

# Bill as Introduced

HB 1285-FN - AS INTRODUCED

2012 SESSION

12-2407  
05/09

HOUSE BILL            ***1285-FN***  
AN ACT                repealing the state art fund.  
SPONSORS:            Rep. D. McGuire, Merr 8  
COMMITTEE:           Executive Departments and Administration

---

ANALYSIS

This bill repeals the state art fund.

-----

Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struck through.~~]  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT           repealing the state art fund.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
2 follows:

3           VII. To administer any federal funds received from the National Endowment of the Arts [~~and~~  
4 ~~the art fund established under RSA 19-A:9~~].

5           2 Repeal. The following are repealed:

6           I. RSA 6:12, I(b)(103), relative to the state art fund.

7           II. The subdivision heading preceding RSA 19-A:8 and RSA 19-A:8 through RSA 19-A:12,  
8 relative to the state art fund.

9           III. RSA 21-K:8, relative to rulemaking on requirements for selecting art to be funded by the  
10 state art fund.

11          3 Effective Date. This act shall take effect 60 days after its passage.

LBAO  
12-2407  
10/24/11

**HB 1285-FN - FISCAL NOTE**

AN ACT            repealing the state art fund.

**FISCAL IMPACT:**

The Department of Administrative Services states this bill would decrease state restricted revenues and expenditures by an indeterminable amount in FY 2012 and each fiscal year thereafter. There will be no impact on county and local revenues or expenditures.

**METHODOLOGY:**

The Department of Administrative Services states the State Arts Fund purchases artwork for State facilities constructed with funds provided by the capital fund. The Department is unable to determine the potential reduction to the revenues and expenditures of the State Arts Fund as a result of this bill. However, for informational purposes, the Department states expenditures from the State Arts Fund for the past five fiscal years was as follows:

<b>Fiscal Year</b>	<b>State Art Fund Expenditures</b>
2007	\$39,180
2008	\$8,580
2009	\$27,210
2010	\$92,220
2011	\$81,513

# Amendments



Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
4 follows:

5 VII. To administer any *state, federal, or private funds received by or appropriated to*  
6 *the council for the purchase of works of art, including any federal funds received from the*  
7 *National Endowment of the Arts [and the art fund established under RSA 19-A:9].*

8 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

9 19-A:9 Art Fund.

10 [~~I~~] There is hereby established a non-lapsing art fund [~~consisting of 1/2 of one percent of the~~  
11 ~~first \$15,000,000 of the bid contract price of each new building or major addition authorized by the~~  
12 ~~capital budget to be paid from the general fund. As used in this section, "major addition" means any~~  
13 ~~addition which increases by 25 percent or more the square footage of the building to which it is being~~  
14 ~~added. Contracts for the following projects are excluded:~~

15 (a) ~~Repairs;~~

16 (b) ~~University system of New Hampshire;~~

17 (c) ~~Those paid for by the highway fund, fish and game fund, or federal funds; and~~

18 (d) ~~Self liquidating projects.~~

19 ~~II. The commissioner of administrative services shall pay the specified percent to the fund~~  
20 ~~out of the original capital budget appropriation when the governor and council approve the~~  
21 ~~construction contract. The percent shall be a charge against the bond or note financing the~~  
22 ~~construction].~~

23 3 State Art Fund Subdivision Heading Repealed. The subdivision heading preceding RSA 19-  
24 A:8 is repealed and reenacted to read as follows:

25 State Art Collection

26 4 Council on the Arts; Powers and Duties of the Commissioner of the Cultural Resources.  
27 Amend RSA 19-A:10 to read as follows:

28 19-A:10 Powers and Duties of Commissioner. The commissioner shall have the following powers  
29 and duties relative to this subdivision:

30 I. To adopt rules, pursuant to RSA 541-A, with the advice of the New Hampshire state  
31 council on the arts, relative to the selection and placement of art purchased [~~through~~] by the state  
32 [~~art fund established in this subdivision~~].



1           II. To select, with the advice of the New Hampshire state council on the arts, state buildings  
2 and facilities as appropriate sites for works of art.

3           III. To acquire insurance when he *or she* deems such insurance necessary for the protection  
4 of the works of art purchased, subject to the provisions of RSA 21-I:7-c, V.

