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DEVAL L. PATRICK
GOVERNOR

SECRETARY OF STATE
REGULATIONS DIVISION
2014 DEC 10 PM 4:11

By His Excellency

DEVAL L. PATRICK
GOVERNOR

EXECUTIVE ORDER NO. 553

ESTABLISHING THE MASSACHUSETTS PERCENT FOR ART PROGRAM & THE PUBLIC ART COMMISSION

WHEREAS, a dedicated public art program would emphasize the importance of public art in developing a rich cultural landscape for the benefit of both residents of and visitors to the Commonwealth;

WHEREAS, such a program would strengthen the Massachusetts economy by creating publicly beneficial work opportunities and by supporting and retaining local artists and artisans;

WHEREAS, through our publically displayed artworks, the Commonwealth can express our creative and intellectual capacity, and invite residents and visitors to join in an ongoing conversation about values, traditions, struggles and triumphs;

WHEREAS, public art is key to place-making and community-building.

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § I, Art. I, do hereby order as follows:

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Section 1. This Executive Order shall apply to all state agencies in the Executive Branch. State agencies shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing or hereafter established.

Section 2. There is hereby established the Massachusetts Percent for Art Program (MPAP) to provide for the creation of, and preservation of existing, public art in Boston and the Gateway Cities (i.e., those municipalities designated "Gateway municipalities" by G.L. c. 23A, § 3A). Under this program, where construction or substantial renovation of state-owned buildings and properties (including, for example, parks) is undertaken in Boston or the Gateway Cities, a minimum of 0.5% (not to exceed $250,000) of the cost of that construction or substantial renovation shall be dedicated to the preservation of existing and the creation of new public art.

Section 3. The Secretary of Administration and Finance shall have the authority to temporarily suspend the MPAP spending requirement set forth in Section 2 in any year in which state revenue is projected to decline from the prior year.

Section 4. There is hereby established a Public Art Commission (Commission). The Commission shall administer MPAP, and such administration shall include: (i) making curatorial decisions on a project-by-project basis in coordination with members of the Massachusetts artist community who have demonstrated distinguish service to the arts; (ii) consulting with pertinent local art and cultural commissions; (iii) promoting and encouraging public art; and (iv) coordinating with the Executive Branch in ensuring compliance with and participation in MPAP. The Commission may also research other funding mechanisms that may increase the total pool of funds for public art; and suggest the development of programming for education and promotion regarding public art.

Section 5. The Commission shall consist of at least 11 members, who shall be appointed by the Governor and who shall serve at his pleasure or until a replacement is appointed: (i) the Secretary of Administration and Finance or his/her designee; (ii) the Secretary of Housing and Economic Development or his/her designee; (iii) the Commissioner of the Division of

Capital Asset Management and Maintenance (DCAMM) or his/her designee; (iv) the Secretary of Energy and Environmental Affairs or his/her designee; (v) the Chair of the Massachusetts Cultural Council or his/her designee; (vi) a representative recommended by the City of Boston; (vii) at least 2 representatives from Gateway Cities, selected from individuals recommended by the chief executive officer of any such city; (viii) at least 2 project designers with experience in the creation and installation of public art; (ix) at least 2 artists or representatives from non-profit or community organizations associated with the arts; and (x) up to 2 additional qualifying members, who do not otherwise possess the foregoing qualifications, as the Governor deems appropriate. All Commission members shall serve without compensation or reimbursement for expenses

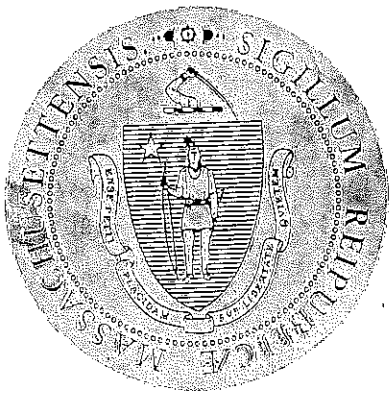
Section 6. The Commission shall meet at such times and places as the Governor or his designee shall direct.

Section 7. There is hereby established within DCAMM, reporting to the Commissioner of DCAMM, a Percent for Art Program Coordinator. Working in coordination with the Commission and any other appropriate agencies, the Coordinator shall, among other things: (i) establish the guidelines and parameters for the MPAP; (ii) research other successful funding mechanisms that increase the total pool of funds for public art; (iii) oversee the creation of a central entity that will host a variety of shared resources relating to the implementation, installation, maintenance and preservation of public art.

Section 8. The Commission shall prepare an annual report to the Governor and Secretary of Administration and Finance describing the actions of the MPAP and the Commission, and any other information the Commission deems pertinent. This annual report shall be prepared and submitted to the Secretary of Administration and Finance and the Governor not later than 60 days after the end of the preceding fiscal year.

Section 9. All state agencies within the Executive Branch shall cooperate with and provide assistance to the Commission.

Section 10. This Executive Order shall take effect immediately and shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.



Given at the Executive Chamber in Boston
This tenth day of December in the year two thousand and fourteen and of the Independence of the United States two hundred and thirty-nine.

DEVAL L. PATRICK
GOVERNOR
Commonwealth of Massachusetts

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth