

DECT

78LSO-092

1

SENATE FILE 11, 1978 #7

Title:

AN ACT to create W.S. 9-3-319 through 9-3-322 relating to works of art in public places of the state of Wyoming; providing definitions; providing for an allocation of not to exceed 1% for the acquisition of works of art in each public construction project appropriation; providing for the contracting and selection of works of art; creating a works of art in public places account; and providing for an effective date.

Doc. 11

June Boyle
Robert McDaniel
Robert L. ...

SENATE FILE 11, 1978

Introduced by:

DATE	ACTION	DATE	ACTION
<u>Feb 16</u>	INTRODUCED		PLACED ON GENERAL FILE
	READ FIRST TIME <u>22 days, 7 mo, 1 yr</u>		
	REFERRED TO COM. NO. <u>7</u>		
	DELIVERED TO LSO FOR PRINTING		
	RETURNED FROM LSO PRINTED		
	DELIVERED TO COM. NO. <u>7</u>		S; OIS/OF 11
<u>Feb 20</u>	STANDING COMM. REPORT		
	AMEND AND DO PASS		
<u>Feb 21</u>	CONSIDERED ON COM. OF WHOLE		
	STANDING COM. AMBT. ADOPTED <u>SF11551-A</u>		
	DO PASS		
<u>Feb 22</u>	READ SECOND TIME		
	AMENDED AS FOLLOWS <u>SF11521-A</u>		
<u>Feb 23</u>	READ THIRD TIME		
	AMENDED AS FOLLOWS <u>SF11531-A</u>		
	PASSED		
	AYES <u>19</u> - NOES <u>10</u> - EXCUSED <u>1</u> absent <u>0</u>		
<u>Feb 23</u>	SENT TO HOUSE		
	ENGROSSED		
<u>Feb 24</u>	Sent to House		
<u>Feb 24</u>	Received from Senate		
	Read First Time		
	Referred to Comm. No. <u>7</u>		
	Delivered to Comm. No. <u>7</u>		
<u>Feb 28</u>	RETURNED		
	RECOMMENDED DO. <u>PASS</u> <u>Axc 6</u> <u>EXC 2</u>		

Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE			✓	
29 CHRISTENSEN			✓	
28 CUNDALL			✓	
27 DAILY				✓
26 FRISBY				✓
25 GEIS				✓
24 HITCHCOCK			✓	
23 JOHNSON			✓	
22 KIMBALL	✓			
21 MADSEN				✓
20 MAJHANOVICH			✓	
19 McDANIEL			✓	
18 MOORE				✓
17 MURRAY			✓	
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP				
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT			✓	
9 RECTOR			✓	
8 SADLER			✓	
7 SEDAR				✓
6 STAFFORD			✓	
5 TAGGART			✓	
4 TRUE				✓
3 TURNER			✓	
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT

AYES 22NOES 7EXCUSED 1ABSENT 0TOTAL 30

5511

3rd

Date 2/23/78

Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE			✓	
29 CHRISTENSEN			✓	
28 CUNDALL				✓
27 DAILY				✓
26 FRISBY				✓
25 GEIS				✓
24 HITCHCOCK			✓	
23 JOHNSON			✓	
22 KIMBALL			✓	
21 MADSEN				✓
20 MAJHANOVICH			✓	
19 McDANIEL			✓	
18 MOORE				✓
17 MURRAY			✓	
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP				
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT			✓	
9 RECTOR				✓
8 SADLER			✓	
7 SEDAR			✓	
6 STAFFORD	✓			
5 TAGGART				✓
4 TRUE				✓
3 TURNER			✓	
2 ZIMMER				✓
1 MR. PRESIDENT			✓	

PRESENT

AYES

19

NOES

10

EXCUSED

1

ABSENT

0

TOTAL

30

1978

STATE OF WYOMING

78LSO-092.01

SENATE FILE NO. 11

Art in public places.