5           IV. To establish selection committees of interested citizens and experts to assist in the  
6 carrying out of the provisions of this chapter. The selection committees may include the project  
7 architect, a representative of the agency involved, a professional artist, a local citizen, and either a  
8 state senator or a state representative from the district in which the project will be located. The  
9 members of the selection committee shall serve without pay, but may be compensated for mileage by  
10 the department of cultural resources.

11           5 Repeal. The following are repealed:

12           I. RSA 6:12, I(b)(103), relative to the state art fund.

13           II. RSA 19-A:9, relative to the state art fund.

14           III. RSA 21-K:8, V, relative to rulemaking on requirements for selecting art to be funded by  
15 the state art fund.

16           6 Applicability.

17           I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
18 repair of a work of art which is approved by the commissioner of the department of cultural  
19 resources prior to July 1, 2017 and which is to be funded through the art fund.

20           II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on  
21 July 1, 2017 shall lapse to the general fund.

22           7 Effective Date.

23           I. Sections 1 and 5 of this act shall take effect July 1, 2017.

24           II. The remainder of this act shall take effect upon its passage.



2012-1330h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2017.



# Committee Minutes

---

**HOUSE FINANCE COMMITTEE**

Legislative Office Building, Rooms 210-211

Concord, NH

Tuesday, February 21, 2012

**HOUSE BILL 1285-FN, AN ACT** repealing the state art fund.

TESTIMONY OF:

Rep. Dan McGuire. . . . .	Pg. 1
Rep. Timothy Horrigan . . . . .	Pg. 11
Rep. Spec Bowers. . . . .	Pg. 14
Sara Germain. . . . .	Pg. 15
Ward D'Elia . . . . .	Pg. 29
Daniel Callahan . . . . .	Pg. 38

(Convened at 2:04 p.m.)

CHAIRMAN WEYLER: Thank you for coming. We'll open the hearing on House Bill 1285. Sorry we are a little late. And I will call on the prime sponsor, Representative McGuire, to present the bill.

DAN MCGUIRE, State Representative, Merrimack County, District #8: Thank you, Mr. Chairman, and Members of the Committee. For the record, again, my name is Dan McGuire, and I represent Merrimack County, District 8. Even though you'll likely hear a lot about the value of art today, this Bill is not really a sexy bill about art. This is kind of a boring bill about how art is budgeted. So currently, the way that the State buys art is, to a large degree, based on the Capital Budget. When there is a new building built or major renovation in the Capital Budget, there is an automatic half a percent of that budget added on that gets borrowed that's used to buy art for that particular project. So if a new building was being built, an additional half a percent of the cost of that project is used to buy art.

Personally, I disagree with the concept of running the State's finances on autopilot. I think it's much better that projects get some scrutiny and that art, which is just another part of any particular project, would be budgeted the same way other aspects of that budget are put into the budget, such as landscaping, furniture, lighting, all kinds of other parts of a building project. So if the Bill were to pass, there would be two possible ways that art would be purchased. So it would no longer have this automatic half a percent on new projects. The two ways would be when a project came along there could be an additional line item in that project for art that was appropriate for that particular project. So that -- so that I would assume that on certain kinds of projects, if the Liquor Commission was building a new warehouse, maybe there wouldn't be very much art involved. If DRED were building a tourist center, maybe there would be a lot more than half a percent worth of art involved. So it be something appropriate for that particular project.

The other way art could be purchased is simply in the Department of Cultural Resources' normal budget. You know, the State is a consumer of all kinds of things and art is one of them. And, you know, we see art all around here, and presumably we sometimes need more. So, clearly, the Department could when they submit their budgets to the Governor and the Governor submits the budget here, there could be a line item for purchasing art of whatever the -- whatever would seem to be necessary in that particular budget year. So this is merely a bill to say let's stop buying on autopilot and start buying with some thought behind it. And I guess as an example I'm told that this particular building was renovated in 1983, and therefore, half a percent went into the project for art and that's where those two particular paintings came from. But, you know, whether those had to be bought in 1983 and been here for the next 25 years or not, I don't know. Maybe it be better to change things out over time, or budget in a different way. So I'm happy to answer questions.

CHAIRMAN WEYLER: Questions from the Committee.  
Representative Vaillancourt is recognized.

REP. VAILLANCOURT: Thank you, Mr. Chairman. Since the House has already expressed its opinion on this Bill, I think almost two to one margin in favor with second committee, and I feel like with the financial ramifications that I'm frankly confused by the Fiscal Note. I'm wondering if you can help me. It seems that that's a paltry amount spent, 39,000 in 2007, 81,000 last year. Is there a bigger amount that's in that fund just laying there?

