new subsection to read:

21 (b) For purposes of this section, tax revenue collected under
22 AS 43.75.015 from a person entitled to a credit under AS 43.75.018
23 shall be calculated as if the person's tax had been collected without
24 applying the credit.

25 * Sec. 3. AS 43.75.018, 43.75.019 and 43.75.130(b) are repealed
26 June 30, 1993.

Introduced: 1/16/84
Referred: House Special Committee on
Fisheries, Resources and Finance

1 IN THE HOUSE

BY ZHAROFF

2

HOUSE BILL NO. 518

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing a fisheries business tax cred-
7 it."

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

9 * Section 1. AS 43.75 is amended by adding a new section to read:

10 Sec. 43.75.018. FISHERIES BUSINESS TAX CREDIT. (a) A shore-
11 based cannery or shore-based fisheries business is entitled to a
12 credit of not more than 50 percent of the cannery's or business's tax
13 liability under AS 43.75.015 for the following expenditures made
14 during the tax year if an application for the credit is approved by
15 the department:

- 16 (1) improvement of quality control operations;
17 (2) equipment that is used or is to be used in the process-
18 ing of a developing commercial fish species; and
19 (3) upgrading or modernization of processing facilities.

20 (b) The department shall adopt regulations providing for the
21 application for a credit under (a) of this section and for the review
22 and approval or disapproval of an application.

23 (c) The department shall approve or disapprove an application
24 for a credit under this section not later than 60 days after receiving
25 the application.

26 * Sec. 2. AS 43.75.130 is amended by adding a new subsection to read:

27 (b) For purposes of this section, tax revenue collected under
28 AS 43.75.015 from a person entitled to a credit under AS 43.75.018
29 shall be calculated as if the person's tax had been collected without

1 applying the credit.

Introduced: 1/16/84
Referred: House Special Committee on
Fisheries, Resources and Finance

1 IN THE HOUSE

BY ZHAROFF

2

HOUSE BILL NO. 518

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act establishing a fisheries business tax cred-

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credit of not more than 50 percent of the cannery's or business's tax

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(2) equipment that is used or is to be used in the process-

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ing of a developing commercial fish species; and

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(3) upgrading or modernization of processing facilities.

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* Sec. 2. AS 43.75.130 is amended by adding a new subsection to read:

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(b) For purposes of this section, tax revenue collected under

28

AS 43.75.015 from a person entitled to a credit under AS 43.75.018

29

shall be calculated as if the person's tax had been collected without

1 applying the credit.

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

1/27/84

Date: 1-27-84

The Committee on FINANCE has had HB 519

"An Act relating to art works in public buildings and facilities."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 519 (7in) same title
 new title
- and recommends Individual Recommendations
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the Finance Committee

MEMBERS SIGNING
DO PASS

Robert B. Adams

James L. ...

W.P. ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

John ...

J. ... - DO NOT PASS

... No Rec -

... " DO NOT PASS

John ... - DO NOT PASS

Robert B. Adams
CHAIRMAN

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 1/27/84

REQUEST

Bill/Resolution No.: HB 519

Title: Artwork in public buildings

Sponsor: Adams, Ward, Szymanski

Requestor: House Finance

Date of Request: 1/26/84

FISCAL DETAIL

Agency Affected: DOT&PF

Program Category Affected: _____

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: R.S. Snell Phone: 266-1462

Division: Director P&P - Central Region Date: 1/27/84

Approved by Commissioner: Don Malin Date: 1/27/84

Agency: Acting Deputy Commissioner - Statewide

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

FISCAL NOTE BACKUP
To
HB 519

The Department of Transportation and Public Facilities anticipates there would be no fiscal impact if the proposed language change to HB 519 is approved.

The Department does, however, anticipate great difficulty in writing regulations for program implementation which avoid excessive and arbitrary discretion. Until such time as the regulations are developed which show uniformity and fairness in the decision process, an accurate fiscal impact cannot be determined. The Department would need to develop procedures which avoid the exercise of selective discretion and hence possibly be construed and challenged as arbitrary. The solution to that dilemma does not at this time seem apparent.

ESC/md

Original sponsors: Adams, Ward
and Szymanski

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 519 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art works by Alaska artists in
7 public buildings and facilities; and providing for an
8 effective date."

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

10 * Section 1. AS 35.27.010 is amended to read:

11 Sec. 35.27.010. PURPOSE. The state recognizes its responsibil-
12 ity to foster culture and the arts and the necessity for the viable
13 development of Alaska [ITS] artists and craftsmen. The legislature
14 declares it to be a state policy that a portion of appropriations for
15 capital expenditures may be set aside for the acquisition of works of
16 art by Alaska artists to be used for state buildings and other public
17 facilities.

18 * Sec. 2. AS 35.27.020(a) is amended to read:

19 (a) If the building or facility owner approves, a [A] building
20 or facility constructed after June 30, 1975, or remodeled or renovated
21 after June 30, 1975, may [SHALL] include works of art by Alaska
22 artists, including but not limited to sculptures, paintings, murals or
23 objects relating to Native art.

24 * Sec. 3. AS 35.37.020(b) is amended to read:

25 (b) The department, before preparing plans and specifications
26 for a building or facility, may [BUILDINGS AND FACILITIES, SHALL]
27 consult with the Alaska State Council on the Arts and the owner of the
28 building or facility regarding the desirability of inclusion of works
29 of art by an Alaska artist.

1 * Sec. 4. AS 35.27.020(c) is amended to read:

2 (c) NOT MORE THAN [AT LEAST] one percent or, in the case of a
3 rural school facility, not more than [AT LEAST] one-half of one per-
4 cent, of the construction cost of a building or facility approved for
5 construction by the legislature after September 1, 1977, may [WILL] be
6 reserved for the following purposes: the design, construction, mount-
7 ing and administration of works of an Alaska artist [ART] in a school,
8 office building, court building, vessel of the marine highway system,
9 or other building or facility which is subject to substantial public
10 use. If the building or facility owner approves the use of funds for
11 art works under this subsection, then the work of art must be that of
12 an Alaska artist.

13 * Sec. 5. AS 35.27.020(e) is amended to read:

14 (e) The Alaska artist who executes these works of art shall be
15 selected by the architect for the department with the approval of the
16 department, after consultation with the Alaska State Council on the
17 Arts and the owner [PRINCIPAL USER] of the public building or facility
18 [BUILDINGS OR FACILITIES].

19 * Sec. 6. AS 35.27.020(f) is amended to read:

20 (f) The Alaska artist who executes these works of art in the
21 public schools shall be selected by the superintendent of a school
22 district in which a public school is to be built with the approval of
23 the school board. Should the department find in the best interest of
24 the state that the selection of the Alaska artist who executes these
25 works of art by the superintendent may result in a cost overrun to the
26 state or delay of construction, the department shall make the selec-
27 tion of the Alaska artist in consultation with the superintendent.

28 * Sec. 7. AS 35.27.020(g) is amended to read:

29 (g) The architect, superintendent, department, and the Alaska

1 State Council on the Arts shall encourage the use of state cultural
2 resources in these art works and require the selection of Alaska
3 resident artists for the commission of these art works.

4 * Sec. 8. AS 35.27.020(d) and AS 44.27.060(b) are repealed.

5 * Sec. 9. This Act takes effect immediately in accordance with AS 01.-
6 10.070(c).

OPENING REMARKS FOR HB 519

HB 519 WOULD MAKE THE SO CALLED "PERCENT FOR ART PROGRAM"
OPTIONAL INSTEAD OF MANDATORY.

UNDER CURRENT STATUTE, ONE PERCENT OF CONSTRUCTION FUNDING
PROVIDED FOR PUBLIC BUILDINGS AND FACILITIES MUST BE RESERVED FOR
WORKS OF ART. FOR RURAL SCHOOLS, ONE HALF OF A PERCENT MUST GO
TOWARDS ART.

THE FIRST PRIORITY FOR BUSH CAPITAL PROJECTS IS BASIC NEED. THE
STATE'S FINANCIAL RESOURCES GROW SMALLER EACH YEAR, YET THE
CAPITAL PROJECT NEEDS OF MY CONSTITUENTS GROW LARGER EACH YEAR.
THE COST OF CONSTRUCTION IN NORTHWEST ALASKA IS SO HIGH THAT
FUNDING PROVIDED BY THE STATE BARELY COVERS THE TOTAL PRICE TAG
OF A CAPITAL PROJECT. IT IS IMPORTANT TO ME THAT WE HAVE ENOUGH
FUNDING FOR THE RIGHT BUILDING MATERIALS AND CONSTRUCTION DESIGN
BEFORE WE FUND ART WORK. I DO NOT MEAN TO SAY THAT ART WORK IS
NOT IMPORTANT, ONLY THAT WHEN FUNDING IS LIMITED, THE BUILDING
ITSELF COMES FIRST.

IN YOUR PACKETS, YOU WILL FIND INFORMATION ABOUT THE PROGRAM.
ALSO, YOU WILL FIND A PROPOSED HOUSE FINANCE COMMITTEE SUBSTITUTE
FOR THE BILL. THE C.S. MAKES CLEAR THAT THE PROGRAM IS OPTIONAL
AND THAT THE OWNER OF THE FACILITY IS THE ONE WHO DECIDES WHETHER
ART WORK WILL BE INCLUDED.

THERE IS A ZERO FISCAL NOTE FOR THE BILL BECAUSE EVEN THOUGH THE ONE PERCENT WOULD NOT BE SPENT ON ART, IT WOULD STILL BE SPENT ON THE CAPITAL PROJECT. D.O.T.P.F. DOES NOT FEEL THAT THERE WILL BE ANY OPERATING BUDGET SAVINGS BECAUSE OF THE LEGISLATION.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

November 10, 1983

MEMORANDUM

TO: Representative Al Adams

FROM: Nancy Pease *Nancy Pease*
Legislative Analyst

RE: Art in Public Places Program
Research Request 83-228

Louann Cutler of your staff requested that we provide records of the artwork purchased by the State under its Percent for Art in Public Places Program. She asked for a description of each individual work of art, the building and city where it is located, the cost, and the name of the artist.

As you may know, the Art in Public Places Program originated in 1975 with the State requirement that a percent of State capital expenditures for public buildings and facilities be set aside for the acquisition of works of art to be displayed in those facilities (AS 35.27.). The percent reserved must be at least one percent of the facility's cost of construction as approved by the State legislature, or in the case of rural school facilities, at least one-half of one percent. If the facility will cost less than \$250,000 or will not receive substantial public use, the amount for art is deposited in the Art in Public Places Fund. Since the program's inception, the State has spent at least \$1,811,659.20 on art for public places.

We forwarded to you on November 7 a record of individual art acquisitions provided to us by Christine D'Arcy, Executive Director of the Alaska State Council on the Arts. This list, categorizing individual acquisitions by the school district or city where each is displayed, appears to be the most current and complete information available. The State agency responsible for administering the program (the Department of Transportation and Public Facilities) provided us with identical information on non-school facilities along with a copy of departmental procedures for approving and selecting acquisitions under the program (see attachment).

You may notice that the list doesn't mention any artwork acquired for the Juneau or Sitka School Districts or for Municipal public facilities in Anchorage. According to Ms. D'Arcy, the Juneau and Sitka School Districts have apparently not complied with the State requirement. On

Representative Adams
November 10, 1983
Page 2

the other hand, the Municipality of Anchorage is very active in promoting art in public places under its own Municipal percent for art program. This program is similar to the State's, requiring that one percent of the cost of public facilities go to the purchase of artworks, but the City's selection procedure is designed to incorporate a high level of community participation. Molly Jones, Director of Fine Arts for the Municipality of Anchorage, can provide more information on the operation of the program or its acquisitions, if you are interested.

I hope this information is useful. Please let us know if you have any questions or if we can be of further assistance.

