



Senate

General Assembly

File No. 528

January Session, 2011

Senate Bill No. 148

Senate, April 14, 2011

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT SUSPENDING THE REQUIREMENT FOR THE ALLOCATION OF FUNDS FOR ARTWORK FOR STATE BUILDING PROJECTS.

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 Section 4b-53 of the general statutes is repealed and the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 from passage*):

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 craftsman, 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] Except between the effective date of this section and June
21 30, 2013, inclusive, the State Bond Commission, in the allocation of
22 proceeds of state bonds for purposes of construction, reconstruction or
23 remodeling of any state building, shall allocate for works of art, with
24 respect to each such project and for the purposes of subsection (c) of
25 this section, an amount from such proceeds not less than one per cent
26 of the total estimated cost of such construction, reconstruction or
27 remodeling, exclusive of (1) the cost of any land acquisition, (2) any
28 nonconstruction costs including the cost of such work of art, and (3)
29 any augmentations to such cost, provided any such allocation for work
30 of art as provided in this section must be approved, prior to
31 authorization of such allocation by the State Bond Commission, by the
32 Commissioner of Public Works in consultation with the Connecticut
33 Commission on Culture and Tourism. Such allocation may be used to
34 reimburse any artist, artisan, craftsman or person who creates a
35 work of art, for proposal development expenses when the Connecticut
36 Commission on Culture and Tourism requests such proposal
37 development or to compensate persons who, at the request of the
38 Connecticut Commission on Culture and Tourism determine whether
39 such works of art require proposal development.

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

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

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

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

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	4b-53
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GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Treasurer, Debt Serv.	GF - Savings	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

Suspending the one percent artwork allocation for state construction projects until June 30, 2013 may result in a General Fund debt service savings¹ to the degree that the cost of projects are reduced.² The amount of the savings cannot be determined but for every \$1 million reduction in project costs, the debt service savings over 20 years and assuming a 5% interest rate would be \$1.525 million (\$1 million in principal and \$0.525 in interest).

Since January 1, 2005, the state has spent \$ 3,137,894 for artwork in construction projects administered by the Department of Public Works (DPW) (DPW administers most state building projects subject to the artwork requirements). Although UConn 2000 projects are exempt from the requirements of CGS Sec. 4b-53, the University of Connecticut has voluntarily decided to incorporate art into selected buildings. In the past five years, it spent \$ 379,500 on artwork and has budgeted \$ 1.19 million for future artwork spending.

The Out Years

¹ The savings are due to the fact that the construction projects are financed with General Obligation (GO) bonds.

² There would be no debt service savings if the artwork funds were used to pay for some other aspects of the project.

State Impact:

The General Fund savings for debt service identified above would continue over the 20-year term of the GO bonds.

Municipal Impact: None

Sources: Department of Public Works

OLR Bill Analysis**SB 148*****AN ACT SUSPENDING THE REQUIREMENT FOR THE ALLOCATION OF FUNDS FOR ARTWORK FOR STATE BUILDING PROJECTS.*****SUMMARY:**

This bill suspends, from its effective date until June 30, 2013, the requirement that the State Bond Commission allocate for the purchase of artwork at least 1% from the proceeds of state bonds for constructing or remodeling state-owned or -leased buildings open to the public, except buildings on the grounds of a correctional institution. In establishing the 1% figure, the commission by law must exclude the cost of the land for the buildings, nonconstruction costs such as architect fees, and any cost increases.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 11 Nay 3 (03/30/2011)