REP. MCGUIRE: No. Half a percent of -- first of all, it's not all capital money that's involved. It's only on certain kinds of projects; major renovations, new buildings. And half a percent of that is not a big -- this is not about a big amount of money. This is more about the principle of how do you budget things.

CHAIRMAN WEYLER: Follow-up.

REP. VAILLANCOURT: So the question, is there a current amount in that fund right now? It says -- I guess it says they spent 81,000 last year. Do we know what the current balance is of that fund?

REP. MCGUIRE: Yes. Thank you for the question. I don't have it off the top of my head but I can get it. I believe it's between a hundred and two hundred thousand; something in that ballpark.

REP. VAILLANCOURT: Thank you.

CHAIRMAN WEYLER: Further questions from the Committee? Representative Belvin.

REP. BELVIN: Thank you, Mr. Chairman. Representative McGuire, welcome.

REP. MCGUIRE: Thank you.

REP. BELVIN: I have a minor mechanical question. You offered two alternatives as to how art might be funded, your warehouse example, but there might be a new courthouse which would be an entirely different circumstance. Court funding for buildings is administered by the Department of Administrative Services, although they are a separate co- equal branch of government. What are the mechanics? Would Cultural Resources have any role in following all capital appropriations and making suggestions as to what might be included? Or would there just be up to whoever the sponsoring agency is, whether it be Transportation or Environmental Services? I just -- mechanically, how would it work that you figure out what appropriate art would be?

REP. MCGUIRE: Yes, thank you for the question. I do think that what would -- what would work would be for whoever is putting together the entire budget of a particular structure, assuming they want art in that structure, to add a line in the budget for that particular art and to delegate the purchasing of the art to the Department of Cultural Resources who have an Arts Council and can decide how to buy art.

REP. BELVIN: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Representative Ober for a question.

VICE-CHAIRWOMAN OBER: Question for the LBA. Is this a dedicated fund where this money goes?

MICKEY LANDRIGAN, Budget Analyst, Office of Legislative Budget Assistant: Yes.

VICE-CHAIRWOMAN OBER: How much money is in it?

MR. LANDRIGAN: As of the end of the Fiscal Year '11, according to the dedicated funds report there was a

balance of 20,635, if that helps.

VICE-CHAIRWOMAN OBER: It's in there. Thank you very much.

CHAIRMAN WEYLER: Representative Keane for a question.

REP. KEANE: Thank you, Mr. Chairman. Thank you for taking my question. Is it normal -- well, let me ask this. You mentioned landscaping. And I assume that when the project gets put together someone says we ought to have \$50,000 for landscaping. Who makes that decision?

REP. MCGUIRE: I guess it depends on the Agency that needs the new building or the new structure, whatever it is. Their Commissioner or their Department chief.

REP. KEANE: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. KEANE: So in this case, from the case that we just cited, they wouldn't get legislative approval for that landscaping. They would simply put it into the cost of construction and that's what the Legislature would approve.

REP. MCGUIRE: Yes. Thank you for the question. No, that's not quite true. There is a Capital Budget just like we have an operating budget, and the Department -- and the Committee on Public Works goes through that budget item by item and can make changes and so on, and so does the Senate Committee, and then there's a Committee of Conference. That's House Bill 25. So just like we have House Bill 1 and 2, they have House Bill 25. It goes through the same sort of legislative oversight.

CHAIRMAN WEYLER: Follow-up.

REP. KEANE: Last question. And so currently your

point is they have no discretion over that art fund in that process of House Bill 25?

REP. MCGUIRE: Yes, that's right.

CHAIRMAN WEYLER: Representative Cebrowski.

REP. CEBROWSKI: Thank you, Mr. Chairman. Thank you, Representative McGuire. Do you have any sense how much art work -- artwork has in the past or is currently donated to the State? It strikes me with the thousands of artists, probably some really fantastic ones around the state, this is absolutely a huge, you know, marketing promotional opportunity for a lot of these folks to be able to display their work. And I'm very, very surprised we don't see more out here. Do you have any information on that?

REP. MCGUIRE: No, I don't. But I saw the Director of Cultural Resources in the room so he probably could answer that question.

REP. CEBROWSKI: Thank you.

CHAIRMAN WEYLER: Representative Rosenwald.

