

HOUSE No. 3692

By Ms. Walz of Boston, a petition (subject to Joint Rule 12) of Martha M. Walz and others establishing a State House arts commission to maintain custody and care of all works of art and historical artifacts at the State House. Tourism, Arts and Cultural Development.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the State House art commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 19 of chapter 6 of the General Laws is hereby repealed.

2 SECTION 2. Said chapter 6 of the General Laws is hereby further amended by striking
3 out section 20 and inserting in place thereof the following section:-

4 Section 19. (a) There shall be an art commission for the state house consisting of 7
5 members. Five of the commission members shall be appointed by the governor, 1 shall be
6 appointed by the senate president and 1 shall be appointed by the speaker of the house, all of
7 whom shall be residents of the commonwealth qualified by training or experience in public art,
8 museum collections or historic preservation. Each member shall serve a term of 5 years and may
9 be reappointed. The members shall not be compensated for their services but they shall be
10 reimbursed for travel and other expenses necessary for the performance of their duties. The
11 commission shall have the power to adopt its own rules and elect such officers as may be
12 deemed proper.

13 (b) The governor shall appoint a state house curator from among candidates
14 recommended by the commission. The curator shall be qualified by training and experience in
15 historic preservation and art collections management, care and conservation. The curator shall
16 report to the commission and be responsible for the curatorial, registrarial, and administrative
17 duties associated with both the day to day oversight of the state house art and artifact collection
18 and the preservation of the historic building fabric. The curator shall be classified in accordance
19 with section 45 of chapter 30 and the salary shall be determined in accordance with section 46C
20 of chapter 30.

21 (c) The commission shall have the custody and care of all works of art and historical
22 artifacts in the state house art collection, including those inside the state house and on its grounds
23 and those on display and in storage. The commission shall oversee their care according to the
24 codes of ethics and standards for practice established by the American Association of Museums
25 and the American Institute for Conservation of Historic and Artistic Works, as the codes and
26 standards may be amended from time to time.

27 The commission shall oversee the handling and display of works of art and historical
28 artifacts in public areas and private offices, provided, however, that said commission shall not
29 place in or remove from any space in the state house assigned to the general court any such
30 works of art or historical artifact without the approval of the committees on rules of the two
31 branches, acting concurrently.

32 (d) The commission shall serve as an advisor to the governor and legislature on all artistic
33 matters at the state house, including the historic preservation of the building.

34 (e) The commission shall direct the process of acquisitions to the state house art
35 collection, from review of all plans to final approval of completed art works. The art
36 commission shall be advised of any proposal relative to the permanent addition of works of art or
37 historical artifacts to the state house art collection and shall submit its opinion regarding the
38 appropriateness of proposed art work prior to the approval required by section 21 of chapter 8.

39 (f) The commission shall review and approve any plan or design relative to the creation,
40 acquisition, construction, erection, or remodeling of any work of art at the state house. The
41 commission shall consult with sponsors or donors to revise and refine such plans and designs as
42 may be necessary. The commission shall give its final approval only upon the arrival of the
43 work of art at the state house. The commission shall file its recommendation of acceptance with
44 the Governor within 30 days, along with such suggestions and recommendations as it may deem
45 proper.

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47 (g) The commission may receive grants, gifts, bequests, and other contributions for the
48 maintenance, restoration and acquisition of works of art and historical artifacts.

49 (h) As used in this section, “work of art” shall include (i) portraits or other memorials
50 procured under the provisions of section nineteen or nineteen A of chapter 8 and (ii) any
51 painting, portrait, mural decoration, stained glass, statue, bas-relief, decorative art, fountain, or
52 any other article or structure of a permanent character intended for decoration or
53 commemoration. As used in this section, “historical artifact” shall mean an object
54 commemorating, representing or with specific ties to a significant historical event or era in the

55 history of the commonwealth; provided, however, that it shall not include flags under the care of
56 the state superintendent of state office buildings pursuant to section 17A of chapter 8.

57 SECTION 3. Section 67 of chapter 33 of the General Laws, as appearing in the 2008
58 Official Edition, is hereby amended by striking out, in lines 42 through 43, inclusive, the words
59 “The design of the medals hereinbefore referred to shall be approved by the art commission for
60 the commonwealth.”

61 SECTION 4. Notwithstanding any general or special law to the contrary, the term of the
62 sitting members of the arts commission as established in section 19 of chapter 6 of the General
63 Laws shall expire 90 days after the effective date of this act. The governor, the senate president
64 and the speaker of the house of representatives shall make their appointments to the commission
65 within the 90 days; provided, however, that of the members initially appointed, 3 shall be
66 appointed by the governor for terms of 2 years, 2 shall be appointed by the governor for terms of
67 1 year, 1 shall be appointed by the speaker for a term of 3 years and 1 shall be appointed by the
68 senate president for a term of 4 years. Nothing in this section shall preclude the reappointment
69 of a sitting member of the committee.