NP
Attachment

Artwork in Public Facilities Constructed or Renovated by
the Department of Transportation and Public Facilities

Central Region

<u>Location</u> Project Name/Project Number	<u>Artwork</u>	<u>Artist/Address</u>	<u>Contract Price</u>
<u>Anchorage:</u>			
Anchorage Int'l Terminal/ H60004	Descending Flight Plane, sculpture	Gary Marx, Anchorage	\$46,000
	Sculpture	Seth Seiderman, San Francisco	\$46,000
	Fiber	Dana Boussard, Montana	\$46,000
Anchorage Oil & Gas Addition H60001	Painting	Marvin Mangus, Anchorage	\$3,950
Cook Inlet Pre-Trial Facility H90619	Ceramic Sculpture	Alex Combs, Halibut Cove	\$55,000
	Supergraphics	Clark Mishler, Anchorage/ Mark Hoffman, Seattle	\$30,000
	Ceramic Relief	Michelle Corder, Joint Venture w/Michael Sheppard, Soldotna	\$19,786 ✓
	Wall Painting	Gary O. Utermohle, College	\$20,000
Fort Richardson Fish Hatchery/H80364	Limestone Relief	Keith Appel, Anchorage	\$18,000
	Carved Panels	Jim Schoppert, Carnation, WA	\$20,000
McLaughlin Youth Center Gym H90626	Wall Sculpture	Allan Crawford, San Francisco	\$13,000 ✓
Pioneer Home Nursing Wing H90629	Fireweed, fiber	Jeanne Leffingwell, Anchorage	\$15,000
	Wildflowers,		
	Painting	Gail Parsons, Homer	\$15,000
	Tapestry	Charlotte Van Zant, Fairbanks	\$10,000
	Stained Glass	Michael Kennedy, Seattle	\$10,000
	Wood Panels	Victor Hiles, Homer	\$10,000
	Photo Piece	Tony Rubey, Anchorage	\$10,000
	Portable Works		
	Collection	Susan Ogle, Anchorage	\$7,700
		Majorie Leavens, Anchorage	
		Nancy Taylor, Idaho	
		Arthur Higgins, Wasilla	
		Clark Mishler, Anchorage	
		Ed Nolde, Anchorage	
	Janis Carty Neill, Eagle River		
	Marvin Mangus, Anchorage		
	Lynn Saupe, Kodiak		
	M.A. Mullins, Anchorage		
	Gary Lyon, Homer		

Artwork continued

Central Region

<u>Location</u> Project Name/Project Number	<u>Artwork</u>	<u>Artist/Address</u>	<u>Contract Price</u>
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Eagle River:

Alaska Women's Facility H60043	Parrotgrass, fiber untitled, bronze Mountain Pod, welded, sculpture	Jeanne Leffingwell, Anchorage	\$8,000
		Karen Olanna, Shishmaref	\$10,000
		Arthur Higgins, Wasilla	\$10,000

Hiland Mountain Correctional Center/H60076	An Eagles View, Fiber, assemblage Aluminum Panels Porcelain enamel on steel panels	Celia Anderson, Eagle River	\$17,500
		Lorraine Alba, Anchorage	\$5,000
		Ike Hay, Pennsylvania	\$12,400
		Keith Appel, Anchorage	\$7,500

Kasilof:

Kasilof Fish Hatchery H60052	Crooked Creek Allegory, limestone	Keith Appel, Anchorage	\$25,000
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Kenai/Soldotna:

Soldotna Public Safety H90621	Tapestry Copper Panels	Charlotte Van Zant, Anchorage	\$9,300
		Harold Balazs, Washington	\$2,000
Trail Lake Fish Hatchery H80331	Steel Sculpture Enamel on Steel	Carson Boyson, Petersburg	\$30,000
		Harold Balazs, Washington	\$30,000

Palmer:

Palmer Correctional Center H60084	Carpet (collage) Sculpture Enamel on Steel Wall Graphics	Nancy Stonington, Idaho	\$14,400
		Harold Balazs, Washington	\$20,000
		Harold Balazs, Washington	\$4,500
		Kay Slusarenko, Oregon	\$4,475

Seward:

Seward Armory Reconstruction H60077	Fiber Art	Carolyn Strand, Anchorage	\$4,000
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Artwork continued

Northern Region

<u>Location</u> Project Name/Project Number	<u>Artwork</u>	<u>Artist/Address</u>	<u>Contract Price</u>
<u>Fairbanks:</u>			
Fairbanks Airport/Customs H79028	Ceramic Tile Canvas	Polly Lee, Petersburg Jane Brodrick, Fairbanks	\$4,000 \$5,000
Fairbanks Airport Expansion H79352	Camera Photomural Exterior	Ron Klein, Juneau 4 finalists - no award	\$27,000 \$80,000
Fairbanks Correctional Center Expansion/H60071	Sculpture Fiber Wall Painting	Melvin Olanna, Shishmaref Carolyn Strand, Anchorage Kay Slusarenko, Oregon	\$30,000 \$10,000 \$15,000
Fairbanks Int'l Airport H80053	Fibers Fiber Panels	Charlotte Van Zant, Fairbanks Jeanne Leffingwell, Anchorage	\$8,285 \$4,152
Fairbanks Public Safety Building/H90620	Sculpture Watercolor Series Canvas Series Works Collection	Gerald, Conaway, Anchorage Dot Bardarson, Seward William Kimura, Anchorage Fairbanks Artists	\$20,000 \$5,250 \$5,250 \$5,000
Fairbanks Youth Facility H90624	Tapestry Wood/Copper Relief Cedar Relief Panels (Batik) Portable Works	Charlotte Van Zant, Fairbanks Robert Harper, Washington James Schoppert, Fairbanks Jennifer Bellingher, Idaho (formerly Ketchikan) Fairbanks Artists	\$6,000 \$6,000 \$3,500 \$2,400 \$2,500
<u>Kotzebue:</u>			
Kotzebue Court Facility H60011	Carved Panels	Sandra Stolle, Selawik	\$1,200
<u>Nome:</u>			
Nome Youth Facility/H90627	Drawing Series	Bill Ray, Juneau	\$8,000
<u>Tok:</u>			
Tok Facility Upgrade/H60114		Wanda Chin, Fairbanks	\$8,250
<u>Valdez:</u>			
Harborview Developmental Center/H79359	Sculpture	Lloyd Hamrol, California	\$34,000

Artwork continued

Southeastern Region

<u>Location</u> Project Name/Project Number	<u>Artwork</u>	<u>Artist/Address</u>	<u>Contract Price</u>
<u>Alaska Marine Highway:</u>			
M/V Matanuska (ferry)	Collected Works	Various Artists	\$10,000
M/V Taku (ferry)	Collected Works	Various Artists	\$14,000
<u>Juneau:</u>			
Auke Bay Marine Terminal H78002	Alaska Seascape	Nancy Stonington, Idaho	\$5,300
Juneau Data Processing Ctr. H60115	Sculpture	Paul Sisko, New Jersey	\$4,200
Juneau Woman/Child Detention H80340	Tapestry	Bridgette Cooper, Palmer	\$2,400
<u>Ketchikan:</u>			
Ketchikan Regional Jail H90628	Northern Harmony	Judith Aiello, Oregon	\$10,000
	Bronze Panels	Nathan Jackson, Ketchikan	\$16,000
	Wall Piece	Polly Lee, Petersburg	\$5,000
	"To the Oyster/ Pearl Remains a Grain of Sand"	James Schoppert, Fairbanks	\$4,000
	Arctic Sentinels	Carolyn Strand, Anchorage	\$4,000
Ketchikan Pioneer Home H90630	Wall Hanging	Jennifer Bellinger, Idaho	\$5,000
	Painting	Kenneth DeRoux, Juneau	\$5,000
	Stained Glass	Michael Kennedy, Washington	\$5,000
	Wood Carving	James Schoppert, Washington	\$5,000
	Tapestry	Charlotte Van Zant, Fairbanks	\$9,000
<u>Petersburg:</u>			
Petersburg Marine Terminal H78004	Devils Thumb	Polly Lee, Petersburg	\$1,700
<u>Skagway:</u>			
Skagway Marine Terminal H78016	Chilkoot Pass	Carson Boyson, Petersburg	\$6,000

SECTION 13 - ARTWORK FOR PUBLIC BUILDINGS AND FACILITIES

NOTE: The following section is based on DOT/PF Policy and Procedure #28-8002 entitled "Procurement of Artwork for Public Buildings and Facilities". Copies of this Policy and Procedure are available upon request.

13.0 PURPOSE

13.0.1 To promulgate standard departmental procedures for the selection of Artists and Artwork for public buildings and facilities.

13.2 POLICY

13.2.1 To select Artists and Artwork for public buildings and facilities in an objective manner resulting in the acquisition of Artwork consistent with A.S. 35.27, and 44.27.

13.3 DISTRIBUTION

13.3.1 All holders of the Policy and Procedures Manual and the Alaska State Council on the Arts (ASCA).

13.4 DEFINITIONS

13.4.1 Artwork - All original forms of visual art objects created by an Artist which may include paintings, drawings, ceramics, fiberwork, sculpture, graphics (not signage), murals, photographs, metalwork, mixed media work, limited edition original prints (not reproductions) and Native crafts objects.

13.4.2 Artist - A practitioner in the visual arts, generally recognized by critics and peers. A project Architect or member of the Architect's firm will not be considered an eligible artist.

13.4.3 Agreement - A legal document that prescribes legal, regulatory and administrative provisions affecting the rights and obligations of the parties and the work or services (eg Artwork) to be provided.

13.4.4 Architect - The project designer engaged by DOT/PF.

13.4.5 Project Manager - DOT/PF representative and Artist's primary point of contact with DOT/PF.

13.4.6 Client Agency - The Department, Division, School District, Municipality, etc., that generated the project for which funds are designated for Artwork.

13.4.7 Construction Cost - The cost of building or facility construction approved by the State legislature, exclusive of the cost of land acquisition, site investigation, design services, administration, equipment and any other costs not specifically incurred within

the construction contract. Participatory construction funding by a Federal Agency or by the Division of Risk Management is not included in such cost as used within this procedure.

13.4.8 Public Buildings and Facilities - Schools, office buildings, court buildings, and other facilities designed for substantial public use and vessels of the State ferry system.

13.5 DIAGRAM OF PROCEDURE

13.5.1 Page 6 contains a summary diagram of this procedure. Each activity is identified by two numbers (eg 19-20) which are referenced in the procedural discussion herein.

13.6 PROCEDURE

13.6.1 (Activity 1-2) Following each legislative session, DOT/PF (Planning and Programming) provides ASCA with an informal summary of capital projects which identifies proposed buildings and facilities for which Artwork may be required.

13.6.2 (Activity 2-3) DOT/PF (Design and Construction Regions) assigns a Project Manager for each building and facility, who will concurrently initiate this procedure for procurement of Artwork and the selection procedure (P & P 28-8000) for architectural services.

13.6.3 (Activity 3-4) Project Manager and the designated Client's representative for the project decide if a percentage (amount) for public Artwork is required in accordance with A35.17.020 and 44.27.060. The amount for public Artwork shall be at least one percent of the construction cost.

A. If a project consists of new construction or remodel/renovation of existing building or facility, the amount for public Artwork is required. However, remodel/renovation does not include maintenance, repair, code upgrade, heating renovation, etc.

B. If the estimated construction cost is \$250,000 or less or if the building or facility is not for substantial public use, the amount for public Artwork shall be deposited in the Art in Public Places Fund after final acceptance of the facility (paragraph 6.14).