REP. ROSENWALD: Thank you, Mr. Chairman. So if I'm thinking about putting a line item in a project, wouldn't that suggest that you have to make that purchase at that time? The reason I'm asking is like any, you know, sort of any other finite supply of anything, prices fluctuate and if you didn't have to buy it right away might the State not be able to perhaps buy things for better prices rather than right when they're building a project?

REP. MCGUIRE: Yes, thank you for the question. I don't believe it would be any different than the current situation. Because effectively, the art is a line item in the Capital Budget for a given project of exactly a half a percent of the value of that project. So there's not -- so with the Bill or without the Bill, I don't think it

addresses this particular question of the timing of purchasing art. Clearly, building projects can last multiple years if they're very large. And so when something's in the Capital Budget, it doesn't get spent immediately. There's a period of time over which it's spent.

REP. ROSENWALD: Thank you.

CHAIRMAN WEYLER: Representative Sova.

REP. SOVA: My question is of the LBA and it goes with regard to source of funds, because it is not clear or it is clear, I think, that things that would be funded by -- used by the Highway funded agencies would be appropriated out of the Highway Fund. Does that mean that that half a percent, if it's not used on that project, goes into this fund and could be used against a general fund project?

MR. LANDRIGAN: I don't believe I have an answer for that question. I think the half of one percent that goes to this fund would come from what is bonded for that project. So as far as I think the funding source, I'm unclear on the different funding sources.

REP. SOVA: Thank you.

REP. MCGUIRE: I believe there's certain exceptions in the law to -- certain projects don't have this half a percent added. For example, buildings at UNH don't, and I believe things funded by the Highway Fund don't. So I don't think that comes up.

CHAIRMAN WEYLER: Representative Barry.

REP. BARRY: Thank you, Mr. Chairman. I believe Representative Benn had his hand up before I did. Then I would --

CHAIRMAN WEYLER: Sorry. Representative Benn next.



REP. BENN: Thank you. Thank you, Mr. Chairman. It's not clear to me understanding how when you have a fund, this art fund, seems like that is a statement that we want to have art. When you don't have an art fund, then you say art can be bought just as, you know, landscaping can be bought. If you have a fund the question is the half a percent that goes into that fund, does that art have to be specific to a building or is it, in a general sense, that you're creating a fund that gives you flexibility to provide art to the State? And I think that's --

REP. MCGUIRE: Yes, thank you for the question. And I think that's actually a very interesting question. Because my reading of the RSAs is that the half a percent can be spent anywhere on the state on art. So it's -- it's automatic from the quantity of capital spending goes into the fund and the fund could be spent elsewhere. However, the Department in a previous hearing testified that it is their practice to always spend the amount created from a particular project on that project and not elsewhere. So there's sort of two answers to that question.

REP. BENN: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. BENN: Follow-up would be when you're building a building, presumably not all buildings are architecture. But let's presume that we strive for architecture. Is our -- is this half percent, could that be part of the architecture?

REP. MCGUIRE: Yeah, I guess you'd be able to answer that much better than I would; but, I mean, certain kinds of buildings clearly need more art than others it seems to me. When I built my own house, I spent like two and a half percent of the cost of the house on art. So, you know, but I would think that when I built my barn, I didn't spend anything on art. Right, so.

REP. BENN: Follow-up. Last one.

CHAIRMAN WEYLER: I've seen examples in airports where you do a mosaic floor.

REP. BENN: Yeah, that kind of thing.

REP. WEYLER: And it's artistic and it's done by an artist, but it's also a floor. You save the money on putting some other floor covering down, but it counts in the art budget.

REP. BENN: That's the question.

CHAIRMAN WEYLER: If you hired Frank Lloyd Wright, he would have done the artwork, he would do the furniture, he would do landscaping. I thought all the architects do that.

REP. MCGUIRE: I'm sure -- I think the Department probably could answer that question, but I would doubt they would count the floor even if it was an artistic floor as being part of this money, so.

CHAIRMAN WEYLER: Representative Barry is next.

REP. BARRY: Thank you, Mr. Chair. So it sounds like you're advocating that we spend considerably more than half a percent on art for buildings in the future since you put no upper limit on it. And you have already indicated that certain buildings would require more art than others. So do you have an upper limit that you think we ought to put on this?

REP. MCGUIRE: Thank you for the question. But one of my firm beliefs is that we, in this particular session, should not be making decisions, especially financial decisions, for people in the future. So I tend to think that we ought to as much as possible leave it up to future

taxpayers and legislators to decide how they spend their money.

