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H.102

Introduced by Representatives Coffey of Guilford and Shaw of Pittsford

Referred to Committee on

Date:

Subject: Executive; public property; State buildings; Art in State Buildings
Program

Statement of purpose of bill as introduced: This bill proposes to make various
amendments to the Art in State Buildings Program.

An act relating to the Art in State Buildings Program

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 29 V.S.A. chapter 2 is amended to read:

CHAPTER 2. ART IN STATE BUILDINGS

§ 41. ART IN STATE BUILDINGS; PURPOSE; ESTABLISHMENT

(a) Purpose. The State of Vermont, ~~recognizing the need to enhance~~
recognizes that public art enhances the working environment, ~~to improve;~~
improves the character and quality of State buildings in order to create an
environment of distinction, enjoyment, and pride for all citizens, ~~and to~~
~~encourage the donation of works of art to the State for its permanent collection~~
~~or for exhibition in State buildings or facilities;~~ hereby establishes a program;

1 adds value to the cultural, aesthetic, and economic vitality of the State, and
2 contributes to the State's identity.

3 (b) Establishment. The Art in State Buildings Program is hereby
4 established to provide funds for and authorize the purchase, design,
5 commission, fabrication, installation, and integration of permanent works of art
6 at the time of new construction or renovation of State buildings and other
7 facilities and the maintenance and conservation of art commissioned under the
8 Program.

9 § 42. DEFINITIONS

10 Unless the context specifically indicates otherwise, as used in this chapter,
11 the following definitions shall apply:

12 * * *

13 (8) "State building or facility" means any State building, facility,
14 permanent structure, park, or appurtenant structure thereof, wholly or partially
15 enclosed, owned or leased by State government, the University of Vermont and
16 State Agricultural College, or Vermont State Colleges, that is to be constructed
17 or renovated in part or totally with funds from any appropriation of the General
18 Assembly. The term does not include highways, airport runways, or taxi ways,
19 hangars, railroad tracks, sidings or yards, garages, sheds, warehouses, heating
20 plants, sewers, parking lots ~~and parking garages~~, bridges, highway garages,
21 correctional facilities, or buildings used for storage or that are of a temporary

1 nature. The term does not include buildings or facilities owned by units of
2 local government, including school districts.

3 (9) "Project site" means any State building or facility undergoing new
4 construction or renovation with a total project cost of \$1,000,000.00 or more
5 that has been ~~approved~~ recommended for consideration by the Commissioner
6 pursuant to this chapter.

7 * * *

8 § 43. ART ACQUISITION FUND

9 (a) An Art Acquisition Fund is created to finance the design, construction,
10 integration, and purchase or commissioning of works of art to be included as
11 an integral part of the structure of State buildings and facilities under the Art in
12 State Buildings Program. Such works of art may be attached to the structure or
13 may be detached within or outside the structure.

14 (b) Amounts in the Art Acquisition Fund at the end of each fiscal year shall
15 not revert to the General Fund.

16 (c) Amounts in the Fund shall be expended upon order of the Council for
17 acquisition or commissioning of works of art and for administration, as
18 provided in this chapter.

19 § 44. FUNDS TRANSFER FOR ART

20 (a) The Commissioner of Buildings and General Services, with the
21 approval of the Secretary of Administration, ~~may~~ shall transfer ~~up to~~

1 ~~\$50,000.00~~ not less than \$75,000.00 in any single fiscal year to the Art
2 Acquisition Fund, from capital funds appropriated for projects ~~which~~ that are
3 eligible for the installation of works of art under this chapter. The
4 Commissioner shall include in the proposed annual capital budget request for
5 the Department of Buildings and General Services, as described in 32 V.S.A.
6 § 310, a separate line item for the Art Acquisition Fund.

7 (b) Of the funds transferred under subsection (a) of this section, ~~\$5,000.00~~
8 not more than 15 percent shall be available for use by the Council for the
9 expenses of administering this chapter.