Sponsored by: Senator PECK

Ray Peck
Robert T. McDaniel
Adam McDaniel
A BILL
for *June Boyle* *Freeman* *Amway*

1 AN ACT to create W.S. 9-3-319 through 9-3-322 relating to
2 works of art in public places; providing definitions; pro-
3 viding for an allocation of 1% for the acquisition of
4 works of art in each public construction project appropri-
5 ation; providing for the contracting and selection of
6 works of art; creating a works of art in public places
7 account; and providing for an effective date.

8 Be It Enacted by the Legislature of the State of Wyoming:

9 Section 1. W.S. 9-3-319 through 9-3-322 are created
10 to read:

11 ARTICLE 3

12 ALLOCATION FOR WORKS OF ART

13 9-3-319. Definitions.

14 (a) As used in this act, unless the context other-
15 wise requires:

1 (i) "Architect" means the person or firm
2 designing the public construction project, and includes
3 architects, landscape architects, interior designers and
4 other design professionals;

5 (ii) "Artist" means a practitioner in the
6 visual arts generally recognized by his peers or critics
7 as a professional who produces works of art.

8 (iii) "Council" means the Wyoming Council on
9 the Arts;

10 (iv) "Public construction project" means a
11 capital construction project built with public funds;

12 (v) "Public funds" means any monies obtained:

13 (A) Through taxation within the state;

14 (B) From the federal government; or

15 (C) As a gift or grant designated for
16 the public construction project.

17 (vi) "Works of art" means all forms of orig-
18 inal creations of visual art including, but not limited
19 to:

20 (A) Sculpture;

- 1 (B) Painting;
- 2 (C) Mosaics;
- 3 (D) Photographs;
- 4 (E) Crafts;
- 5 (F) Calligraphy;
- 6 (G) Mixed media composed of any combi-
- 7 nation of forms or media; or
- 8 (H) Unique architectural stylings or
- 9 embellishments; including landscape architecture.

10 (vii) "This act" means W.S. 9-3-319 through

11 9-3-322.

12 9-3-320. Allocation for works of art.

13 (a) Each appropriation for a public construction

14 project shall include an allocation of not less than one

15 percent (1%) of the capital construction costs to be used

16 for the acquisition of works of art to be included in the

17 construction of or to be placed permanently in the build-

18 ing or other public facility being constructed, or within

19 the jurisdiction or state agency for which the building is

20 constructed.

1 (b) The architect is responsible for insuring
2 compliance with this section.

3 9-3-321. Contracting for and selecting works of art.

4 (a) All works of art acquired with funds allocated
5 under W.S. 9-3-320 shall be contracted for in accordance
6 with the following guidelines:

7 (i) The process for selecting works of art
8 shall be established by the council in accordance with
9 generally accepted jury methods;

10 (ii) Preference shall be given to works of art
11 created by artists who are Wyoming residents.

12 9-3-322. Account created; use.

13 (a) There is created the works of art in public
14 places account within the earmarked revenue fund, any
15 monies in which shall be used to:

16 (i) Purchase works of art as provided in this
17 act; and

18 (ii) Reimburse the actual and necessary
19 expenses of persons involved in selecting works of art
20 pursuant to W.S. 9-3-321.

1 Section 2. The state of Wyoming, in recognition of
2 its responsibility to foster culture and the arts for all
3 of its citizens and in its interest in the viable develop-
4 ment of her artists and craftsmen, which stimulates the
5 vitality and economy of the state's communities, declares
6 it to be state policy that a portion of appropriations for
7 capital expenditures be set aside for the acquisition of
8 works of art for public places.

9 Section 3. This act is effective July 1, 1979.

10 (END)

5811

3rd

Date 2/23/78

Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE			✓	
29 CHRISTENSEN			✓	
28 CUNDALL				✓
27 DAILY				✓
26 FRISBY				✓
25 GEIS				✓
24 HITCHCOCK			✓	
23 JOHNSON			✓	
22 KIMBALL			✓	
21 MADSEN				✓
20 MAJHANOVICH			✓	
19 McDANIEL			✓	
18 MOORE				✓
17 MURRAY			✓	
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP				
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT			✓	
9 RECTOR				✓
8 SADLER			✓	
7 SEDAR			✓	
6 STAFFORD	✓			
5 TAGGART				✓
4 TRUE				✓
3 TURNER			✓	
2 ZIMMER				✓
1 MR. PRESIDENT			✓	

PRESENT

AYES

19

NOES

10

EXCUSED

1

ABSENT

0

TOTAL

30

FISCAL NOTE

Note No. 82

for Senator Peck

L.S.O. 78 - 092	Draft L1
Bill No.	Jt. Res. No.