CHAIRMAN WEYLER: Representative Kurk.

REP. KURK: Thank you, Mr. Chairman. Good afternoon, Representative McGuire.

REP. MCGUIRE: Hi.

REP. KURK: Would you not agree that it is something that the State might do -- indeed, if you look around this room you can see that we are already doing it -- put art in buildings on loan to the State as an art gallery for aspiring artists with a changing group of pictures and sculptures and so forth. And I know this is something New Mexico does, in effect, showcase New Hampshire artists without it costing the State or anybody else dollars. In other words, we don't have to buy art for it to be displayed and enjoyed by the public. Would you agree with that.

REP. MCGUIRE: Yes, although I don't think it's relevant to the Bill.

CHAIRMAN WEYLER: Committee, we have four other members before -- four other people who would like to tell you about this. So don't exhaust all your questions on Representative McGuire. Representative Vaillancourt.

REP. MCGUIRE: I've got lots of time.

REP. VAILLANCOURT: I would like to try to get some more information on the relevance to the finances here. We've now heard that there's \$20,635 available in that fund. Does LBA have any idea how much comes into that fund on a given year, maybe last year, or how much --

CHAIRMAN WEYLER: Should be in the same line.

REP. VAILLANCOURT: How much we expect to come into it this year? Just trying to get an idea of how much we're talking about.

MR. LANDRIGAN: I don't have historical beyond Fiscal '11. In Fiscal '11 there was \$5,863 of revenue for this fund.

REP. MCGUIRE: There's definitely years when it can be 100,000.

MR. LANDRIGAN: There is fluctuation depending on projects in each given year. That's the only year I have.

CHAIRMAN WEYLER: If there's no other questions for Representative McGuire, thank you very much.

REP. MCGUIRE: Thank you.

CHAIRMAN WEYLER: Next hear from Representative Horrigan.

TIMOTHY HORRIGAN, State Representative, Strafford County, District #7: Page of written testimony. I'm not used to such a large committee. In my committee, there's about five -- I'm on the Petition for Redress Committee. Usually about five people show up.

My name is Timothy Horrigan. I represent Strafford County, District 7, which is the towns of Durham, Lee, and Madbury. First of all, you brought up UNH. UNH, I believe, is specifically exempted from the state art fund, although they do have lots of artwork in their buildings. They have been doing quite a bit of building. They're one of the few entities that's doing building during the recession. And I'm not sure -- I'm not sure whether it's fair to expect the artists to donate their work to some value to actually paying people for their work even though that's not a very fashionable thing to say. You know, we wouldn't -- we wouldn't ask, say, carpenters to do our carpentry for free in exchange for, you know, having a showcase. We wouldn't

ask companies who do carpeting to put in carpeting for free in exchange for advertisement. So some level, although certainly artists do donate their work and exhibit here, we don't know whether it's fair to expect them to, like, give it to us unpaid.

Anyway, I urge you to kill HB 1285-FN and that be the art fund. I guess that's mostly because of the policy of it. But the amount of money saved in the Bill is relatively miniscule. It's about quarter of a million dollars over the last five years. And I think it's -- even the sponsor acknowledged given the way the budget's arrived at, I would say the cost of the -- the actual cost of the art fund is probably pretty close to zero. So if we eliminate this fund that money would probably, you know, probably go into other sort of external, we call it decorative aspects of the buildings, the furnishings, the carpeting, which are just as necessary as any other element of a building.

We said it's half a percent of the cost of the project. It's actually half a percent of the first \$50 million, although many building projects cost more than 50 million. So, essentially, it's up to 75,000 a project and there's many buildings that cost a lot more than 50 million.

I guess the policy side, there are some who believe governance is sordid business which can only be carried out strictly functional surroundings with no artwork, but they're shortsighted. But I think government functions best in a pleasant surrounding. Art is an integral part of a building as certainly you see with here in the LOB and the State House with the many magnificent artworks, including the very nice -- the very nice one behind the main table here. Also, it's fundamentally different from a paperclip or an automobile. I think it's something which properly chosen and curated appropriately can keep its value literally almost forever. We have artworks date back before New Hampshire was a state which still keep

their value, because they have been cherished here.

The fund serves a larger purpose beyond merely buying the art. It also maintains, catalogs, and repairs it. And that's a very important function which the absence of the funds it could be overlooked.

