

House Bill 978 (AS PASSED HOUSE AND SENATE)

By: Representatives Hill of the 21st and Smyre of the 132nd

A BILL TO BE ENTITLED
AN ACT

To amend Article 4 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Georgia Capitol Museum, so as to create the Capitol Art Standards Commission; to provide for its membership and appointment; to provide for the terms of members of the commission and the filling of vacancies; to provide for duties and responsibilities; to provide for certain recommendations; to provide a definition; to provide for the acceptance of certain funds; to provide a statement of legislative intent; to provide for related matters; to repeal Code Section 50-16-5.2 of the Official Code of Georgia Annotated, relating to the creation of the Georgia Art Policy Committee; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Georgia Capitol Museum, is amended by designating the existing matters within such article as Part 1 and adding a new Part 2 to read as follows:

"Part 2

45-13-70.

(a) There is created the Capitol Art Standards Commission, which is assigned to the Office of the Secretary of State for administrative purposes only, as prescribed in Code Section 50-4-3.

(b) The Capitol Art Standards Commission shall be comprised of 15 members. Three members shall be appointed by the Governor, of whom one shall be designated as chairperson. Three members shall be appointed by the Senate Committee on Assignments and three members shall be appointed by the Speaker of the House of Representatives. One member each shall be appointed by the Georgia Historical Society, the Georgia

1 Council for the Humanities, and the Georgia Council for the Arts. One member each shall
2 be appointed by the Board of Regents of the University System of Georgia and the Georgia
3 Foundation for Independent Colleges, each of whom shall be proficient in the history of
4 the State of Georgia. Each of the appointed members shall serve two-year terms of office
5 and shall be eligible to succeed themselves. In addition, the director of the Georgia Capitol
6 Museum or his or her designee shall be a member of the commission. Vacancies in the
7 positions of appointed members of the commission shall be filled for the remainder of the
8 unexpired term of office by the original appointing authority.

9 (c) Members of the commission shall serve without compensation but members of the
10 commission who are not state officials or employees shall receive the same expense
11 allowance per day as that received by a member of the General Assembly for each day such
12 member of the commission is in attendance at a meeting of such commission, plus either
13 reimbursement for actual transportation costs while traveling by public carrier or the same
14 mileage allowance for use of a personal car in connection with such attendance as members
15 of the General Assembly receive. Members of the commission who are state officials or
16 employees shall receive reimbursement for actual transportation costs in accordance with
17 the policies of their respective agencies.

18 (d) Membership on the commission does not constitute a public office, and no member
19 shall be disqualified from holding public office by reason of his or her membership.

20 (e) The commission, with the approval of the Governor, may employ such professional,
21 technical, or clerical personnel as deemed necessary to carry out the purposes of this part.

22 45-13-71.

23 The Capitol Art Standards Commission shall have the following duties and responsibilities:

24 (1) To meet at such times and places as it shall determine necessary or convenient to
25 perform its duties. The commission shall also meet on the call of the chairperson or the
26 Governor;

27 (2) To maintain minutes of its meetings;

28 (3) To adopt rules and regulations for the transaction of its business;

29 (4) To organize itself as it deems appropriate to carry out its functions;

30 (5) To be responsible for developing policies and procedures for and to oversee the
31 acquisition, installation, preservation, maintenance, display, and storage of all capitol
32 artwork. As used in this part, the term 'capitol artwork' means visual art of museum
33 quality owned by the State of Georgia that is displayed in or on the grounds of the capitol
34 or is held for the purpose of future display to include, but not be limited to, portraits,
35 paintings, sculptures, and plaques. The Georgia Capitol Museum shall remain

1 responsible for the documentation, appraisal, control, handling, and conservation of the
2 present and future artwork in the capitol art collection;

3 (6) To establish a collection policy for all capitol artwork;

4 (7) To develop standards and procedures for determining whether to acquire new artwork
5 which shall include criteria for judging the relevance of the subject, the historical
6 significance to the State of Georgia, and the quality of the artwork produced and an
7 approval process for such acquisitions. No artwork shall be acquired or installed without
8 final approval of the commission;

9 (8) To develop a process for the selection, placement, installation, and rotation of
10 artwork in the capitol, in the capitol museum, and on the capitol grounds;

11 (9) To develop policies and procedures for outgoing loans from the capitol art collection
12 and for temporary displays of artwork in the capitol, in the capitol museum, and on the
13 capitol grounds;

14 (10) To develop deaccession policies and procedures for artwork in the capitol art
15 collection that should be removed based upon poor quality or lack of relevance or similar
16 factors; and

17 (11) To perform such other duties and responsibilities as required by law.

18 45-13-72.

19 The Capitol Art Standards Commission may recommend to the Governor and the General
20 Assembly changes in state statutes, policies, budgets, and standards relating to the capitol
21 art collection, with the objective of keeping the collection at the highest museum standards.

22 45-13-73.

23 The Capitol Art Standards Commission may accept federal funds granted by Congress or
24 executive order for the purposes of this part as well as gifts and donations from individuals,
25 private organizations, or foundations. The acceptance and use of federal funds shall not
26 commit state funds and shall not place an obligation upon the General Assembly to
27 continue the purposes for which the federal funds are made available.

28 45-13-74.

29 The General Assembly finds that this part constitutes a general law within the meaning of
30 Article III, Section VI, Paragraph IV(a) of the Constitution. The General Assembly intends
31 that there be no enactment of any bill or resolution proposing a special law with respect to
32 capitol artwork."

SECTION 2.

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2 Code Section 50-16-5.2 of the Official Code of Georgia Annotated, relating to the creation
3 of the Georgia Art Policy Committee, is hereby repealed.

SECTION 3.

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5 All laws and parts of laws in conflict with this Act are repealed.