



## Senate Bill 12

### *Capital Projects - Inclusion of Public Art*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

Date: January 23, 2019

To: Finance Committee

From: Robin Clark Eilenberg  
and Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS SB 12 WITH AMENDMENTS**. This bill expands a current state-only requirement to now mandate public art in buildings that are only partially funded by the State.

This legislation may extend a state art program to a wide range of local facilities – including corrections facilities, community centers, and community colleges. MACo does not object to the aim of expanding access to art and enhancing the face of our institutions through installations of public art, but encourages an amendment to allow local input into joint state-county projects.

Under current law, capital projects entirely funded by the State are required to include public art, with a waiver process to accommodate when doing so would prove too costly or not practicable. This bill would expand that general requirement to construction and renovation projects that receive 50% or more state funding.

In cases of joint state-county construction, county participation in the approval process will help ensure program outcomes align with community interests, culture, and local and regional efforts to incorporate art into public institutions. To this end, MACo suggests an amendment to provide a local consideration process roughly parallel to that provided for state agencies.

SB 12 seeks to expand the State's efforts to include public art in facilities, but does not expand its balancing process to accommodate jointly-funded facilities. For these reasons, MACo **SUPPORTS SB 12 WITH AMENDMENTS** and urges a **FAVORABLE WITH AMENDMENTS** report.

### **AMENDMENT**

Line 12: After "building;" strike "and" and insert, "(3) WHEN A PROJECT IS PARTIALLY FUNDED BY A COUNTY GOVERNMENT, THE UNIT OF COUNTY GOVERNMENT THAT WILL BE THE PRIMARY USER OF THE BUILDING; (4) WHEN A PROJECT IS SUBSTANTIALLY FUNDED BY A COUNTY GOVERNMENT, THE UNIT OF COUNTY GOVERNMENT RESPONSIBLE FOR PROJECT MANAGEMENT OF THE BUILDING; AND"

Line 13: Strike "(3)" and substitute "(5)" before "the Division."

Line 24: After "Services," insert ", OR, FOR A PROJECT THAT IS SUBSTANTIALLY FUNDED BY A COUNTY GOVERNMENT, APPROVAL BY THE GOVERNING BODY OF THAT COUNTY."