I would say one of the unintended consequences of this Bill, there would be nobody responsible for curating the art since it takes away RSA 190-A:11, which reads: Except in buildings or facilities covered under RSA 14:14-b, which 14:14-b is Legislative Facilities, no conservation, repair or removal of any work of art purchased under the provisions of this subdivision shall be undertaken without the approval of the commissioner, who shall seek the advice of the New Hampshire State Council of Arts on any such matter. So there'd be nobody would have authority to curate the art and that could be very important.

Just a couple of examples. In New York State, they had a large probably tens of millions of dollars of work of modern art was donated by Governor Rockefeller who — our Governor who's just a millionaire, he was a billionaire — and they had a lot of issues with curating. A number of works were damaged and I think some were even destroyed in a fire at the Executive Mansion. So this fund is very clear.

Another example, this is the private sector, but in Harvard, Martin Roth donated one of his last series of murals which were red and because of problems with how they were displayed and how they were preserved, they ended up turning blue which was not their intent. So we don't want to have tragedies like that with our artwork.

Second unintended consequence this would — and I think there may be other witnesses go into more detail — that this bill as written would cripple the State Library and also our Information Technology. At least the way I

read it, takes out all eight paragraphs of RSA 21-K:8 — don't worry, I haven't memorized the RSAs; I wrote this down — which deals with Commissioner of Cultural Resources' rulemaking authority. I also notice that same chapter is with -- is in the Amendment you were considering with the previous Bill except it has the Secretary of State and it's a different number. Probably the only one to take out RSA subparagraph 21-K:8V and probably want to leave the other seven alone. But that, of course, depends on what you do with the previous bill.

So I think -- I think this is a bad bill. I think this is \$250,000 well spent. And I also -- which I didn't go to my written testimony -- I think also the decision-making mechanism of the state art fund has value. I think that's better than trying to do a line item by line item basis and making the commissioners be directly responsible for choosing the art because that's sometimes for various reasons can become politically fraught. Probably better to have an independent body doing it; especially since other, you know, can't take funding from one project and maybe doesn't have much go for displaying art, like the hypothetical warehouse for Liquor Commission, and transfer it to other projects. I'd be happy to take any questions, of course, if anybody has any.

CHAIRMAN WEYLER: Questions for Representative Horrigan. Seeing none; thank you for your testimony. Next call on Representative Spec Bowers.

SPEC BOWERS, State Representative, Sullivan County, District #3: Thank you, Mr. Chairman and Committee. I'm Spec Bowers, representing Sullivan 3, the Town of Sunapee. I'm in favor of this Bill, because I think it's the responsible way to spend money. We should not be spending on autopilot. I happen to be a pilot and I like autopilot in planes, as I'm sure your Chairman also does; but I think it's inappropriate for spending money on art or pretty much anything else.

I also agree with the comment made earlier that one size does not fit all. We should not be spending half a percent on every project. A warehouse, zero percent is probably appropriate. But without repeating the previous comments, the main thing I'd like to respond to is the idea that if we don't have a dedicated art fund and an autopilot putting money into it, that we won't have art and that's ridiculous. The art fund was created, I believe it's 1979. So for almost 200 years the Legislature appropriated money for art. And when this bill was heard in ED&A, one witness referred to the beautiful piece of artwork on top of that golden dome, that eagle, which predates the art fund by more than a century.

We are willing to spend money on art, as you can see for yourselves throughout the State House, and I presume in many of the other State Buildings. We will spend money on art. But we ought to do it in a transparent fashion and we should take responsibility for our decisions and not have it done automatically through some formula. And with that, I'd ask the Committee's indulgence to let me return to my Exec session of my own Committee.

CHAIRMAN WEYLER: If I had known that I would have called you earlier. Sorry about that.

REP. BOWERS: Thank you.

CHAIRMAN WEYLER: Hoping there's no questions for Representative Bowers. Thank you for your testimony. Next call on Sara Germain from New Hampshire State Council on the Arts.

SARA GERMAIN, New Hampshire State Council on the Arts: Thank you. I have a couple of different handouts here. I'd like to start with this one. There's not enough of these for every member of the Committee, but it will give you an idea of the kind of art that are being placed in our State Buildings.



CHAIRMAN WEYLER: Our assistant will make sure there are enough copies.

