

1 **STATE-OWNED ART COLLECTIONS**

2 **INVENTORY STUDY PROGRAM**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Beverly Ann Evans**

6 House Sponsor: Peggy Wallace

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies Title 9, Chapter 6, Arts Development, to enact Part 6, "State-Owned
11 Art Collections Inventory Study Program Act."

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ provides certain definitions;
- 15 ▶ establishes the State-Owned Art Collections Inventory Study Program to study
16 providing:
 - 17 • a comprehensive electronic inventory of all state owned or held works of art
18 including each work of art's title, artist, medium, location, history, owner,
19 condition, and electronic images of each work of art;
 - 20 • a publicly accessible and searchable Internet site of the electronic images of
21 each work of art and other information in the inventory; and
 - 22 • for the maintenance of the inventory;
- 23 ▶ requires the Division of Fine Arts to design and plan the program with the advice
24 and assistance of the State-Owned Art Collections Inventory Committee and to
25 contract with public and private entities as needed to implement the provisions of
26 the program;
- 27 ▶ makes certain provisions for funding the program;
- 28 ▶ creates the State-Owned Art Collections Inventory Committee to advise the division
29 on the design and plan of the program; and

30 ▶ provides for committee membership and duties.

31 **Monies Appropriated in this Bill:**

32 None

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 ENACTS:

37 **9-6-601**, Utah Code Annotated 1953

38 **9-6-602**, Utah Code Annotated 1953

39 **9-6-603**, Utah Code Annotated 1953

40 **9-6-604**, Utah Code Annotated 1953



41
42 *Be it enacted by the Legislature of the state of Utah:*

43 Section 1. Section **9-6-601** is enacted to read:

44 **Part 6. State-Owned Art Collections Inventory Study Program Act**

45 **9-6-601. Title.**

46 This part is known as the "State-Owned Art Collections Inventory Study Program Act."

47 Section 2. Section **9-6-602** is enacted to read:

48 **9-6-602. Definitions.**

49 As used in this part:

50 (1) "Committee" means the State-Owned Art Collections Inventory Committee
51 established under Section 9-6-604.

52 (2) "Program" means the State-Owned Art Collections Inventory Study Program
53 established under Section 9-6-603.

54 (3) (a) "State" means the state of Utah, its executive, legislative, and judicial branches,
55 its departments, divisions, agencies, boards, commissions, councils, committees, and
56 institutions including state institutions of higher education as defined under Section 53B-3-102.

57 (b) "State" does not include:

58 (i) the political subdivisions of the state; or

59 (ii) school districts.

60 (4) "Work of art" means visual art of any medium.

61 Section 3. Section **9-6-603** is enacted to read:

62 **9-6-603. State-Owned Art Collections Inventory Study Program -- Division duties**
63 **-- Funding for the study program.**

64 (1) There is established the State-Owned Art Collections Inventory Study Program to
65 study:

66 (a) providing a comprehensive electronic inventory of all state owned or held works of
67 art, including each work of art's title, artist, medium, location, history, owner, condition, and
68 one or more electronic images of each work of art;

69 (b) providing a publicly accessible and searchable Internet site of the electronic image
70 of each work of art and other selected information in the inventory; and

71 (c) providing for the maintenance and tracking of the inventory, including the perpetual
72 updating and improving of the inventory and its public accessibility.

73 (2) The division shall study, design, and plan a program in accordance with this part
74 with the advice and assistance of the committee.

75 (3) The division shall study contracting with public and private entities as needed to
76 implement the provisions of the program on a cost effective basis.

77 (4) The study program shall be funded from monies:

78 (a) appropriated by the Legislature;

79 (b) private donations to the program; and

80 (c) other sources that may be made available to the program.

81 (5) The division, with the advice and assistance of the committee, shall establish a plan
82 including the inventory scope, phases, and a budget for the implementation.

83 Section 4. Section **9-6-604** is enacted to read:

84 **9-6-604. State-Owned Art Collections Inventory Program Committee --**
85 **Membership -- Chair -- Expenses -- Duties.**

86 (1) There is created within the division the State-Owned Art Collections Inventory
87 Committee.

88 (2) The committee consists of seven members who shall be experts in one or more
89 aspect of the program as follows:

90 (a) the director of the Utah Museum of Fine Arts, or a designee;

91 (b) the director of the Utah Arts Council, or a designee;

92 (c) the director of the Division of Risk Management, or a designee;

93 (d) the director of the Utah Academic Library Consortium, or a designee;

94 (e) the director of the Utah State Archives and Records Service, or a designee;

95 (f) the director of the Division of Facilities Construction and Management; and

96 (g) a member of the public with expertise in the area of web site or database design and
97 administration appointed by the other members of the committee to serve at the pleasure of the
98 committee.

99 (3) (a) The committee shall annually elect a chairperson from its membership.

100 (b) (i) The committee shall hold meetings as needed to carry out its duties.

101 (ii) A meeting may be held on the call of the chair or a majority of the committee
102 members.

103 (c) Four committee members are necessary to constitute a quorum at any meeting and,
104 if a quorum exists, the action of a majority of members present shall be the action of the
105 committee.

106 (4) (a) Committee members who are not government employees may not receive
107 compensation or benefits for their services, but may receive per diem and expenses incurred in
108 the performance of their official duties at rates established by the Division of Finance under
109 Sections 63A-3-106 and 63A-3-107.

110 (b) A committee member may decline to receive per diem and expenses for service to
111 the committee.

112 (5) The division shall provide staff support to the committee.

113 (6) The funding of the committee shall be a separate line item to the division in the

114 annual appropriations act.

115 (7) The committee shall:

116 (a) advise the division on the design and implementation of the inventory study
117 program;

118 (b) monitor, advise, and make recommendations to the division to promote and ensure
119 the efficient and effective plan for the inventory study program; and

120 (c) study promoting collaborative efforts to develop public awareness, public school
121 curriculum, and teacher training materials on the provisions of the program.