

**Senator Beverly Ann Evans** proposes the following substitute bill:

**STATE-OWNED ART COLLECTIONS**

**INVENTORY STUDY PROGRAM**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Beverly Ann Evans**

House Sponsor: Peggy Wallace

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ provides certain definitions;
- ▶ establishes the State-Owned Art Collections Inventory Study Program to study

providing:

- a comprehensive electronic inventory of all state owned or held works of art including each work of art's title, artist, medium, location, history, owner, condition, and electronic images of each work of art;

- a publicly accessible and searchable Internet site of the electronic images of each work of art and other information in the inventory; and

- for the maintenance of the inventory;

- ▶ requires the Division of Fine Arts to design and plan the program with the advice and assistance of the State-Owned Art Collections Inventory Committee and to 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



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.