

General Laws

PART I ADMINISTRATION OF THE GOVERNMENT

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CHAPTER 6 THE GOVERNOR, LIEUTENANT GOVERNOR AND COUNCIL, CERTAIN OFFICERS UNDER THE GOVERNOR AND COUNCIL, AND STATE LIBRARY

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Section 20 Powers and duties of art commission

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[Text of section effective until July 1, 2013. For text effective July 1, 2013, see below.]

Section 20. There shall be submitted to the art commission for its approval in an advisory capacity any plan relative to the creation, acquisition, construction, erection or remodeling by the commonwealth of any work of art, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such work of art. The commission shall file with the governor, within thirty days after such submission, its opinion of such proposed work of art together with such suggestions and recommendations as it may deem proper. The term "work of art", as used in this section, shall include any painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, fountain or any other article or structure of a permanent character intended for decoration or commemoration.

Upon request of the governor, the commission shall act in an advisory capacity relative to the artistic character of any building constructed, erected or remodeled by the commonwealth, or upon land owned by the commonwealth, and when, upon request of the governor, there shall be submitted to said commission any plan relating to such construction, erection or remodeling of any such building, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such building, the commission shall

file with the governor, within thirty days after such submission, its opinion of such proposed building together with such suggestions and recommendations as it may deem proper. The term "building", as used in this section, shall include structures intended for human occupation and use, and also bridges, arches, gates, walls or other permanent structures of any character.

Said commission shall have the custody and care of all historical relics in the state house, and of all works of art, as herein defined, erected or maintained therein including portraits or other memorials procured under the provisions of section nineteen or nineteen A of chapter eight; provided, however, that said commission shall not place in or remove from any space in the state house assigned to the general court any such historical relic or work of art without the approval of the committees on rules of the two branches, acting concurrently.

Chapter 6: Section 20. Art commission; members; powers and duties

[Text of section as amended by 2013, 38, Sec. 6 effective July 1, 2013. See 2013, 38, Sec. 219. For text effective until July 1, 2013, see above.]

Section 20. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:--

"Historical artifact", an object commemorating, representing or having specific ties to a significant historical event or era in the history of the commonwealth; provided, however, that "historical artifact" shall not include flags under the care of the superintendent of the state house under section 17A of chapter 8.

"Work of art", (i) a portrait or other memorial procured under section 19 or 19A of chapter 8; and (ii) a painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, fountain or other article or structure of a permanent character intended for decoration or commemoration.

(b) There shall be an art commission for the state house consisting of 7 members, 3 of whom shall be appointed by the governor, 2 of whom shall be appointed by the senate president and 2 of whom shall be appointed by the speaker of the house of representatives. All of the members shall be residents of the commonwealth qualified by training and experience in public art, museum collections or historic preservation. Commission members shall serve for 5-year terms without compensation, but shall be reimbursed for travel and other expenses necessary for the performance of their duties, as approved by the superintendent of the state house and paid for from the State House Special Event Fund, established in section 35P of chapter 10. The commission may adopt its own rules and elect officers from its own members as may be considered proper.

(c) The governor shall appoint a state house curator from among candidates recommended by the commission. The curator shall be qualified by training and experience in historic preservation and art collections management, care and conservation. The curator shall report to the superintendent of the state house and the commission and shall be responsible for the curatorial, registrarial and administrative duties associated with both the day-to-day oversight of the state house art and artifact collection and the historic preservation of the state house.

(d) The commission shall have the custody and care of all works of art and historical artifacts in the state house art collection, including those inside the state house, on its

grounds, on display and in storage. The commission shall oversee the care of such works of art and historical artifacts according to the codes of ethics and standards for practice established by the American Alliance of Museums and the American Institute for Conservation of Historic and Artistic Works.

The commission shall oversee the handling and display of works of art and historical artifacts in public areas and private offices; provided, however, that the commission shall not place in or remove from any space in the state house assigned to the general court any such works of art or historical artifacts without the approval of the committees on rules of the 2 branches, acting concurrently.

(e) The commission shall serve as an advisor to the governor and general court on all artistic matters at the state house, including the historic preservation of the building.

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

(g) The commission shall review and approve any plan or design relative to the creation, acquisition, construction, erection or remodeling of any work of art in the state house. The commission may consult with sponsors and donors to revise and refine the plans and designs. The commission shall give its final approval upon the arrival of the work of art to the state house. The commission shall file with the governor, within

30 days after submission of a plan or design, its opinion of the proposed work of art together with any suggestions and recommendations as it may consider proper.

(h) The commission may receive grants, gifts, bequests and other contributions for maintenance, restoration and acquisition of works of art and historical artifacts. The funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a special trust account and may be expended, without further appropriation, under the direction of the superintendent and the commission. The special trust account shall be subject to audit by the state auditor under section 12 of chapter 11.