C. If the estimated construction cost is greater than \$250,000, the amount for public Artwork shall be expended only for the actual costs of design (which may include engineering for the Artwork itself, exclusive of the architectural engineering design of the facility or site where the Artwork will be displayed), production and mounting of Artwork and direct administrative costs of Artists. Administrative costs of DOT/PF, ASCA and the Architect related to Artwork, costs related to a dedication or "unveiling" of Artwork, and

the Client Agency's maintenance and recurring operational utility costs shall not be charged to the amount for public Artwork.

13.6.4 (Activity 4-5) Project Manager establishes in writing an Artwork Selection Committee consisting of the Project Manager (Chairperson) and a designated Individual from ASCA, the Client and the Architect. If the amount for public Artwork exceeds \$50,000 for a building or facility, the Commissioner may appoint one additional member and the five designated persons may elect to add one community representative to the Committee. Project Manager must notify the Commissioner if Artwork will exceed \$50,000 to determine if such additional committee members will be designated. These individuals may receive assistance from facility users, community representatives, public art panel members or the ASCA Visual Arts Council; however, the Artwork Selection Committee shall consist only of the designated (4-6) individuals.

13.6.5 (Activity 5-6) Architect (or Committee if an Architect is not engaged) develops Artwork criteria (architectural and engineering constraints) during schematic and design development phases, in coordination with the Committee, and includes provisions in the Construction Documents to intergrade selected Artwork.

- A. The Architect's agreement with DOT/PF may require the above services only or it may include additional provisions for the Architect to manage Artwork procurement by directly entering into contracts with Artists approved by the Committee; the latter is preferred.
- B. The Architect's compensation should be a negotiated fixed fee or fixed hourly rates for the Architect's direct labor plus any allowable reimbursable expenses plus the Architect's direct cost of any approved subcontracts with Artists. If an amount equal to 110% of the amount for public Artwork plus an estimated amount for associated reimbursable expenses is established in the Architect's Agreement, an Amendment to the Architect's Agreement (reference paragraph 6.10) may not be necessary after Artwork is selected.

13.6.6 (Activity 10-11) Option for purchase of existing Artwork. Committee may, without or after soliciting and evaluation Artists' proposals, select existing Artwork for the project. In such cases, the Project Manager shall arrange for procurement, delivery and installation. Purchase shall not be made prior to award of a construction contract for the facility.

13.6.7 (Activity 6-7) If existing Artwork is not selected, Project Manager prepares an advertisement for Artist's proposals incorporating the Architect's criteria and the desires of the Committee. ASCA distributes the advertisement, receives all Artist's proposals, eliminates inappropriate submittals to the Selection Committee. Each advertisement must include the following:

- A. Instructions for submittal (format, content, time, date, place) and an explanation of the selection process to be used (eg Design Construction - paragraph 6.8A)
- B. Identification of the project, generally desired form of Artwork, architectural and engineering constraints, anticipated engineering support (eg structural analysis of a sculpture) which the Artist may be required to obtain and insurance coverages which will be required.
- C. Any information and/or assistance to be furnished by others and by whom.
- D. Maximum amount of funding for Artwork with a statement that actual price to be paid the Artist(s) shall be negotiated.
- E. Information for obtaining a copy of the Agreement to be used.

13.6.8 (Activities 8-13 & 9-12) Following review and evaluation of Artist's proposals, the Committee may select existing Artworks (paragraph 6.6), select Artist(s) or elect to conduct a Design Competition among several designated Artists based on their conceptual design submitted with proposals.

- A. If a Design Competitions if to be held, the Architect or the Project Manger shall contract with each designated Artist in accordance with paragraph 6.10 and shall include a provision addressing the Design Competition and stating that the Agreement given a Notice to Proceed for production of the Artwork contingent upon the results of the Design Competition. The Selection Committee shall establish requirements and procedures for the Design Competition.
- B. Alaska resident Artists shall be selected where they are available and qualified, in accordance with AS.35.020(g) and 36.10.010.

13.6.9 (Activity 13-14) Project Manager shall obtain Negotiation Authority for the selected Artist(s) in accordance with Delegation of Authority P & P 10-0017. Approval for Negotiations (AFN), DOT/PF Form 25A251, shall be used.

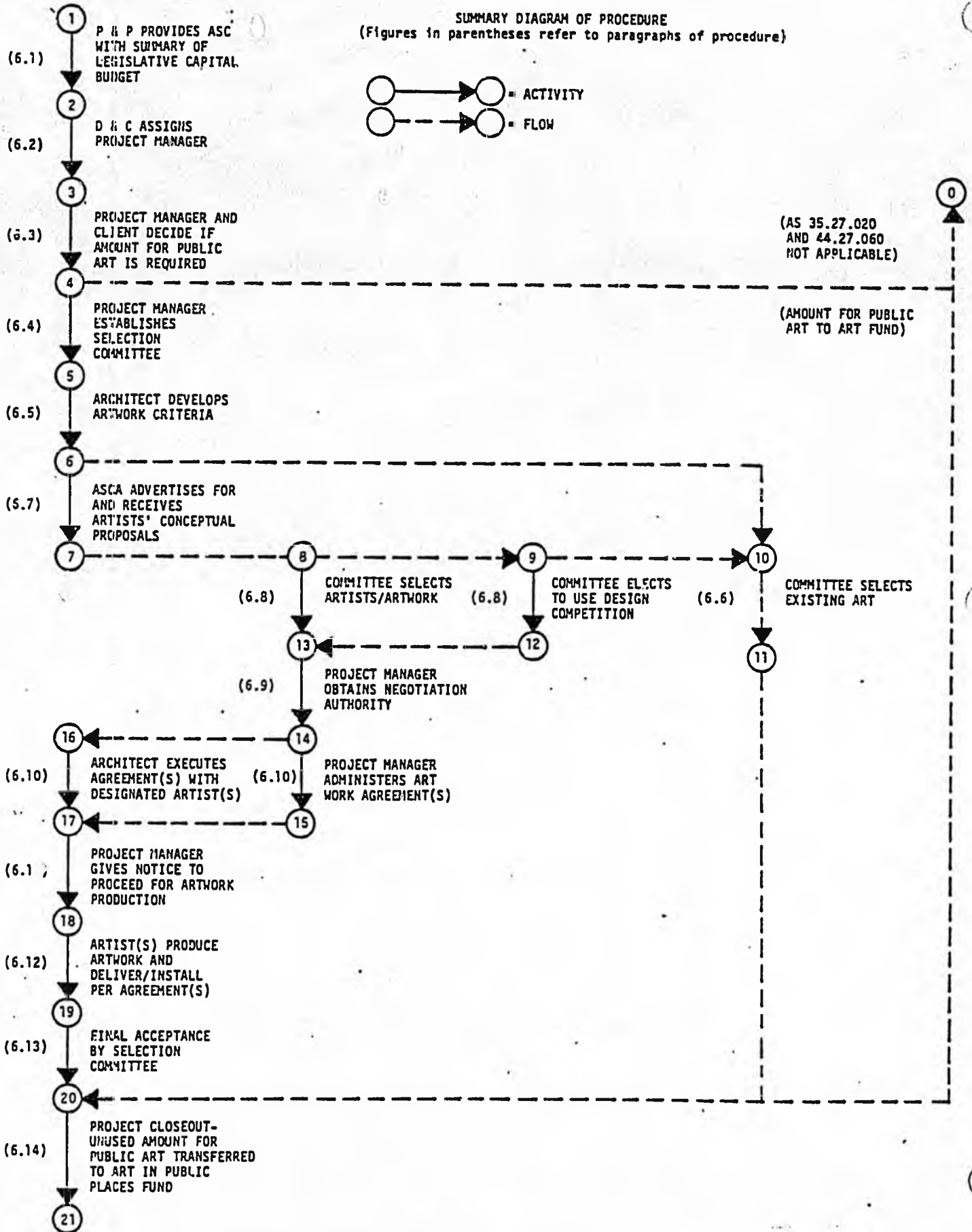
13.6.10 (Activities 14-15 & 16-17) If existing Artwork is not selected, the Architect or Project Manager shall contract with designated Artist(s). Architect-Artist Agreements must contain provisions required by the Selection Committee and must contain provisions required by the Selection Committee and must be approved by the Project Manager prior to execution. DOT/PF - Artist Agreements must be executed using DOT/PF standard forms consisting of the Basic Agreement (Form 25A261), Appendix A - General Conditions for Artwork (Form 24A263), Appendix B - Statement of Services for Artwork (From 25A264), Appendix C - Basis of Compensation for Artwork (Form 25A265) and Appendix D - Catalogue Worksheet (Form 25A266).

- 13.6.11 (Activity 17-18) Project Manager shall withhold Notice to Proceed to the Architect of the Artist(s) for Artwork production until a construction contract for the building or facility is awarded and shall attempt to insure that Artwork design is completed and approved by the Committee prior to bidding for the construction contract.
- 13.6.12 (Activity 18-19) Following receipt of Notice to Proceed, Artist(s) will produce, deliver and install Artwork in accordance with Agreement(s). The Architect or Project Manager shall coordinate delivery/installation with construction progress of the building or facility.
- 13.6.13 (Activity 19-20) Committee or its designated representative shall view the completed Artwork(s) installed within the building or facility and provide written approval and acceptance to the Project Manager. The Artist(s) may then receive final payment contingent upon receipt by the Project Manager of the documentation required for the public Artwork program in accordance with the Artwork Agreement(s). Client Agency owns Artwork after installation and final acceptance of the building or facility.
- 13.6.14 (Activity 20-21) Upon final acceptance of the building or facility, the unused amount for public Artwork shall be placed in the Art in Public Places Fund (amount not to exceed one percent of the sum of the original construction contract plus construction contingency, unless construction change orders changed the original program of the major activities for which the building or facility was constructed in which case the amount shall equal one percent of the construction contract plus the applicable change orders.)

13.7 IMPLEMENTATION

- 13.7.1 Regional Directors are responsible for coordinating with ASCA and establishing any supplementary procedures necessary to augment this Department procedure as applicable to each region's functions.

SUMMARY DIAGRAM OF PROCEDURE
(Figures in parentheses refer to paragraphs of procedure)



PERCENT FOR ART IN RURAL SCHOOLS

ADAK REGION SCHOOL DISTRICT

District Central Office:

Work by Joanna P. Veerman, oil 450.00
Work by Joanna P. Veerman, oil 350.00

Bob Reeve High School:

Work by Charles Gause 150.00
Work by Joanna P. Veerman, 1980 350.00
Carved ivory walrus rookery by Joe Kunnuk, 1979 72.00
Work by Charles Gause, 1975 105.00
Work by Joanna P. Veerman, 1980 400.00
Work by Charles Gause, 1980 150.00
Work by Charles Gause, 1977 120.00

Ann C. Stevens Elementary School:

Work by Joanna Veerman, 1980 195.00
Ivory Muskox, 2"x3", artist unknown 54.00
Skin-faced doll in ceremonial raincoat purchased
from Jayne Martin 300.00
Three oil paintings by Joan Kickbush 750.00
Two whales in walnut frame, Gary Lyons, 1977 120.00
Seven killer whales in walnut frame, Gary Lyons, 1978 120.00
Two sperm whales in walnut frame, Gary Lyons, 1978 120.00
Bowhead whale, Gary Lyons, 1977 120.00
Work in pastel, Jean Matayas, 1980 350.00
Work in acrylic, Bill Cross, 1980 275.00
Oil painting, Scot McDaniel 725.00
Native carved ivory duck, artist unknown 40.50
Three Eskimo dancers, carved ivory on bed of rock,
Bobby Koezuna 126.00
Polar bear and cub, ivory, Gideon K. 72.00
Whale bone mask, 7" tall, artist unknown 112.00
Caribou mask, 13", purchased from Juneau Lil's Gifted
Emporium 53.00
Ivory goose, 4" tall, artist unknown 31.00
Alaskan king crab, ivory, Bobby Koezuna 112.00
Ivory seal with baleen eyes, Paul Omiak 40.50
Work in acrylic, Keith Appel 275.00
Work by Johanna Veerman 225.00
Painted wood mask, Willie Marks 157.50
Thlinget Mask, Willie Marks 70.20
Basket, 2½" x 2½", Lydia Dirks 200.00