10 (c) Funds may be transferred under this section without further approval or
11 appropriation by the General Assembly.

12 § 44a. POWERS AND DUTIES OF COMMISSIONER

13 (a) The Commissioner shall:

14 (1) ~~Advise~~ advise the Council on the administration of this chapter.;

15 (2) ~~Approve up to two~~ recommend project sites ~~per year~~ for
16 consideration under this chapter for the installation of artwork.;

17 (3) ~~Establish~~ establish procedures for accepting the donation to the State
18 of artwork for installation in State buildings or facilities.;

19 (4) ~~Establish~~ establish procedures for communicating with artists
20 interested in donating artwork to the State under the provisions of this chapter.;

21 (5) ~~Review~~ review the final installation and placement of artwork.;

1 (b) Priority in acquisitions and commissions of works of art shall be given
2 to Vermont artists.

3 (c) Funds transferred to the Art Acquisition Fund for the Art in State
4 Buildings Program shall not be used for the following:

5 (1) necessary site preparation such as wall or ground preparation to
6 receive the works of art, including standard lighting and structural footings;
7 and

8 (2) any decorative or landscape elements peripheral to the artworks
9 themselves and any services such as water, electricity, or lighting that are
10 needed to activate the artwork.

11 § 47. ADVISORY COMMITTEE

12 (a) There is established ~~an advisory committee~~ the Art in State Buildings
13 Advisory Committee to oversee the administration of the Art Acquisition
14 Fund.

15 (b) The ~~advisory committee~~ Advisory Committee shall consist of the
16 following or a designee:

17 (1) the Commissioner, of Buildings and General Services;

18 (2) the ~~director~~ Director of the Arts Council;

19 (3) the Chairs of the House Committee on Corrections and Institutions
20 and the Senate Committee on Institutions;

21 (4) the State Curator; and

1 (5) the Chair of the Vermont Board of Architects. ~~Legislative members~~
2 ~~of the committee shall be entitled to per diem compensation and expense~~
3 ~~reimbursement for attending committee meetings pursuant to the provisions of~~
4 ~~2 V.S.A. § 23.~~

5 (c) The ~~committee~~ Committee shall:

6 (1) oversee the administration of this chapter;

7 (2) establish guidelines for the selection, acquisition, and commission of
8 works of art; and

9 (3) establish guidelines for the composition of the art selection panel.

10 (d) Legislative members of the committee shall be entitled to per diem
11 compensation and expense reimbursement for attending Committee meetings
12 pursuant to the provisions of 2 V.S.A. § 23.

13 (e) The selection of works of art to be installed under this chapter in
14 facilities of the University of Vermont and State Agricultural College and of
15 the Vermont State Colleges shall be made pursuant to procedures of these
16 institutions for this purpose.

17 § 48. POWERS AND DUTIES OF COUNCIL

18 (a) The Council shall facilitate a process that will result in a
19 recommendation of an artist or artist team for each project selected for
20 installation of artwork. The artist or artist team shall collaborate with the
21 project architect or design team during the initial design phase of the project.

1 (b) Following design of the project, the Council shall:

2 (1) Appoint persons to serve on the art selection panel.

3 (2) Establish contract procedures for ~~contracting~~ commissioning with
4 artists for the design and creation of works of art and with architects for
5 services related to the planning for the acquisition and commission of works of
6 art.

7 (3) On the advice of the art selection panel, arrange contracts with artists
8 and order payments from the ~~art acquisition fund~~ Art Acquisition Fund for
9 such works of art.

10 (4) Review the final installation and placement of works of art. In the
11 case of works to be commissioned, the art selection panel shall review the
12 design, the final execution, and the placement of the commissioned work.

13 (5) ~~Assist occupant and contracting agencies in locating insurance when~~
14 ~~it deems such insurance is necessary for the protection of the works of art that~~
15 ~~are purchased.~~ [Repealed.]

16 (c) Without further appropriation, the Council may expend funds
17 transferred to it for administration of this chapter.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on July 1, 2023.