

**HOUSE . . . . . No. 4965**

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, July 14, 2008.

The committee on Ways and Means, to whom was referred the Bill establishing the Massachusetts creative economy council (House, No. 4309) report recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4965).

For the committee,

ROBERT A. DELEO.

**The Commonwealth of Massachusetts**

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In the Year Two Thousand and Eight.

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AN ACT ESTABLISHING THE MASSACHUSETTS CREATIVE ECONOMY  
COUNCIL.

1     *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to establish forthwith the Massachu-  
3 setts creative economy council, therefore it is hereby declared to  
4 be an emergency law, necessary for the immediate preservation of  
5 the public convenience.

*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. (a) Notwithstanding any general or special law to  
2 the contrary, there shall be established within the executive office  
3 of housing and economic development a Massachusetts creative  
4 economy council, herein after in this section referred to as the  
5 council. The council shall develop a statewide strategy for the  
6 enhancement, encouragement, and growth of the creative  
7 economy in the Commonwealth, and to promote through public  
8 and private means responsive public policies and innovative pri-  
9 vate sector practices.

10    (b) The council shall consist of 23 members 3 of whom shall be  
11 members of the senate, 2 of whom shall be appointed by the  
12 senate president and 1 of whom shall be appointed by the senate  
13 minority leader; 3 of whom shall be members of the house of rep-  
14 resentatives, 2 of whom shall be appointed by the speaker of the  
15 house and 1 of whom shall be appointed by the house minority  
16 leader; and 17 members to be appointed by the Governor, 1 of  
17 whom shall be the secretary of the executive office of housing and  
18 economic development, or his designee, who shall serve as chair  
19 of the council; 1 of whom shall be the executive director of the  
20 Massachusetts office of travel and tourism, or his designee; 1 of  
21 whom shall be the executive director of the Massachusetts cultural  
22 council, or his designee; 1 of whom shall be the director of the

23 Massachusetts office of business development, or his designee; 1  
24 of whom shall be the executive director of the Massachusetts  
25 Advocates for the Arts, Sciences, and Humanities, or his designee;  
26 1 of whom shall be the director of the John Adams Innovation  
27 Institute, or his designee; 1 of whom shall be the president of the  
28 Massachusetts Technology Leadership Council, or his designee; 1  
29 of whom shall be the chairman of the Massachusetts Lodging  
30 Association, or his designee; 1 of whom shall be the president of  
31 the Massachusetts Restaurant Association, or his designee; 1 of  
32 whom shall be the president of the Massachusetts College of Art,  
33 or her designee; 3 of whom shall be directors of a regional tourism  
34 councils; 1 of whom shall be a representative of the Salem Part-  
35 nership; 1 of whom shall be a representative of the Salem State  
36 College Assistance Corporation; 1 of whom shall be a representa-  
37 tive of the Berkshire Creative Economy Initiative; and 1 of whom  
38 shall be an owner of a sole proprietorship in the creative economy.

39 Members of the council shall serve for a term of 2 years, and  
40 may be reappointed. The council may adopt rules for the appoint-  
41 ment of members, and may increase or decrease the number of  
42 members. Members of the council shall serve without pay. The  
43 council shall meet at least 4 times annually.

44 (c) The duties of the council shall include, but shall not be lim-  
45 ited to:— researching and evaluating studies conducted within the  
46 Commonwealth and in other states, to locate and identify best  
47 practices that easily transfer to the Commonwealth; reviewing the  
48 recommendations of the “Innovation Agenda: Growing the Cre-  
49 ative Economy in Massachusetts” statewide conference of May 3,  
50 2006, and the Berkshire Creative Economy Report, and other  
51 statewide and regional research-based recommendations, in order  
52 to develop a statewide strategy for enhancement of the creative  
53 economy; providing recommendations on restructuring economic  
54 programs within state government to enhance creative economy  
55 efforts; providing strategies and proposing legislation, if neces-  
56 sary, to provide linkage between programs to enhance the creative  
57 economy; establishing metrics to measure the effect of the cre-  
58 ative economy on other sectors of the economy by developing and  
59 conducting extensive statewide research and creating a database  
60 from the results; fostering education and workforce development  
61 in the creative economy sector by stimulating efforts to develop

62 career pathways for creative industries; researching the potential  
63 for an online resource directory, including but not limited to, the  
64 development and promotion of a web based resource highlighting  
65 the creative economy and its member companies and organiza-  
66 tions; researching the potential for a comprehensive communica-  
67 tions program targeting member communities, organizations,  
68 stakeholders and interested parties including, but not limited to,  
69 the promotion of networking across the creative economy sector;  
70 and researching methods to brand Massachusetts as creative  
71 economy leader.

72 The council shall report to the general court the results of its  
73 investigation and study, and its recommendations together with  
74 drafts of legislation, if any, by filing the same with the clerk of the  
75 house of representatives and the clerk of the senate who shall for-  
76 ward the same to the chairs of the house and senate committees on  
77 ways and means, the chairs of the joint committee on economic  
78 development and emerging technologies, the chairs of the joint  
79 committee on tourism, arts, and cultural development, and the  
80 chairs of the joint committee on community development and  
81 small business, on or before the first July 1, 2009.

82 The council may define the creative economy to include  
83 without limitation the many interlocking industry sectors that  
84 center on providing creative services such as advertising or archi-  
85 tecture or creating and promoting intellectual property products  
86 such as arts, film, computer games, multimedia, or design.

87 (d) The council shall annually submit, not later than December  
88 1, a written report of its activities during the previous year to the  
89 chairs of the house and senate committees on ways and means, the  
90 chairs of the joint committee on economic development and  
91 emerging technologies, the chairs of the joint committee on  
92 tourism, arts, and cultural development, and the chairs of the joint  
93 committee on community development and small business. The  
94 report shall include recommendations to the general court  
95 regarding proposed changes to this section, or any other section or  
96 chapter of the General Laws, or any regulations promulgated pur-  
97 suant thereto, necessary to promote the creative economy in the  
98 Commonwealth.

1 SECTION 2. Notwithstanding any general or special law to the  
2 contrary, this act shall expire on December 31, 2012.