ANNETTE ISLANDS SCHOOL DISTRICT

Lepquinum Recreation-Vocational Building:

Seven banners, Debra Frasier 7,100.00
14' totem pole, David Boxley (base cost \$4,100) 9,800.00
Eagle wall piece, 6'x6', Jack Hudson, red cedar 3,600.00

Junior High School:

Killer whale, red cedar carving, 6'x6', Jack Hudson 3,600.00

BERING STRAIT SCHOOL DISTRICT

<u>Bering Strait School District Office Building:</u> Seal skin painting, Florence Melewotuk, 1970	8,500.00
<u>White Mountain:</u> Two portraits of elders, Moses Wassilie, 1983	2,270.00
<u>Koyuk High School:</u> Eight portraits of elders, Moses Wassilie, 1983	6,698.00
<u>Savoonga High School:</u> Mural, Judy Pelowouck, 1983	3,130.00
<u>Gambell High School:</u> Walrus tusks mount, Bert Oozevaseuk, 1982	4,600.00
<u>Stebbins High School:</u> Quspaq, Rita Johnson, 1982	75.00
<u>Golovin High School:</u> 2 village scene drawings, Richard Nassuk, 1982	600.00
<u>James C. Isabell, Teller:</u> Ivory bear, Russel Soolook, 1982	300.00
<u>St. Michael High School:</u> 9 wooden Eskimo masks, Elia Abruska, 1982	5,280.00
<u>Shaktoolik High School:</u> Three paintings, Rie Munoz, 1983	4,430.00
<u>James C. Isabell, Teller:</u> Fish trap, Peter Kakaruk, 1982	600.00
Seal Skin Dog, Sarah Kakaruk, 1982	125.00
Ivory Caribou and Moose, James Okpealuk, 1982	350.00
Ivory Walrus, Roger Menadelook, 1982	125.00
Tableau/Wooman Scraping Skins, Justina Kunayak, 1982	500.00
Large Skin Medicine Ball. Sophie Okpealuk, 1982	125.00
Scrimshaw tusk, Frank Miller, 1982	800.00
Ivory birds, Alvin Koyoukpuk, 1982	500.00
Ivory necklace, Frank Topsekok, 1982	170.00
Ivory cribbage board, Alvin Topsekok, 1982	200.00
Ivory pickle forks, Margaret Soolook	175.00
Seal Skin Medicine Ball, Theresa Soolook, 1982	125.00
Eskimo Doll and Seal Skin Hat, Marie Omiak, 1982	150.00
Ivory Bears with Seal on Base, Andrew J. Kunayak, Sr.	200.00
Ivory necklace, James Omiak, 1982	250.00
Ivory bead necklace, Sig Wein Omiak, 1982	200.00
Ivory Engraved Pin Cushion, Jim Pushruk, 1982	100.00
Seal Skin Mittens, Cecilia Topsekok, 1982	80.00

BERING STRAIT SCHOOL DISTRICT (continued)

<u>White Mountain High School:</u>			
Seal Skin Drawing, Ralph Kowshee, 1982			1,000.00
<u>Golovin High School:</u>			
Two acrylic paintings, Moses Wassilie			2,300.00
<u>Stebbins High School:</u>			
Fish trap, Andrew Foxiw, 1982			300.00
Pupuaq Container, Winifred Otten, 1982			300.00
Grass basket, Anna Kirk, 1982			150.00
Grass Basket, Dorothy Rivers, 1982			150.00
Oluaq, Oswald Washington, 1982			100.00
Seal Skin Etching, Margaret Marlin, 1982			1,000.00
Eskimo Drum and Dance Stick, Lewis Steve, 1982			700.00
Seal Skin Boots, Marie Pete, 1982			250.00
Grass Basket, Minnie Katcheak, 1982			150.00
Eskimo Dance Mask, Peter Martin, 1982			300.00
Eskimo Mask, Charlie Steve			300.00
Bleached Seal Skin, Christine Steve, 1982			150.00
Skin Boat, Charlie Steve, 1982			1,500.00
Intestine Rain Coat, Alice Pete, 1982			1,000.00
Bow and Arrow, Xavier Pete, 1982			200.00
<u>Elim High School:</u>			
Lithograph, Dorothy Francis, 1982			265.00
" " "			135.00
" " "			135.00
" " "			175.00
" " "			175.00
Lithograph, Carolee Pollock, 1982			85.00
Oil painting, Ken Lisbourne, 1982			210.00
" " "			210.00
Print, Ronilee Lynch, 1982			195.00
" " "			195.00
" " "			185.00
" " "			165.00
Print, Stonington, 1982			54.00
Print, Kimura, 1982			137.00
Print, Stedman, 1982			106.00
Print, St. Amand, 1982			88.00
Print, Ellis, 1982			111.00
Print, Lavalee, 1982			79.00
Print, Pitcher, 1982			169.00
" "			140.00
" "			111.00
Print, Birdsall, 1982			84.00
Print, Lisbourne, 1982			59.00
Print, Lavalee, 1982			99.00
Print, Lisbourne, 1982			59.00
Oil painting, Bill Ray, Jr., 1982			1,240.00

BERING STRAIT SCHOOL DISTRICT (continued)

Brevig Mission High School:

Two seal skin drawings, Reggie Barr, 1982	500.00
Two seal skin drawings, Delberg Seetot, 1982	500.00
Wall Mural, Judy Pelewouk, 1982	4,475.00

Golovin High School:

Portrait, Ralph Kowchee, 1982	1,000.00
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Koyuk High School:

Ink drawing, Richard Nassuk, 1982	400.00
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BRISTOL BAY BOROUGH

No projects confirmed to date.

CHATHAM SCHOOLS

Gustavus:

Art committee formed for new school

Angoon:

Wall carving, Wayne Price

CHUGACH

Whittier:

Mural/pictures, Huong, 1982	5,600
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CRAIG CITY SCHOOLS

Craig Elementary School:

Photographic Mural, Patty Bipus, 1983	6,600.00
Faceted Glass Panel, Todd Lance, 1983	6,800.00
Batik Whales, Jennifer Bellinger, 1983	6,600.00

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

Two Rivers Elementary:

Seeds and Memory, tapestry, Sara Baker, 1983	300.00
Halibut Cove, silkscreen, Sharon Scramstad Merrell, 1983	255.00
Tidal Flats Near Portage, oil, Michelle Corder, 1983	900.00
Ride a Wild Horse, 2-plate color etching, Lynn Wiley	125.00
Moose Torn, pencil and oil crayon, Lynn Wiley	200.00
Divers, pastel, Sherry Leedy	700.00
Frosty Fantasy in Red, color photo, Don W. Murphy	125.00

DILLINGHAM CITY SCHOOL DISTRICT

Dillingham High School New Gym:

Rectangular wall piece with beaver mask, wood and ivory carving, Sam Fox	10,000.00
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DILLINGHAM CITY SCHOOL DISTRICT (continued)

Dillingham Elementary School:

Ceramic tile wall mural, Julie Matthews, Anchorage	7,000.00
Ceramic tile wall mural, Michelle Griffoul, California	10,000.00

Dillingham High School Phase I and II Renovation:

Work not commissioned to date

GALENA CITY SCHOOL DISTRICT

Galena School

Wall murals, Bill Cawthon, 1978	20,000.00
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HAINES BOROUGH SCHOOL DISTRICT

Haines High School:

Wall mural for swimming pool, Jack VanHoesen	5,000.00
Stained glass window, 4x8 ft., Linnus Barlow	2,500.00
Metal sculpture, metal/plexiglas, 14', Geraldine Marquardt and Eugene Zimbrich	3,500.00

HOONAH PUBLIC SCHOOLS

Hoonah Public Schools:

Wall graphics, Jim Tilly, 1981	6,000.00
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IDITAROD AREA SCHOOL DISTRICT

Nikolai:

Two murals, John Van Zyle, Artist-in-the-School

Shageluk:

Traditional masks, Fluska John, 1978, Artist-in-the-school	2,550 ASCA
	1,700 district cont.
	1,120 in-kind

Holy Cross:

Reproduction/enlargement/mounting of 20 old photographs
Jimmie Froehlich, Artist-in-the-school

Takotna:

Exterior mural, Jimmie Froehlich, 1978/79	1,500.00 district cont.
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Grayling:

Flying Eagle, bronze casting, Jacque and Mary Regat

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

No artworks have been commissioned.

PERCENT FOR ART IN RURAL SCHOOLS
page 6

KING COVE CITY SCHOOL DISTRICT

King Cove City School
Mural, Leigh Hyams, 1981 3,000.00

LOWER YUKON SCHOOL DISTRICT, REAA #3

Marshall School, Fortuna Ledge:
Works by Jack VanHoesen, 1980 and 1982 9,923.00

Pilot Station Schools:
Lithographs and 3 paintings of village life,
J. VanHoesen, 1982 6,641.00

Pitkas Point High School:
Painting on plywood, Pat Minnok, 3 works 5,476.00

Sheldon Point Schools:
Mukluks, bought in Anchorage
Dolls, bought in Anchorage
Baskets, bought in Anchorage
Ivory carvings, bought in Anchorage,
one is a dog team by Frank Prince
Pictures, bought in Anchorage
Painting on gym wall, Andrew Covlasky, 1983 6,920.00 for all works

Spring Water Middle School of Mountain Village:
Five wall works, Milo Minock, 1980 5,250.00

Russian Mission High School:
Five paintings, acrylic, Dan Fruits, 1981 5,037.00

Russian Mission Elementary School:
Weaving, fiber, Paula Dickey, 1982 1,200.00

Scammon Bay High School:
3 murals, Milo and Pat Minock, painted on plywood 6,508.00

MAT-SU

Susitna Valley High School:
Landscape-Mt. McKinley, painting, Kurt Wagoner 7,500.00

NENANA CITY SCHOOLS

None.

NORTH SLOPE BOROUGH SCHOOL DISTRICT

Kaktovik
Mural, Gloria Rankin, 1980 6,000.00
Masks, Mildred Rexford, 1980 1,000.00
Soapstone carving and baleen baskets, Archie Brower 2,000.00
Baleen etching, Eddie Rexford 1,000.00

PETERSBURG

None.

RAILBELT SCHOOL DISTRICT

<u>Tri-Valley School:</u>	
<u>Caribou Migration</u> , fiber, Ree Nancarrow	3,400.00
<u>Anderson Elementary:</u>	
<u>Grizzly Bear Country</u> , wood carving, Doyle Carter	2,000.00
<u>Alaskan Kaleidoscope</u> , cork and painted mural, Mary Erickson	3,250.00
Stained Glass Windows, Gary Worby	875.00
Grizzly bear, mounted and stuffed, Ted Meyer	1,500.00
<u>Cantwell School:</u>	
<u>Spring at Mt. McKinley</u> , stained glass, Ann Ernst	2,520.00
<u>Denali</u> , oil, Ruth Travers	950.00
<u>Goshawk</u> , sculpture, Ruth Travers	750.00
<u>Athabaskan Mittens and Moccasins</u> , handsewn moosehide, trimmed in fur, Lily Tansy, 1981	160.00
<u>Dog Hair Basket</u> , Pam Gilbertson	150.00
<u>Friends</u> , needlework picture in dog hair, Pam Gilbertson	250.00
<u>Squirrel hat and purse</u> , handsewn, Carol Resnick	60.00
<u>Clowns</u> , wood and fabric dolls, Carol Resnick	335.00
<u>The Trouble with Reindeer</u> , ink drawing, Diane L. Drashner	300.00
<u>Legend of Denali</u> , mural and legend, Velta Steinberg	2,850.00
<u>Hawks</u> , set of four photographs, Leonard Rue, III	80.00
<u>Midsummer Fantasy</u> , photograph, Mikki Grable, 1978	100.00
<u>Autumn Magic</u> , photograph, Mikki Grable, 1980	100.00
<u>Swan Elegante</u> , photograph, Mikki Grable, 1979	100.00
<u>Sunseasons</u> , fiber wall hanging, Brigitte Cooper, 1983	8,500.00

SKAGWAY CITY SCHOOL DISTRICT

No recent school construction. New school planned; commissioning art work in approximately two years.