I. Fiscal Data:

TITLE OF BILL: Art in public places	STATUTORY REFERENCE Nos. Create 9-3-319/322	NAME OF FUND Earmarked
KEY TITLE: Capital Building Commission		
SOURCE OF APPROPRIATION/REVENUE Capital Construction, Gifts, etc.		New Program (X) Change in Existing Program () Local Government Impact ()

If more than one appropriation is involved, show overall effect below, but show breakdown by appropriation and fiscal year on a separate page. Round to nearest hundred dollars.

FISCAL PERIODS

EFFECT OF PROPOSAL

BIENNIAL INCREASE OR (-) DECREASE

First Biennial

Second Biennial

Third Biennial

Salaries & Number of Personnel	\$		
Supporting Expenses			
Permanent Property			
Aids to Localities			
Other			
ESTIMATED TOTAL COST	\$		
GENERAL FUND			
FEDERAL FUND			
OTHER			
ESTIMATED TOTAL REVENUE	\$		

Part II. Explain in a clear and concise manner what effect this measure will have on the costs and revenues of state government. Specify the source of funds for appropriations. Include effect on the current biennium and also the long-range fiscal effect, if any. Show how you arrived at the estimate. Use attached sheet and any additional sheets which you may need.

This is essentially the same bill covered by Fiscal Note #32. The bill allocates 1% of capital construction appropriation to provide monies for art objects. Additional monies may be involved. There is no practical way to estimate the fiscal impact.

1/30/78

LSO Audit Division

Date

1/30/78

Agency

Authorized Representative

Date

Legislative Auditor Clearance

✓ SF11SS1/A

- ✓ Page 2-line 11 Delete the semicolon and insert "of the state;".
✓ Page 2-line 13 Delete "within" and insert "by". -KIMBALL

SF11S21/A

- ✓ Page 1-line 2 After "places" insert "of the state of Wyoming".
✓ Page 1-line 3 After the first word "of" insert "not to exceed".
✓ Page 2-line 11 After "state" (inserted by SF11SS1/A) insert "excluding highways and water and sewer projects".
✓ Page 3-line 14 Delete "less than" and insert "to exceed".
✓ Page 3-line 15 After "costs" insert "unless specifically excluded by the legislature".
✓ Page 3-after line 20 insert a new paragraph as follows and reletter the following paragraph accordingly:

(b) Each ^{art} appropriation for a public construction project shall not exceed one hundred thousand dollars (\$100,000.00).

- ✓ Page 5-line 9 Delete "1979" and insert "1978". -PECK

✓ SF11S31/A

- ✓ Page 2-line 11 Before "capital" insert "state".

✓ Page 3-in the amendment to paragraph (b), (SF11S21/A), in the first line, after "Each" insert "art". ✓
-PECK

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives •

Cheyenne, March 2, , 19 78

Mr. Speaker:

Your Committee No. 7 on CORPORATIONS, ELECTIONS & POLITICAL SUBDIVISIONS

to whom was referred SF No. 11

respectfully reports same back to the House with the recommendation that it DO PASS

AYES

NOES

EXCUSED

Meenan

none

Curry

Myrsh

Jensen

Winninger

Guffey

Stauffer

Cranfill

Clapp

Patrick H. Meenan,

Chairman

1978

STATE OF WYOMING

78LSO-092/eng

SENATE FILE NO. 11

Art in public places.

Sponsored by: Senators PECK, BOYLE, McDANIEL, MURRAY
and NOVOTNY

A BILL

for

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2 works of art in public places of the state of Wyoming;
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14 of the state excluding highways and water and sewer
15 projects;

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4 or other public facility being constructed, or within the
5 jurisdiction or state agency for which the building is
6 constructed.

7 (b) Each art appropriation for a public construction
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18 (END)