



Senate

General Assembly

File No. 446

February Session, 2008

Substitute Senate Bill No. 397

Senate, April 4, 2008

The Committee on Commerce reported through SEN. LEBEAU of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE STATE BUILDING WORKS OF ART ACCOUNT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4b-53 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2008*):

3 (a) For purposes of this section, the following terms have the
4 following meanings: "State building" means any building or facility
5 owned or leased by the state of Connecticut and open to the public or
6 intended for such use, exclusive of any shed, warehouse, garage,
7 building of a temporary nature or building located on the grounds of a
8 correctional institution; "proposal development expenses" means the
9 cost of preparing a detailed drawing, model or plan as determined by
10 the Connecticut Commission on Culture and Tourism; and "work of
11 art" means art work which is to be an integrated part of such state
12 building, including but not limited to, fresco, mosaic, sculpture and
13 other architectural embellishment or functional art created by a
14 professional artist, artisan or craftsperson, and any work of visual art

15 which is not to be an integrated part of such state building, including
16 but not limited to, a drawing, painting, sculpture, mosaic, photograph,
17 work of calligraphy or work of graphic art or mixed media. Work of
18 art as used in this section shall not include landscape architecture or
19 landscape gardening.

20 (b) The State Bond Commission, in the allocation of proceeds of
21 state bonds for purposes of the design, construction, reconstruction or
22 remodeling of any state building, shall allocate for works of art, with
23 respect to each such project and for the purposes of subsection (c) of
24 this section, an amount from such proceeds not less than one per cent
25 of the total estimated cost of such design, construction, reconstruction
26 or remodeling, exclusive of (1) the cost of any land acquisition, (2) any
27 nonconstruction costs including the cost of such work of art, and (3)
28 any augmentations to such cost, provided any such allocation for work
29 of art as provided in this section must be approved, prior to
30 authorization of such allocation by the State Bond Commission, by the
31 Commissioner of Public Works in consultation with the Connecticut
32 Commission on Culture and Tourism. Such allocation may be used to
33 reimburse any artist, artisan, craftsperson or person who creates a
34 work of art, for proposal development expenses when the Connecticut
35 Commission on Culture and Tourism requests such proposal
36 development or to compensate persons who, at the request of the
37 Connecticut Commission on Culture and Tourism determine whether
38 such works of art require proposal development.

39 (c) There is established within the General Fund a state building
40 works of art account, which shall be a separate, nonlapsing account.
41 The moneys within said account shall be used (1) for the purchase of
42 works of art from distinguished Connecticut artists, which shall be
43 placed on public view in state buildings, (2) to establish a bank of
44 major works of art, from which individual works of art may be
45 circulated among state buildings, public art museums and nonprofit
46 galleries, and (3) for repair of all works acquired under this section.
47 The Connecticut Commission on Culture and Tourism, in consultation
48 with the Commissioner of Public Works, shall adopt regulations in

49 accordance with the provisions of chapter 54, which shall (A) indicate
 50 the portion of the one per cent allocation under subsection (b) of this
 51 section, up to one quarter of such allocation, which shall be deposited
 52 in the General Fund and credited to said account, (B) set forth the
 53 manner in which the moneys in said account shall be allocated and
 54 expended for the purposes of this subsection, and (C) establish
 55 procedures to ensure accountability in maintaining the integrity of
 56 such bank of works of art.

57 (d) There is established a subaccount within the state buildings
 58 works of art account, established pursuant to subsection (c) of this
 59 section, to be known as the "maintenance account" to be used solely for
 60 the conservation, repair and cleaning of artworks commissioned and
 61 purchased for state buildings pursuant to this section. The Connecticut
 62 Commission on Culture and Tourism shall determine what percentage
 63 of the one per cent allocation pursuant to subsection (b) of this section,
 64 up to ten per cent of such allocation, to credit to said subaccount.

65 [(d)] (e) The Connecticut Commission on Culture and Tourism shall,
 66 with respect to a work of art in any project under subsection (b) of this
 67 section, be responsible for the selection of any artist, artisan or
 68 craftsperson, review of any design or plan, and execution, completion,
 69 acceptance and placement of such work of art, provided any work of
 70 art to be located in any building under the supervision, security,
 71 utilization and control of the Joint Committee on Legislative
 72 Management shall be approved by said committee. The Commissioner
 73 of Public Works, in consultation with said commission, (1) shall be
 74 responsible for the contractual arrangements with any such artist,
 75 artisan or craftsperson, and (2) shall adopt regulations concerning
 76 implementation of the purposes of subsection (b) of this section and
 77 this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2008	4b-53

CE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Treasurer, Debt Serv.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

Under current law, no less than 1% of a state building's construction, reconstruction or remodeling costs are earmarked for artwork. The bill expands the cost basis on which the 1% earmark is calculated by adding the cost to design the project to the construction costs. This will increase the total cost of such projects, which will be reflected in higher General Fund debt service costs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 397*****AN ACT CONCERNING THE STATE BUILDING WORKS OF ART ACCOUNT.*****SUMMARY:**

This bill expands the types of state capital projects for which the State Bond Commission must allocate 1% of the bond proceeds for art works to include any project to design a state building. The law already requires the commission to allocate at least 1% of the bond proceeds for any project to construct, reconstruct, or remodel a state building. By law, the money must be used to develop and evaluate proposals for art works for state buildings and compensate artists for their work.

The bill also establishes a subaccount in the state building works of art account in the General Fund called the "maintenance account." It requires the Connecticut Commission on Culture and Tourism (CCCT) to determine the percentage of the 1% allocation, up to 10%, to credit to the maintenance account. The account's funds must be used solely to conserve, repair, and clean art works commissioned and purchased for state buildings using the proceeds of the 1% allocation.

EFFECTIVE DATE: July 1, 2008

BACKGROUND***1% for Art Works***

By law, the State Bond Commission must, for purposes of calculating the 1%, exclude (1) the cost of a project's land acquisition, (2) nonconstruction costs, including the price of the artwork, and (3) any cost increases. The allocation must be approved by the public works commissioner in consultation with the CCCT.

The CCCT, in consultation with the public works commissioner, must credit a portion of the 1% allocation, up to 25%, to the state building works of art account in the General Fund. The money is used to (1) buy art by distinguished state artists for public display in state buildings; (2) establish a bank of major art works for circulation among state buildings, public art museums, and nonprofit galleries; and (3) repair the art works purchased under the account.

COMMITTEE ACTION

Commerce Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/18/2008)