SOUTHWEST REGION SCHOOLS

<u>Ekwok:</u>	
<u>Acrylic on Canvas Panels</u> , 2-4'x8'; 1-4'x16', Moses Wassilie	7,267.00
<u>Manokotak:</u>	
<u>Murals</u> , acrylic panels, Moses Wassilie, 1982	4,500.00
<u>Twin Hills:</u>	
<u>Acrylic panel</u> , Chris Davis, 4'x7'	3,000.00
<u>Togiak:</u>	
<u>Acrylic murals</u> , Brian Morgan, 6 paintings	4,457.00
<u>District Office:</u>	
<u>Berry Picker</u> , acrylic, Moses Wassilie	313.00

SOUTHWEST REGION SCHOOLS (continued)

<u>Koliganek:</u> Two acrylic panels (4'x'8' and 8'x8'), Chris Davis, 1982	8,600.00
<u>New Stuyahok:</u> Three redwood carved panels, 3x8, Richard Cook	9,756.00
<u>Levelock:</u> Photography, Don W. Murphy, 1982	2,862.00

WRANGELL

<u>Intermediate 4-6:</u> Native relief carving, wall hung. Art Nelson, 1981	6,000.00
Relief carving, forest scene, Kurt Ryll, 1981	2,500.00
Native design building frieze, exterior, Kurt Ryll, 1981	3,500.00
<u>Primary K-3:</u> Ceramic kaleidoscope mural, Polly Lee, 1983	6,000.00
Fabric banners, Lynn Wiley, 1983	8,000.00

YAKUTAT CITY SCHOOL DISTRICT

<u>Yakutat Elementary School:</u> Tlingit clan designs, 4'x6', Fred Bemis	1,545.00
Tlingit eagle wall mural, Fred Bemis, 1982	1,800.00
Alaska mural, Julie Purdy, 1982	2,800.00
Tlingit animal carvings, Fred Bemis	2,000.00

YUKON-KUSKOKWIM SCHOOL DISTRICT

<u>Akula Elitnarvik High School, Kasigluk:</u> Subsistance Scenes at Kasigluk, three panels, 2 are 4x8, one is 4x15'9", Jack VanHoesen	13,300.00
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<u>Kipnuk High School:</u> Migrational Waterfowl and Subsistance Animals of Kipnuk, murals in entry and gymnasium, Jack Van Hoesen	5,000.00
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<u>Kwethluk:</u> Kwethluk and Three Step, acrylic painting, Arthur Higgins, 1980	5,200.00
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<u>Mekoryuk High School:</u> Loon Mask, ivory, George Williams, Sr.	300.00
Double Walrus Ivory Mask, George Williams, Sr.	300.00
Look Mask, driftwood, Peter Smith, Sr., 1981	1,600.00
Loon Mask, driftwood, Walter Amos, 1981	800.00
Musk Oxen Mask, driftwood, Andrew Noatak, 1981	260.00
IRCIQ, Andrew Noatak, 1981	260.00
Grass Basket, Helen Noatak, 1981	560.00
Harpoon, driftwood and ivory, Dale T. Smith, Sr., 1982	325.00
Mask, ivory/reindeer horn/baleen, Dale T. Smith, Sr.	475.00

YUKON-KUSKOKWIM SCHOOL DISTRICT

Napaskiak High School Gym:

1. Woman Ice Fishing, 4'x8' plywood panels 4,000.00 for 4
2. Top of Orthodox Church in Napaskiak
3. Man in Boar on the Kuskokwim River
4. Two Boys Playing Basketball, by Susan Ogle, 1982

Newtok High School:

- Newtok Memories, three 4-foot square panels,
Jimmie Froehlich 3,280.00

Platinum High School:

- Untitled frieze of five carved and painted wood panels
of local landmarks, Dan Fruits, 1980 1,000.00

Quinhagak

- Life in Quinhagak, the Old and the New, painting,
Jon Van Zyle, 1981 3,300.00

Tuluksak High School

- Yup'ik Guides, mural, Jimmie Forehlich, 1982 5,150.00

Tununak High School

- Four Seasons Two Times, acrylic on canvas, 6'x14'
John Kailukiak 3,500.00

Tuntituliak

- Tundra, carved relief wood panel, Richard Brogan
1981 4,300.00

Nunapitchuk High School

- Painting of subsistence activity, Moses Wassilie,
(Uksook), 1981 4,000.00

Aliachuk High School

- Canada Goose, oil on canvas, Alvin Amason 6,250.00

Lower Kuskokwim School District Administration Offices:

- Early Eskimo Education, mural, Jack VanHoesen 3,000.00

Bethel Regional High School

- Alaskan Wildlife, acrylic on mounted wood panels,
Dan Fruits, 1981 5,300.00

Kilbuck School:

- Mural (in library), 4'h x 20'l, Moses Wassilie 3,500.00

Kwigilingok

- Walrus, oil, Alvin Amason 6,250.00

Nightmute High School

- Village scene, acrylic on canvas, 3½'x14',
John Kailukaik, 1982 3,800.00

YUKON-KUSKOKWIM SCHOOL DISTRICT

Eek School:

Past and present lifestyles, 4'h x 9'l, Moses Wassilie
1982 3,500.00

Chefornak High School:

Seal Hunters, stylized painting from old photograph
('30s) of 4 seal hunters with kayaks, oil base sign
paint, Jimmie Froehlich 3,875.00

Goodnews Bay High School:

Ten carved and painted wood panels of local landmarks,
Dan Fruits, 1980 5,000.00

Akiak School:

Musher and dogs, acrylic, Alvin Amason, 1981 6,250.00

Atmautluak School:

Race Day, Atmautluak Village, acrylic, 8'x2',
Gail E. Niebrugge 3,350.00

PERCENT FOR ART

(Commissions awarded as of October 14, 1983)

Alaska Marine Highway

M/V Matanuska (ferry)		
\$10,000	collected works	various artists
M/V Taku		
\$14,000	collected works	various artists

Anchorage

Anchorage Community College/Aviation Complex

\$30,000	sculpture	O.B. Simonis, Portland, Oregon
\$10,000	untitled acrylic on canvas	Jo Walters, Oakland, California
\$10,000	<u>Prop</u> , stainless steel mobile	Bruce Johnson, Cazadero, California

Anchorage Community College/Building C

\$ 4,000	fiber	Brigitte Cooper, Palmer
2,000	clay	Al Tennant, Anchorage

Anchorage International Terminal

\$46,000	<u>Descending Flight Plane</u> , sculpture	Gary Marx, Anchorage
46,000	sculpture	Seth Seiderman, San Francisco
46,000	fiber	Dana Boussard, Montana

Anchorage Oil & Gas Addition

\$ 3,950	painting	Marvin Mangus, Anchorage
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Cook Inlet Pre-Trial Facility

\$55,000	ceramic sculptures	Alex Combs, Halibut Cove
30,000	supergraphics	Clark Mishler, Anchorage/Mark Hoffman Seattle
20,000	ceramic relief	Michelle Corder/Michael Sheppard, Soldotna

Fort Richardson Fish Hatchery

\$18,000	<u>Quiet Home Reunion</u> , limestone relief	Keith Appel, Anchorage
\$20,000	carved panels	Jim Schoppert, Carnation, Washington

McLaughlin Youth Center Gym

\$13,800	wall sculpture	Allan Crawford, San Francisco
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Pioneer Home Nursing Wing

\$15,000	<u>Fireweed</u> , fiber	Jeanne Leffingwell, Anchorage
\$15,000	<u>Wildflowers</u> , painting	Gail Parsons, Homer
\$10,000	untitled, tapestry	Charlotte Van Zant, Fairbanks
\$10,000	stained glass	Michael Kennedy, Seattle

Anchorage Pioneer Home Nursing Wing (continued)

\$10,000	<u>Bore Tide</u> , wood panels	Victor Hiles, Homer
\$10,000	photo piece	Tony Rubey, Anchorage
7,700	portable works collection	Susan Ogle, Anchorage
		Marjorie Leavens, Anchorage
		Nancy Taylor Stonington, Ketchum, Idaho
		Arthur Higgins, Wasilla
		Clark Mishler, Anchorage
		Ed Nolde, Anchorage
		Janis Carty Neill, Eagle River
		Marvin Mangus, Anchorage
		Lynn Saupe, Kodiak
		M A Mullins, Anchorage
		Gary Lyon, Homer

University of Alaska, Classroom Office Building

\$30,000	hanging sculpture	Larry Kirkland, Portland
8,000	painting	Joan Kimura, Anchorage

UAA/Health Occupations

\$ 6,500	enamel on steel	Harold Balazs
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UAA/Student Center

\$25,000	fountain sculpture	William Kimura, Anchorage
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Bethel

Kuskokwim Community College

\$10,000	untitled enamel on plywood, exterior mural	Lynn Wiley, Kenai
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Delta

Delta Rural Extension Center

\$ 7,000	untitled fiber	Carolyn Strand, Anchorage
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Dillingham

Bristol Bay Rural Education Center

\$ 4,200	stained glass	Michael Kennedy, Seattle
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Eagle River

Alaska Women's Facility

\$ 8,000	<u>Parrotgrass</u> , fiber	Jeanne Leffingwell, Anchorage
\$10,000	untitled, bronze	Karen Jenkins Olanna, Shishmaref
10,000	<u>Mountain Pod</u> , welded aluminum sculpture	Arthur Higgins, Wasilla

Eagle River (continued)

Hi'land Mountain Correctional Center

\$17,500	<u>An Eagle's View</u> , batik	Celia Carl Anderson, Eagle River
5,000	fiber assemblage	Lorraine Alba, Anchorage
12,400	<u>Sunrise Four</u> , aluminum	Ike Hay, Pennsylvania
	panels	
7,500	porcelain enamel on steel	Keith Appel, Anchorage
	panels	

Fairbanks

Constitution Park, University of Alaska

\$21,800	welded copper sculpture	Harold Balazs, Mead, Washington
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Customs Addition, Fairbanks Airport

\$ 5,000	<u>Sky with Cumulus</u> , ceramic	Polly Lee, Petersburg
	tile	Jane Brodrick, Fairbanks
5,000	<u>Nunivak</u> , acrylic on canvas	

Fairbanks Airport Expansion

\$27,000	panoramic circuit camera	Ron Klein, Juneau
	photomural	

Fairbanks Correctional Center Expansion

\$30,000	cast bronze exterior	Melvin Olanna, Shishmaref
	sculpture	Carolyn Strand, Anchorage
10,000	tufted fiber	Kay Slusarenko, Lake Oswego, Oregon
15,000	wall painting	

Fairbanks International Airport

\$ 8,000	mixed fibers	Charlotte Van Zant, Fairbanks
4,000	fiber applique panels	Jeanne Leffingwell, Anchorage

Fairbanks Public Safety Building

\$25,000	exterior sculpture	Gerald Conaway, Anchorage
5,000	watercolor series	Dot Bardarson, Seward
5,000	acrylic on canvas series	William Kimura, Anchorage
5,000	portable works collection	Fairbanks artists

Fairbanks Youth Facility

\$ 6,000	tapestry	Charlotte Van Zant, Fairbanks
6,000	wood/copper relief	Robert Harper, Bothell, Washington
3,500	<u>Popsicles</u> , cedar relief	James Schoppert, (then) Fairbanks
2,400	batik panels, <u>Golden Plovers</u>	Jennifer Bellinger, Ketchum, Idaho
		(formerly Ketchikan)
2,500	portable works	Fairbanks artists

Fairbanks (continued)

Patty Ice Rink, University of Alaska

\$10,000 fiber, banner series Heidi Snow, Juneau

University of Alaska Museum

\$40,000 exterior sculpture Christiane Martens, Illinois
4,000 interior sculpture Fred Anderson, Naknek

Fort Yukon

Fort Yukon Rural Education Center

\$ 4,000 stained glass window Michael Kennedy, Seattle (born Fairbanks)
1,500 woodcuts of Gwich'in people Alix Denzler, Seattle

Haines

Chilkat Center for the Arts

\$ 6,600 totem pole Alaska Indian Arts, Inc.

Juneau

Hendrickson Building, University of Alaska, Auke Lake

\$ 7,000 carved panels Nathan Jackson, Ketchikan

Juneau Data Center

\$ 4,200 aluminum panels Paul Sisko, New Jersey

Women's and Children's Detention Center

\$ 8,000 fiber, Interdependence Brigitte Cooper, Palmer
3,000 supergraphics

Kasilof

Kasilof Fish Hatchery

\$22,000 Crooked Creek Allegory, dolomite limestone Keith Appel, Anchorage

Kenai/Soldotna

Kenai Peninsula Community College

\$ 1,500 acrylic on canvas James Evenson, Kenai
1,500 oil on canvas Michelle Corder, Sterling
1,000 lithograph series:
Alaska: The Land six artists

Kenai/Soldotna (continued)

Kenai Peninsula Community College, Soldotna

\$15,000	anodized titanium suspended work	Jane Meyer, Girdwood/Deborah Nore, Eagle Riv
10,000	porcelain enamel on steel panels	Keith Appel, Anchorage
13,000	carved/painted wood panels	James Schoppert, Carnation, Washington

Soldotna Public Safety Building

\$ 9,000	<u>Going Home</u> , tapestry	Charlotte Van Zant, Fairbanks
2,000	untitled copper panels	Harold Balazs, Mead, Washington

Trail Lake Fish Hatchery, Kenai Peninsula

\$30,000	<u>C-Wave</u> , corten steel sculpture	Carson Boysen, Petersburg
30,000	enamel on steel	Harold Balazs, Mead, Washington

Ketchikan

Ketchikan Pioneer Home

\$ 9,000	<u>First Set</u> , fiber	Charlotte Van Zant, Fairbanks
5,000	<u>Southeastern Rain Forest</u> , acrylic on linen	Kenneth DeRoux, Juneau
5,000	<u>Bear Panel</u> , redwood	Jim Schoppert, Carnation, Washington
5,000	<u>Fish Ladder</u> , stained glass	Michael Kennedy, Seattle
5,000	<u>Ketchikan Blue Herons</u> , batik	Jennifer Bellinger, Ketchum, Idaho

Ketchikan Regional Jail

\$10,000	untitled, wall graphics	Judith Aiello, Portland, Oregon
4,000	<u>Sun Rising</u> , ceramic tile	Polly Lee, Petersburg

Kodiak

Kodiak Community College, Adult Learning Center

\$10,000	suspended soft sculpture	Ken Speiring, Spokane, Washington
6,000	bronze exterior panel	Don Eckland, Bellingham, Washington

Kodiak Community College, Library/Classroom Addition

\$ 6,000	untitled, painted steel sculpture	Charles Smith, Bellevue, Washington
2,000	ceramic relief	Lorena Christie, Kodiak
1,000	individual works from Kodiak	

Kotzebue

Kotzebue Court Facility

\$ 4,000	<u>Niulan</u> , basswood carved panels	Sandra Stolle
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Metlakatla

Lepquinum Activity Center

\$ 7,100	untitled banners	Debra Frasier, Minneapolis
13,900	exterior sculpture	David Boxley, Metlakatla

Nome

Northwest Community College

\$ 15,000	untitled batik panels	Jennifer Bellinger
8,000	enamel on steel	Harold Balazs
3,000	print series	Bernard Katexac, Nome

Nome Youth Facility

\$ 7,000	drawing series	Bill C. Ray, Juneau
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Palmer

Hiland Mountain Correctional Center

\$17,500	<u>An Eagle's View</u> , batik	Celia Carl Anderson, Eagle River
5,000	fiber assemblage	Lorraine Alba, Anchorage
12,400	<u>Sunrise Four</u> , aluminum	Ike Hay, Pennsylvania
	panels	
7,500	porcelain enamel on	Keith Appel, Anchorage
	steel panels	

Mat-Su Community College

\$ 3,750	sculpture	Arthur Higgins, Wasilla
3,750	fiber	Victoria Cole, Wasilla

Mat-Su Community College Library

\$25,000	tapestry	Charlotte Van Zant, Fairbanks
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Palmer Correctional Center

\$14,400	carpet collage	Nancy Taylor Stonington, Ketchum
20,000	copper sculpture	Harold Balazs
4,500	porcelain enamel on	
	steel panel	Harold Balazs
4,475	untitled, wall graphics	Kay Slusarenko, Oregon

Petersburg

Petersburg Ferry Terminal

\$ 1,700	<u>Devil's Thumb</u> , ceramic tile	Polly Lee, Petersburg
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Seward

AVTEC (renovation of old high school)

\$ 7,000 acrylic on panels (series) Gail Neibrugge, Glennallen

AVTEC (additions/remodeling)

\$ 5,000 Choreography in Red and Celia Carl Anderson, Eagle River

\$ 5,000 Green, batik
untitled fiber Carolyn Strand, Anchorage

? portable works collection

AVTEC (food service remodel)

\$ 5,000 wall graphics, untitled Kay Slusarenko, Lake Oswego, Oregon

stained glass Seward

University of Alaska Marine Education Center

\$ 7,000 advertised - not awarded

Skagway

Skagway Ferry Terminal

\$ 6,000 Chilkoot Trail, welded
bronze Carson Boysen, Petersburg

Valdez

Harborview Developmental Center

\$34,000 environmental work/
sculpture Lloyd Hamrol, Venice, California

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
POLICY AND PROCEDURES

P & P No. 20-3002	Page 1 OF 6
Effective Date December 1, 1981	
Supersedes P & P No. N/A	Dated N/A
APPROVED BY <i>John Bates</i>	

SUBJECT Procurement of Artwork for Public Buildings and Facilities		
DIVISION Support Services	SECTION Contracts Administration	CHAPTER TITLE Procedure

1.0 PURPOSE

1.1 To promulgate standard departmental procedures for the selection of Artists and Artwork for public buildings and facilities.

2.0 POLICY

2.1 To select Artists and Artwork for public buildings and facilities in an objective manner resulting in the acquisition of Artwork consistent with A.S. 35.27, and 44.27.

3.0 DISTRIBUTION

3.1 All holders of the Policy and Procedures Manual and the Alaska State Council on the Arts (ASCA).

4.0 DEFINITIONS

4.1 Artwork - All original forms of visual art objects created by an Artist which may include paintings, drawings, ceramics, fiberwork, sculpture, graphics (not signage), murals, photographs, metalwork, mixed media work, limited edition original prints (not reproductions) and Native crafts objects.

4.2 Artist - A practitioner in the visual arts, generally recognized by critics and peers. A project Architect or a member of the Architect's firm will not be considered an eligible artist.

4.3 Agreement - A legal document that prescribes legal, regulatory and administrative provisions affecting the rights and obligations of the parties and the work or services (eg Artwork) to be provided.

4.4 Architect - The project designer engaged by DOT/PF.

4.5 Project Manager - DOT/PF representative and Artist's primary point of contact with DOT/PF.

4.6 Client Agency - The Department, Division, School District, Municipality, etc., that generated the project for which funds are designated for Artwork.

4.7 Construction Cost - The cost of building or facility construction approved by the State legislature, exclusive of the cost of land acquisition, site investigation, design services, administration, equipment and any other costs not specifically incurred within the construction contract. Participatory construction funding by a Federal Agency or by the Division of Risk Management is not included in such cost as used within this procedure.

4.8 Public Buildings and Facilities - Schools, office buildings, court buildings and other facilities designed for substantial public use and vessels of the State ferry system.

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES POLICY AND PROCEDURES		P & P No. 28-8002	Page 2 OF 6
		Effective Date December 1, 1981	
SUBJECT Procurement of Artwork for Public Buildings and Facilities		Supersedes P & P No. N/A	Dated N/A
		APPROVED BY <i>John C. [Signature]</i>	
DIVISION Support Services	SECTION Contracts Administration	CHAPTER TITLE Procedure	

5.0 DIAGRAM OF PROCEDURE

5.1 Page 6 contains a summary diagram of this procedure. Each activity is identified by two numbers (eg 19-20) which are referenced in the procedural discussion herein.

6.0 PROCEDURE

6.1 (Activity 1-2) Following each legislative session, DOT/PF (Planning and Programming) provides ASCA with an informal summary of capital projects which identifies proposed buildings and facilities for which Artwork may be required.

6.2 (Activity 2-3) DOT/PF (Design and Construction Regions) assigns a Project Manager for each building and facility, who will concurrently initiate this procedure for procurement of Artwork and the selection procedure (P&P 28-8000) for architectural services.

6.3 (Activity 3-4) Project Manager and the designated Client's representative for the project decide if a percentage (amount) for public Artwork is required in accordance with A35.17.020 and 44.27.060. The amount for public Artwork shall be at least one percent of the construction cost.

- A. If a project consists of new construction or remodel/renovation of existing building or facility, the amount for public Artwork is required. However, remodel/renovation does not include maintenance, repair, code upgrade, heating renovation, etc.
- B. If the estimated construction cost is \$250,000 or less or if the building or facility is not for substantial public use, the amount for public Artwork shall be deposited in the Art in Public Places Fund after final acceptance of the facility (paragraph 6.14).
- C. If the estimated construction cost is greater than \$250,000, the amount for public Artwork shall be expended only for the actual costs of design (which may include engineering for the Artwork itself, exclusive of the architectural engineering design of the facility or site where the Artwork will be displayed), production and mounting of Artwork and direct administrative costs of Artists. Administrative costs of DOT/PF, ASCA and the Architect related to Artwork, costs related to a dedication or "unveiling" of Artwork, and the Client Agency's maintenance and recurring operational utility costs shall not be charged to the amount for public Artwork.