MS. GERMAIN: Thank you. My name is Sara Germain. I'm from Dublin, and I have the privilege of serving as a Councilor on the New Hampshire State Council on the Arts. And I understand and appreciate people's concerns that have been expressed about a program that may be on autopilot, but I hope here to be able to give you a little more information because I think the process of the state art fund and how this process works is not universally well understood. I know many of you have seen the work that's in our newer State Buildings that have been in place since the first work was generated under this fund in 1982. The fund did pass the Legislature in 1979 as was referred to. But since that time, since 1982, there have been 606 works of art placed in public locations in State Buildings. They are the work of more than 225 artists. And they've been installed in 54 public buildings throughout the state, north to south, east to west, in more than -- in 22 towns, I believe, in this state. So over these years, there has been a very substantial amount of art placed and it has been placed through a process. I'm sure we all agree on the value of art in public buildings. This is not something I'm here to convince you of. But the process by which the state art fund works is not -- is not as generally understood. So many people see the work that is in buildings. They are not sure how it got there. Maybe I can help elucidate that a little bit.

You know, of course, that the fund authorizes one-half of 1% of the bid price for new or renovated capital building projects to be used for art work to enhance public spaces of the building. This would not apply to something like a warehouse, a liquor warehouse. They have to be spaces where the public is welcome, where the public uses the building, where the public can see the art work.

As was referred to, there are projects that are specifically excluded. The University System, projects paid by the Highway Fund, through Fish and Game, Federal fund projects, those are excluded from this program.

The fund applies, and this is according to the establishing legislation, the fund applies to the first -- I'm going to get my glasses because I have to read some figures here. But maybe I don't have them. Hang on. I can pretty much tell what this is, but I've got to get it right. The first \$15 million of the bid contract price of each new building or major addition authorized by the Capital Budget to be paid from the general fund and major addition is also specifically defined in the legislation. I won't go into that right now. The art work is chosen -- and this is where I want to get more into the process -- by a rigorous and transparent process, by a Site Selection Committee that is put together for each individual project. And just to repeat, the specific building being created or being -- having major renovation is the one that generate the funds that is used in that building. But again, by the authorization up to 80% of that funding can be spent on the art work for that building. The remaining 20% is used for administration, for convening the selection committee, for labeling, and for the future conservation and curation of that work on an ongoing permanent basis.

So on the Site Selection Committee for each project includes State employees who will be working in the building and using the building; planners, architects or builders relevant to that building; advising art professionals, and New Hampshire citizens who work collaboratively on making those decisions. Working with the builders and architects from the very beginning of the process, they can -- they can designate areas in the building that will be accessible to the public; and because it runs along with the building process, sometimes there will be artwork chosen according to the themes that they want to have reflected in that building, which would

be pertinent to the work that that State Agency is doing and what they do in their public role.

The themes, as you see from the handouts, they're very different for the Veterans Home than they are for the McAuliffe Planetarium or for the new Visitor Center at Hampton Beach. Each one of those will -- the Site Selection Committee working together will generate the themes and the ideas that they want this artwork to convey to the public, and also locate the public spaces where they will be most available and accessible. So that's the work of the Committee.

The Committee follows through the process as the building is being built. Sometimes there are actually structural issues that need to be addressed. Because if you're going to apply a tile mural to a wall, you have to make sure the wall is strong enough to hold it, and they can get back to the designers or the builders and say, you know, we want to strengthen this wall and whatever.

Each piece of art is original and unique. They are often commissioned directly from artists. There is an RFP process that goes to a very large number of artists in a database that invites artists to submit for that particular project. And by the time the RFP goes out, it is also pretty much known where in the building the artwork is going to go, although it doesn't necessarily specify we want tiles here or a painting here or a hanging here. That's left up to the artist to interpret. And I know there was a question in an earlier hearing that whether only New Hampshire artists are involved in these projects. Through the legislation, actually preference is given to artists from New Hampshire and the Northeast. And over the last seven years, 74% of the selected artists were from New Hampshire. In all cases, the art specifically reflects the public purpose and the service provided by the State Agency housed in the building. And it helps to interpret and to fulfill the Agency's mission for their clients and for the public. The process is the same for all projects and guarantees consistency, fairness, and cost effectiveness.

The State Arts Council, as you know, administers the acquisition and commissioning process; and with the Department of Cultural Resources curatorial services provides museum quality stewardship and oversight of the State's public art, including labeling, conservation and repair, and maintenance of a collections database. So there is many more than just the 606 works of art in the collections database. It includes work that was published -- purchased and available to the State much before this time.

