

HOUSE No.

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

November 5, 2015.

To the Honorable Senate and House of Representatives,

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, I am returning unsigned House Bill No. 3667, “An Act establishing a public art commission.”

This bill provides that at least 0.5% of the budgeted capital cost of the construction or substantial renovation of any Commonwealth-owned, managed and occupied building that costs more than \$4 million, must be spent for the creation of public art, “in or on the site.”

In July, I returned a prior version of this legislation with an amendment that would have ensured a robust program for public art while making certain that the program was both fiscally responsible and administratively feasible. Unfortunately, most of my suggested changes were not accepted.

The legislation retains an unduly complex and unwieldy administrative structure, which could lead to significant delays in decisions that need to be made for projects to proceed.

In addition, the legislation does not include an annual cap on project spending. As a result, my administration estimates this bill would require increased capital spending of more than \$7 million during the five fiscal years between FY16 and FY20, for those eligible vertical construction projects with approved FY16 spending.

While the goals of this program are admirable, the costs and structure are unreasonable in light of the many legitimate demands and constraints on the Commonwealth's capital investment plan.

For these reasons, I am returning House Bill No. 3667 unsigned.

Respectfully submitted,

Charles D. Baker,
Governor