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
POLICY AND PROCEDURES

P & P No.	Page
28-8002	3 OF 6
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December 1, 1981	
Supersedes P & P No.	Dated
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<i>John Bates for</i>	

SUBJECT
Procurement of Artwork for Public Buildings and Facilities

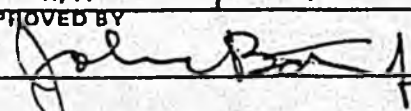
DIVISION	SECTION	CHAPTER TITLE
Support Services	Contracts Administration	Procedure

- 6.4 (Activity 4-5) Project Manager establishes in writing an Artwork Selection Committee consisting of the Project Manager (Chairperson) and a designated Individual from ASCA, the Client and the Architect. If the amount for public Artwork exceeds \$50,000 for a building or facility, the Commissioner may appoint one additional member and the five designated persons may elect to add one community representative to the Committee. Project Manager must notify the Commissioner if Artwork will exceed \$50,000 to determine if such additional committee members will be designated. These individuals may receive assistance from facility users, community representatives, public art panel members or the ASCA Visual Arts Council; however, the Artwork Selection Committee shall consist only of the designated (4-6) individuals.
- 6.5 (Activity 5-6) Architect (or Committee if an Architect is not engaged) develops Artwork criteria (architectural and engineering constraints) during schematic and design development phases, in coordination with the Committee, and includes provisions in the Construction Documents to integrate selected Artwork.
- A. The Architect's agreement with DOT/PF may require the above services only or it may include additional provisions for the Architect to manage Artwork procurement by directly entering into contracts with Artists approved by the Committee; the latter is preferred.
- B. The Architect's compensation should be a negotiated fixed fee or fixed hourly rates for the Architect's direct labor plus any allowable reimbursable expenses plus the Architect's direct cost of any approved subcontracts with Artists. If an amount equal to 110% of the amount for public Artwork plus an estimated amount for associated reimbursable expenses is established in the Architect's Agreement, an Amendment to the Architect's Agreement (reference paragraph 6.10) may not be necessary after Artwork is selected.
- 6.6 (Activity 10-11) Option for purchase of existing Artwork. Committee may, without or after soliciting and evaluating Artists' proposals, select existing Artwork for the project. In such cases, the Project Manager shall arrange for procurement, delivery and installation. Purchase shall not be made prior to award of a construction contract for the facility.
- 6.7 (Activity 6-7) If existing Artwork is not selected, Project Manager prepares an advertisement for Artist's proposals incorporating the Architect's criteria and the desires of the Committee. ASCA distributes the advertisement, receives all Artist's proposals, eliminates inappropriate submittals and presents acceptable proposals and a summary of the eliminated submittals to the Selection Committee. Each advertisement must include the following:
- A. Instructions for submittal (format, content, time, date, place) and an explanation of the selection process to be used (eg Design Competition - paragraph 6.8A).

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES POLICY AND PROCEDURES		P & P No. 28-8002	Page 4 OF 6
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SUBJECT Procurement of Artwork for Public Buildings and Facilities		Supersedes P & P No. N/A	Dated N/A
		APPROVED BY <i>[Signature]</i>	
DIVISION Support Services	SECTION Contracts Administration	CHAPTER TITLE Procedure	

- B. Identification of the project, generally desired form of Artwork, architectural and engineering constraints, anticipated engineering support (eg structural analysis of a sculpture) which the Artist may be required to obtain and insurance coverages which will be required.
 - C. Any information and/or assistance to be furnished by others and by whom.
 - D. Maximum amount of funding for Artwork with a statement that actual price to be paid the Artist(s) shall be negotiated.
 - E. Information for obtaining a copy of the Agreement to be used.
- 6.8 (Activities 8-13 & 9-12) Following review and evaluation of Artists' proposals, the Committee may select existing Artworks (paragraph 6.6), select Artist(s) or elect to conduct a Design Competition among several designated Artists based on their conceptual design submitted with proposals.
- A. If a Design Competition is to be held, the Architect or the Project Manager shall contract with each designated Artist in accordance with paragraph 6.10 and shall include a provision addressing the Design Competition and stating that the Agreement may be terminated following completion of the design phase or the Artist given a Notice to Proceed for production of the Artwork contingent upon the results of the Design Competition. The Selection Committee shall establish requirements and procedures for the Design Competition.
 - B. Alaska resident Artists shall be selected where they are available and qualified, in accordance with AS.35.27.020(g) and 36.10.010.
- 6.9 (Activity 13-14) Project Manager shall obtain Negotiation Authority for the selected Artist(s) in accordance with Delegation of Authority P&P 10-0017. Approval for Negotiations (AFN), DOT/PF Form 25A251, shall be used.
- 6.10 (Activities 14-15 & 16-17) If existing Artwork is not selected, the Architect or Project Manager shall contract with designated Artist(s). Architect-Artist Agreements must contain provisions required by the Selection Committee and must be approved by the Project Manager prior to execution. DOT/PF - Artist Agreements must be executed using DOT/PF standard forms consisting of the Basic Agreement (Form 25A261), Appendix A - General Conditions for Artwork (Form 25A263), Appendix B - Statement of Services for Artwork (Form 25A264), Appendix C - Basis of Compensation for Artwork (Form 25A265) and Appendix D - Catalogue Worksheet (Form 25A266).

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
POLICY AND PROCEDURES

P & P No. 28-3002	Page 5 OF 6	
Effective Date December 1, 1981		
Supersedes P & P No. N/A	Dated N/A	
APPROVED BY 		
DIVISION Support Services	SECTION Contracts Administration	CHAPTER TITLE Procedure

6.11 (Activity 17-18) Project Manager shall withhold Notice to Proceed to the Architect or the Artist(s) for Artwork production until a construction contract for the building or facility is awarded and shall attempt to insure that Artwork design is completed and approved by the Committee prior to bidding for the construction contract.

6.12 (Activity 18-19) Following receipt of Notice to Proceed, Artist(s) will produce, deliver and install Artwork in accordance with Agreement(s). The Architect or Project Manager shall coordinate delivery/installation with construction progress of the building or facility.

6.13 (Activity 19-20) Committee or its designated representative shall view the completed Artwork(s) installed within the building or facility and provide written approval and acceptance to the Project Manager. The Artist(s) may then receive final payment contingent upon receipt by the Project Manager of the documentation required for the public Artwork program in accordance with the Artwork Agreement(s). Client Agency owns Artwork after installation and final acceptance of the building or facility.

6.14 (Activity 20-21) Upon final acceptance of the building or facility, the unused amount for public Artwork shall be placed in the Art in Public Places Fund (amount not to exceed one percent of the sum of the original construction contract plus construction contingency, unless construction change orders changed the original program of the major activities for which the building or facility was constructed in which case the amount shall equal one percent of the construction contract plus the applicable change orders.)

7.0 IMPLEMENTATION

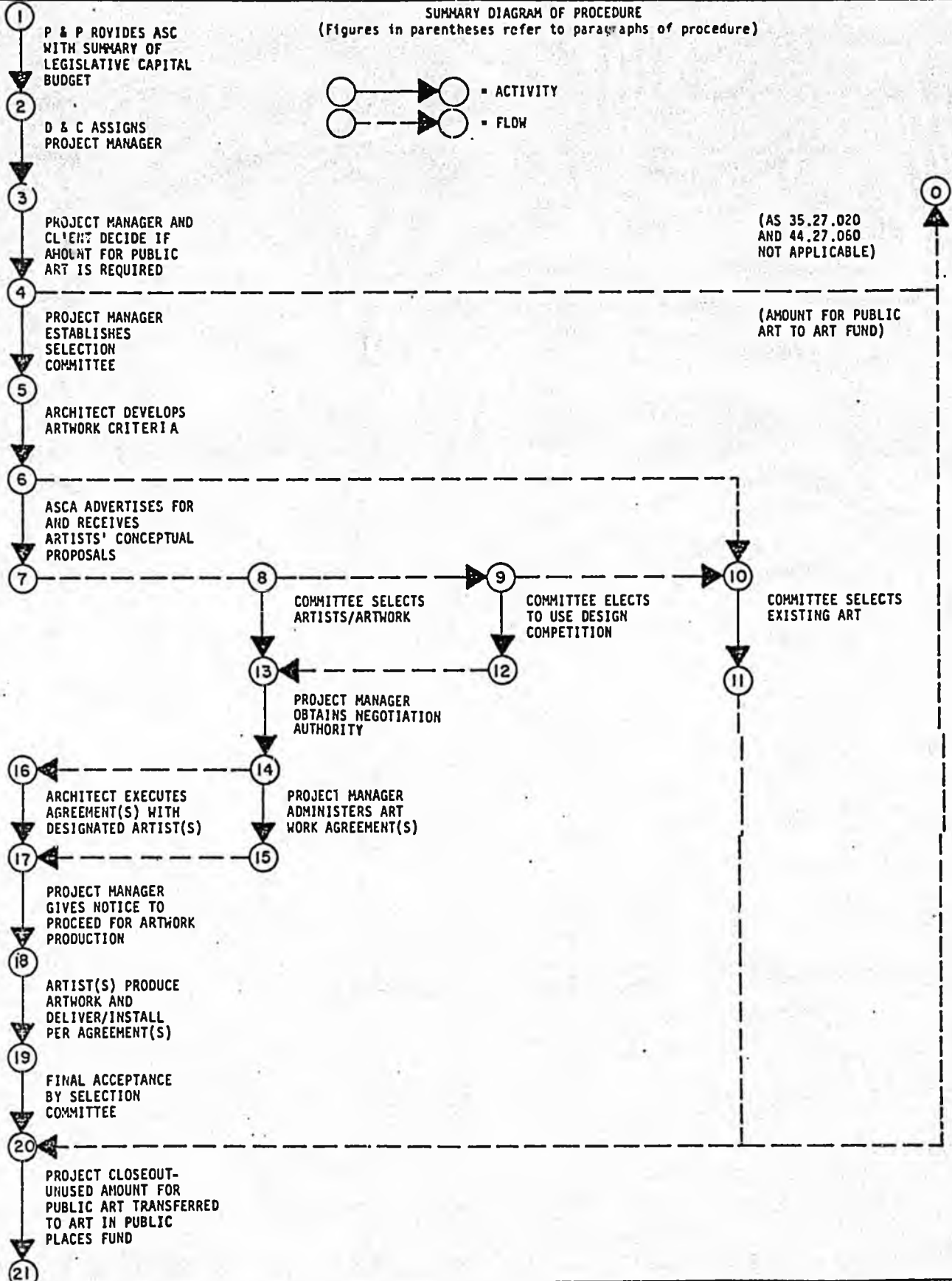
7.1 Regional Directors are responsible for coordinating with ASCA and establishing any supplementary procedures necessary to augment this Department procedure as applicable to each region's functions.

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
POLICY AND PROCEDURES

P & P No. 28-3002	Page 6 OF 6
Effective Date December 1, 1981	
Supersedes P & P No. N/A	Dated N/A
APPROVED BY <i>[Signature]</i>	

SUBJECT
 Procurement of Artwork for Public Buildings and Facilities

DIVISION Support Services	SECTION Contracts Administration	CHAPTER TITLE Procedure
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MEMORANDUM

State of Alaska

TO: The Honorable Marshall L. Lind
Commissioner
Department of Education

DATE: September 22, 1982

FILE NO: J66-511-82

TELEPHONE NO: 465-3603

FROM: WILSON L. CONDON
ATTORNEY GENERAL

SUBJECT: Applicability of
AS 35.27 to Public
Schools

By: *TJR*
Thomas H. Robertson
Assistant Attorney General

RECEIVED

ACT - 4 1982

STATE ARTS COUNCIL

You have asked whether AS 35.27, which mandates the acquisition of art works for use in state buildings and facilities, applies to the following school facilities: (1) school facilities financed and constructed by the State of Alaska, but owned by school districts; (2) school facilities financed by the State of Alaska, but constructed and owned by school districts; (3) school facilities financed, constructed and owned by municipalities; and (4) school facilities constructed and owned by municipalities, but partially financed under AS 43.18.105-135.

The answer to your question is readily apparent from the relevant statutes. Although AS 35.27.010 broadly refers to the use of "a portion of appropriations for capital expenditures", the operative language of AS 35.27.020 and AS 35.27.030 is more limited. AS 35.27.020 provides:

Sec. 35.27.020. ART REQUIREMENTS FOR PUBLIC BUILDINGS AND FACILITIES. (a) A building or facility constructed after June 30, 1975, shall include 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 buildings 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 percent or, in the case of a rural school facility, at least one-half of one percent of the construction cost of a building or facility approved for construction by the legislature after September 1, 1977, will be reserved for the following purposes: the design, construction, mounting and administration of works of art in a

school, office building, vessel of the marine highway system, or other building or facility which is subject to substantial public use.

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

(e) The artist 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.

(f) The artist who executes these works of art in the public schools shall be selected by the superintendent of a school district in which a public school is to be built with the approval of the school board. Should the department find in the best interest of the state that the selection of the artist who executes these works of art by the superintendent may result in a cost overrun to the state or delay of construction, the department shall make the selection of the artist in consultation with the superintendent.

