

# Senate File 2359 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SF 2235)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act concerning fine arts projects in state buildings.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 5612SV 82  
4 ec/sc/8

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1 1 Section 1. Section 304A.8, subsection 1, Code 2007, is  
1 2 amended to read as follows:  
1 3 1. "State building" means any permanent structure, wholly  
1 4 or partially enclosed, which is intended to provide offices,  
1 5 laboratories, workshops, courtrooms, hearing and meeting  
1 6 rooms, storage space, and other facilities for carrying on the  
1 7 functions of a state agency, including the board of regents;  
1 8 ~~or~~ auditoriums, meeting rooms, classrooms, and other  
1 9 educational facilities; eating or sleeping facilities, medical  
1 10 or dental facilities, libraries, and museums which are  
1 11 intended for the use or accommodation of the general public or  
1 12 state employees; together with all grounds and appurtenant  
1 13 structures and facilities, ~~provided, however, it, "State~~  
1 14 ~~building" also includes any permanent structure utilized as an~~  
1 15 ~~information center or rest area, as defined in section~~  
1 16 ~~306C.10. However, "state building" shall not mean maintenance~~  
1 17 ~~sheds, separate garages, cellhouses or other secure sleeping~~  
1 18 ~~facilities for prisoners, or buildings used solely as storage~~  
1 19 ~~or warehouse facilities.~~

1 20 Sec. 2. Section 304A.10, Code 2007, is amended to read as  
1 21 follows:  
1 22 304A.10 COST OF FINE ARTS == PERCENTAGE.  
1 23 The total estimated cost of the fine arts elements included  
1 24 in a plan and specifications for a state building or group of  
1 25 state buildings in accordance with the purposes of this  
1 26 division shall in no case be less than ~~one-half of one~~ and  
1 27 ~~one-half~~ percent of the total estimated cost of such building  
1 28 or group of buildings. This percentage allocation shall not  
1 29 be diminished by professional fees. By September 1 annually,  
1 30 the contracting officer or principal user shall submit to the  
1 31 department of cultural affairs the total amount of state  
1 32 financial assistance expended in accordance with this section  
1 33 during the previous fiscal year. If deemed in the best  
1 34 interests of the citizens, funds allocated for the acquisition  
1 35 of fine arts may be accumulated over more than one

2 1 appropriation or fiscal period or combined to complete  
2 2 significant projects, ~~however, this sentence does not~~  
2 3 ~~authorize interproject transfers with prior approval of the~~  
2 4 ~~Iowa arts council. The total estimated cost of the fine arts~~  
2 5 ~~elements included in a plan and specifications for a state~~  
2 6 ~~building or group of state buildings in accordance with this~~  
2 7 ~~section shall be included by the department of cultural~~  
2 8 ~~affairs in calculating the amount of state financial~~  
2 9 ~~assistance for the arts for purposes of national ranking~~  
2 10 ~~surveys. By January 1 annually, the department of cultural~~  
2 11 ~~affairs shall submit a summary of the total amount of state~~  
2 12 ~~financial assistance expended in accordance with this section~~  
2 13 ~~and for which state buildings the assistance was expended.~~

2 14 Sec. 3. Section 304A.12, Code 2007, is amended to read as  
2 15 follows:  
2 16 304A.12 SEPARATE CONTRACT == MAINTENANCE ACCOUNT.  
2 17 1. Contracts for the fine arts elements shall be executed  
2 18 within the limits of the actual costs as determined by section  
2 19 304A.10. Funds in the amount of one percent of the total

~~2 20 estimated cost of the fine arts elements, as determined by  
2 21 section 304A.10, shall be transferred to the arts division for  
2 22 administration of the program. All expenses related to the  
2 23 acquisition of the fine arts elements shall be contracted for  
2 24 separately by the arts division with the funds allocated for  
2 25 these purposes. In addition, an amount equal to ten percent  
2 26 of the total estimated cost of the fine arts elements, as  
2 27 determined by section 304A.10, for a project shall be  
2 28 deposited in the maintenance and conservation fund created in  
2 29 this section.~~

2 30 2. A maintenance and conservation fund is created in the  
2 31 state treasury under the control of the arts division of the  
2 32 department of cultural affairs. Moneys credited to the fund  
2 33 as provided in this section, and interest and earnings on that  
2 34 money, shall be accounted for and appropriated to the arts  
2 35 division to be used for the maintenance and conservation of  
3 1 fine arts elements acquired. Notwithstanding section 8.33,  
3 2 moneys credited to the fund that remain unencumbered or  
3 3 unobligated at the close of the fiscal year shall not revert  
3 4 but shall remain available for expenditure for the purpose  
3 5 designated.

3 6 EXPLANATION

3 7 This bill concerns fine arts projects in state buildings.  
3 8 The bill provides that information centers and rest areas  
3 9 used for the traveling public are defined as state buildings  
3 10 for purposes of the requirements relative to fine arts  
3 11 projects in state buildings.

3 12 The bill provides that 1.5 percent of the total estimated  
3 13 cost of projects for a state building or group of state  
3 14 buildings shall be used for fine arts elements. Fine arts  
3 15 elements is defined in current law to include sculptures,  
3 16 fountains, etc. Current law provides that .5 percent shall be  
3 17 used for fine arts elements.

3 18 The bill also allows funds allocated for fine arts to be  
3 19 accumulated and used over more than one fiscal period and to  
3 20 be combined to complete significant projects with the approval  
3 21 of the Iowa arts council.

3 22 The bill also provides that 10 percent of the moneys for  
3 23 fine arts elements in a particular state building project  
3 24 shall be transferred to a new maintenance and conservation  
3 25 fund under the control of the arts division of the department  
3 26 of cultural affairs. The bill provides that moneys credited  
3 27 to the fund shall be used for the maintenance and conservation  
3 28 of fine arts elements acquired.

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