

### Art in Public Places (AIPP) Policies

1. Sites with project amounts from \$1,000 through \$35,000 must purchase existing artwork through the Purchase Only Program (POP) Phase I – NM Only, or Phase II - Acclaimed Artist Series.
2. All artwork acquired with 1% for Art funds must be selected through open competition using the approved procedures developed by New Mexico Arts and approved by the New Mexico Arts Commission.
3. Artwork for a site is selected by a committee of local community residents ensuring that the selected art reflects the cultural, ethnic and artistic diversity of New Mexico, the region and the nation
4. AIPP funds are spent on artist fees for original artwork created by living artists.
5. AIPP funds cannot replace construction funds. If the owner agency wants to have a budgeted item created by an artist through the AIPP Program, the budgeted funds must be added to 1% funds.
6. AIPP funds must be spent on visual art as defined in the AIPP Statute. Funds cannot be used to purchase signage or memorials.
7. All artwork must be displayed in areas accessible to the public at all times.
8. AIPP funds may not be spent for artwork created for an institution or agency by an employee of the institution or agency.
9. Immediate relatives of the Art Selection Committee members are ineligible to apply for projects involving that committee.
10. User agencies may aggregate their AIPP funds.
11. All 1% funds for a single project over \$100,000 can be divided only once for a maximum of 2 projects for the site
12. AIPP funds cannot be expended for artwork utilizing water as a component.
13. All construction must be completed on a new building prior to utilizing the 1% for Art funds to purchase artwork for the facility.
14. NM Arts/AIPP determines where funds for auxiliary buildings will be utilized.
15. Commission Projects:
  - Local Selection Committee (LSC) is comprised of 5 key members with a maximum of 11 members. LSC membership requires one person for each of the following: owner agency rep., user agency rep., architect/engineer who is familiar with the building and grounds, artist, and arts professional and for colleges/universities a member of the Board of Regents. **These key voting members must be present at all meetings.** Also suggested is a community representative or for colleges/universities, a student.
  - AIPP has final approval of LSC membership.
  - The selection of finalists requires a clear majority vote of the LSC, however, a 2/3 majority vote duly moved and seconded by the LSC is required for final approval of the selected artist or artwork.
  - Artist must complete a project within one year D.F.A. approval of the final contract. Only one contract amendment will be granted per contract pending AIPP review and approval. Requests for amendments must be received 60 prior to the term of the contract.
  - No more than 2 commission projects can be awarded to an artist during a 5-year period.
  - Artists are requested to refrain from applying to projects for a 5-year period if an owner/user agency is not pleased with the completed artwork and the artist refuses to rectify the situation to the satisfaction of the owner/user and N.M. Arts. It would not be an aesthetic issue but one that might include a marred patina on an artwork or faulty installation of an artwork.
  - Artists in breach of contract shall not apply to new projects during the length of time the dispute is in litigation or the period of time it takes the artist to settle the breach.
16. Purchase Projects:
  - Artists whose artwork has been selected numerous times through the POP (Purchase Only Program) selection process are requested not to submit their artwork to the POP for a period of 4 years since the last acquisition.
  - AIPP shall set a limit on the number of artworks each site may purchase
  - All project balances shall revert to the Art in Public Places program to be used for other uses that are related to the placement of public art in the public eye.