(g) The architect, superintendent, department, and the Alaska State Council on the Arts shall encourage the use of state cultural resources in these art works and the selection of Alaska resident artists for the commission of these art works.

AS 35.27.030 provides, in relevant part:

Sec. 35.27.030. DEFINITIONS. In this chapter

(1) "department" means the Department of Transportation and Public Facilities;

(2) "building" or "facility" means a permanent improvement constructed by the department; the term

(A) includes, but is not limited to,

(i) schools, office buildings, and court buildings;

(ii) other buildings which the commissioner determines are designed for substantial public use;

(iii) boats and vessels of the marine highway system;

(iv) transportation facilities which accommodate traveling passengers;

(B) excludes other transportation facilities.

The first statute addresses the acquisition of art works for state "buildings" and "facilities". The second limits the scope of those terms to improvements "constructed by" the Department of Transportation and Public Facilities.

In light of the foregoing, we conclude that AS 35.27 applies only to school facilities constructed by the Department of Transportation and Public Facilities. We wish to emphasize, however, that nothing in AS 35.27 precludes the acquisition of art works for use in other structures. Incorporating art works into schools not constructed by the Department of Transportation and Public Facilities would, moreover, appear to promote the policy articulated in AS 35.27.010.

If you have any questions, or wish to seek amendment of AS 35.27, please do not hesitate to contact this office.

THR/jal

cc: Alaska State Council
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Effect of amendment. — The 1977 "Department of Public Works" in amendment substituted "Department of Transportation and Public Facilities" for paragraphs (2) and (6).

Chapter 27. Art Works in Public Buildings and Facilities.

Section

- 10. Purpose
- 20. Art requirements for public buildings and facilities
- 30. Definitions

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. (§ 1 ch 54 SLA 1975)

Legislative history report. — For [Finance]), see 1975 Senate Journal, p. 939. report on ch. 54, SLA 1975 (CSHB 133

Sec. 35.27.020. Art requirements for public buildings and facilities.

(a) A building or facility constructed after June 30, 1975, or remodeled or renovated after June 30, 1975, shall include 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 buildings 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 percent or, in the case of a rural school facility, at least one-half of one percent of the construction cost of a building or facility approved for construction by the legislature after September 1, 1977, will be reserved for the following purposes: the design, construction mounting and administration of works of art in a school, office building, court building, vessel of the marine highway system, or other building or facility which is subject to substantial public use.

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

(e) The artist 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.

(f) The artist who executes these works of art in the public schools shall be selected by the superintendent of a school district in which a public school is to be built with the approval of the school board. Should the department find in the best interest of the state that the selection of the artist who executes these works of art by the superintendent may result in a cost overrun to the state or delay of construction, the department shall make the selection of the artist in consultation with the superintendent.

(g) The architect, superintendent, department, and the Alaska State Council on the Arts shall encourage the use of state cultural resources in these art works and the selection of Alaska resident artists for the commission of these art works. (§ 1 ch 54 SLA 1975; am §§ 1, 2 ch 96 SLA 1977; am §§ 1 — 4 ch 176 SLA 1980)

Cross reference. — For the responsibilities of the Alaska State Council on the Arts in the management of the Art in Public Places Fund, see AS 44.27.060.

Effect of amendments. — The 1977 amendment substituted "or, in the case of a rural school facility, at least one-half of one percent of the construction cost" for "of the overall construction cost" in subsection (c) and added subsections (f) and (g).

The 1980 amendment rewrote

subsections (a) and (d), substituted "buildings" for "public works" in subsection (b), and in subsection (c), substituted September 1, 1977" for "the enactment date of this chapter," "a school, office building, court building, vessel of the marine highway system, or other" for "the public," deleted "public" preceding "facility" near the end of the subsection, and added "which is subject to substantial public use" at the end of the subsection.

Sec. 35.27.030. Definitions. In this chapter

(1) "department" means the Department of Transportation and Public Facilities;

(2) "building" or "facility" means a permanent improvement constructed by the department; the term

(A) includes, but is not limited to,

(i) schools, office buildings, and court buildings;

(ii) other buildings which the commissioner determines are designed for substantial public use;

(iii) boats and vessels of the marine highway system;

(iv) transportation facilities which accommodate traveling passengers;

(B) excludes other transportation facilities.

(3) "construction cost" is that cost expended for the actual construction of the facility, exclusive of the costs of land acquisition, site investigation, design services, administrative costs, equipment purchases and any other costs not specifically incurred within the construction contract or contracts awarded for the construction of the facility.

(4) "commissioner" means the commissioner of transportation and public facilities. (§ 1 ch 54 SLA 1975; am §§ 3, 4 ch 96 SLA 1977; am Executive Order No. 39, § 11 (1977); am §§ 5, 6 ch 176 SLA 1980)

§ 35.27.030

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§ 35.30.010

PUBLIC BUILDINGS AND WORKS

§ 35.30.010

Effect of amendments. — The first 1977 amendment inserted "schools, office buildings, court buildings and other facilities which are designed for substantial public use" in paragraph (2) and added paragraph (3).
The second 1977 amendment

substituted "Department of Transportation and Public Facilities" for "Department of Public Works" in paragraph (1).

The 1980 amendment rewrote paragraph (2), and added paragraph (4).

Chapter 30. Consistency with Local Government Plans and Ordinances.

Section

10. Review and approval by local planning authorities
20. Compliance with municipal ordinances

Section

30. Waiver
40. Definitions

Cross reference. — As to construction procedures, see AS 35.15.010 et seq.

Sec. 35.30.010. Review and approval by local planning authorities. (a) Except as provided in (b) of this section, before commencing construction of a public project,

(1) if the project is located in a municipality, the department shall submit the plans for the project to the planning commission of the municipality for review and approval;

(2) if the project is located within two miles of a village, the department shall submit the plans to the village council for review and comment.

(b) Prior approval by a municipal planning commission may not be required before the commencement of construction of a highway or local service road if

(1) the Department of Transportation and Public Facilities and the municipality have entered into agreement for the planning of the project under AS 19.20.060 or 19.20.070 and the plans for the project are completed in accordance with the terms of that agreement;

(2) the municipality has adopted a municipal master highway plan under AS 19.20.080 and the highway or local service road is consistent with the plan adopted; or

(3) the Department of Transportation and Public Facilities has entered into agreement with the municipality for the planning of transportation corridors under AS 19.10.280 and the plans for the project are completed in accordance with the provisions of that agreement.

(c) If final disapproval by resolution of the governing body of the affected municipality or village is not received within 90 days from the

Secs. 44.25.030 — 44.25.038. Loan provisions generally; expiration of program.

Repealed by § 72 ch 113 SLA 1982, effective June 25, 1982.

Editor's notes. — The repealed article derived from § 1, ch. 190, SLA 1972.

Chapter 27. Department of Education.

Article

2. Alaska State Council on the Arts (§ 44.27.060)

Article 2. Alaska State Council on the Arts.

Section

60. Art in public places fund

Editor's notes. — As enacted by § 4 of Executive Order No. 44 (1980), AS 44.27.041 — 44.27.058 were designated as AS 44.27.050 — 44.27.140 but were redesignated by the revisor of statutes pursuant to AS 01.05.031(b).

Sec. 44.27.060. Art in public places fund. (a) The art in public places fund is established. The council shall manage the fund.

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

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

(2) the building or facility is not designed for substantial public use.

(c) The council may use the money in the art in public places 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 building or facility owned or leased by the state which has substantial public use; and

(2) to meet expenses for a commissioned work of art for a building or facility which has substantial public use if the cost of the work of art exceeds the amount reserved under AS 35.27.020(c).

(d) In (c) of this section, "building" or "facility" means

(1) a building or facility of the state, as defined by AS 35.27.030(2), which is designed for and which is subject to substantial public use; and

(2) a building or facility which is leased by the state and subject to substantial public use. (§ 8 ch 176 SLA 1980; am § 97 ch 59 SLA 1982)

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June 25, 1982.

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Effect of amendments. — The 1982 "which" in the introductory language of amendment, effective May 28, 1982, substituted "if the building or facility" for subsection (b).

Article 3. Alaska Historical Commission.

Editor's notes. — This article was enacted as AS 44.27.040 — 44.27.120 but was renumbered by the revisor of statutes pursuant to AS 01.05.031(b).

Chapter 29. Department of Health and Social Services.

Article

1. Organization (§ 44.29.020)

Article 1. Organization.

Section

20. Duties of department

Sec. 44.29.020. Duties of department. The Department of Health and Social Services shall administer the state programs of public health and social services, including:

- (1) maternal and child health services;
- (2) preventive medical services;
- (3) public health nursing services;
- (4) (repealed)
- (5) nutrition services;
- (6) health education;
- (7) laboratories;
- (8) mental health treatment and diagnosis;
- (9) management of state institutions;
- (10) medical facilities;
- (11) adult public assistance;
- (12) aid to families with dependent children;
- (13) Repealed by § 7 ch 138 SLA 1982;
- (14) child welfare services;
- (15) general relief;
- (16) licensing and supervision of child care facilities; and
- (17) probation and parole supervision. (§ 12 ch 64 SLA 1959; am § 3 ch 104 SLA 1971; am § 47 ch 71 SLA 1972; am Executive Order No. 51, § 41 (1981); am § 98 ch 59 SLA 1982; am § 7 ch 138 SLA 1982)

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 519 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art works in 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 35.27.010 is amended to read:

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

16 * Sec. 2. AS 35.27.020(a) is amended to read:

17 (a) If the building or facility owner approves, a [A] building
18 or facility constructed after June 30, 1975, or remodeled or renovated
19 after June 30, 1975. may [SHALL] include works of art, including but
20 not limited to sculptures, paintings, murals or objects relating to
21 Native art.

22 * Sec. 3. AS 35.37.020(b) is amended to read:

23 (b) The department, before preparing plans and specifications
24 for a building or facility, may [BUILDINGS AND FACILITIES, SHALL]
25 consult with the Alaska State Council on the Arts and the owner of the
26 building or facility regarding the desirability of inclusion of works
27 of art.

28 * Sec. 4. AS 35.27.020(c) is amended to read:

29 (c) Not more than [AT LEAST] one percent or, in the case of a

1 rural school facility, not more than [AT LEAST] one-half of on
2 percent, of the construction cost of a building or facility approve
3 for construction by the legislature after September 1, 1977, ma
4 [WILL] be reserved for the following purposes: the design
5 construction, mounting and administration of works of art in a school
6 office building, court building, vessel of the marine highway system
7 or other building or facility which is subject to substantial publi
8 use.

9 * Sec. 5. AS 35.27.020(d) and AS 44.27.060(b) are repealed.

10 * Sec. 6. This Act takes effect immediately in accordance with AS 01.
11 10.070(c).

Introduced: 1/16/84
Referred: State Affairs
and Finance

BY ADAMS, WARD
AND SZYMANSKI

1 IN THE HOUSE

2 HOUSE BILL NO. 519

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art works in public buildings and
7 facilities."

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

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

10 (a) A building or facility constructed after June 30, 1975, or
11 remodeled or renovated after June 30, 1975, may [SHALL] include works
12 of art, including but not limited to sculptures, paintings, murals or
13 objects relating to Native art.

14 * Sec. 2. AS 35.27.020(c) is amended to read:

15 (c) At least one percent or, in the case of a rural school
16 facility, at least one-half of one percent of the construction cost of
17 a building or facility approved for construction by the legislature
18 after September 1, 1977, may [WILL] be reserved for the following
19 purposes: the design, construction, mounting and administration of
20 works of art in a school, office building, court building, vessel of
21 the marine highway system, or other building or facility which is
22 subject to substantial public use.