As you know, the funds come from the State's Capital Construction Budgets, and a note about the amounts that are generated. The amount designated for artwork naturally ebbs and flows with the Capital Budget. There's no typical year. There's no typical expenditure. It varies with the Legislature's decisions on which projects to undertake from year to year. Funding set aside for artwork may not be spent for two or three years following the initial legislative authorization. So some years there could be several projects waiting for completion. I think that happened in one of the recent Fiscal Years where the fund indicated 80 or \$90,000. Those were for more than one project, and in some years there could be none. So it's very hard to project this as far as what a fiscal impact might be. It runs along with the Capital Budgets.

The funds for art are always used efficiently with an eye to creating the most impact possible within budgetary constraints. For example, the price of a work of art might be negotiated with the artist. So a work could be gotten at less than the initial price that the artist wanted to do by making some small adjustments or whatever. And these are only the bare facts.

I'm also going to provide to you a fact sheet and a couple of pages is of the most frequently asked questions about the fund and you can perhaps deal with these in your leisure. It's actually pretty easy to read and it goes for definitive questions that have to do with this fund. As you all know, seeing actual examples of these installations in place are the best way to feel what this is about and why it's important. In every case, and this is the primary goal of all of these committees, they are given the charge

to have the artwork represent and celebrate New Hampshire's people, places, culture, and heritage, and to tie our traditions and our values to our public spaces. And in my mind, and in many others, there's many other states that have funds similar to this.

We believe this is the most efficient, cost-effective way to do this. The only thing that's automatic about it is the percentage that's designated. Every other part of the process is completely individualized to that specific project. And I think I -- I hope that you will agree to preserve this process that has really enhanced our civic life for over 30 years. It works.

CHAIRMAN WEYLER: Thank you. We're all curious as to what theme they were thinking when they arranged the art work in this room. Representative Benn.

REP. BENN: Thank you, Mr. Chairman. Miss Germain, being this is the Finance Committee, would you care or would you have information as to the economics of the State providing a market for artists? In other words, this fund creates a market for a segment of the population, just as it does for the paper manufacturers, you know. But in this case it's for art. And there must be an economic benefit not only to the individuals but to perhaps tourism, things like that. Do you have any information on that?

MS. GERMAIN: I don't have specific information, Representative. But I do know it is -- it has been a benefit. There have been 225 artists involved in this program in 30 years and it is a way to ensure that New Hampshire's artists are valued and recognized and stay in New Hampshire instead of going off to somewhere else where, in fact, they might make more money. But I don't have specific economic impact to that. I do know that some of our public spaces have such wonderful artwork in them, over and above the services that they are providing to the public, that people come to those buildings just to see the art. And whether that impacts tourism or not, I can't say. I mean, these are not museums, obviously, these

buildings but they are beautiful. They reflect well upon New Hampshire to our visitors as well as our own citizens and there's -- there is, for example, a spectacular installation going into the new courthouse in Manchester, the courthouse there that I think everybody is going to be just really excited about and people will come to see.

REP. BENN: Thank you.

CHAIRMAN WEYLER: Representative Vaillancourt for a question.

REP. VAILLANCOURT: Thank you, Mr. Chairman. I'd like to focus on the 20% you said is spent on administration. You said 80% goes to pay for the art, but that means 20% is spent on administration. Can you tell me what that 20% would involve?

MS. GERMAIN: Well, in some cases, of course, it's a very small amount because there's been projects that have been only generating eight or \$10,000. But there are costs -- costs connected with the Site Selection Committee to convene those committees, to pay their expenses, to do all of the paperwork and so forth that may be necessary to those committees. The committees meet on a fairly frequent basis when they're making these decisions.

They -- there are also labeling and labeling costs when the art does get up on the walls. And the other cost that is a little harder to designate because it does vary so much, but it would be for the curatorial work of maintaining those collections. Having a person designated who is normally a staff member of the State Arts Council or through the Department of Cultural Resources, be able to travel around the state and check on the art and check on its -- you know, whether it's being well taken care of. There have been some fairly recent episodes where art has been damaged or has been destroyed, and those were things that the State Arts Council through its curatorial mandate were able to deal with. I can't tell you the details on

all of that, but there is oversight being paid on that art because that art belongs to the people of New Hampshire and needs to be taken care of. And so some proportion of that extra 20% may go into that work, that administrative category.

CHAIRMAN WEYLER: Follow-up.

REP. VAILLANCOURT: Just follow-up, if I might? Yes, thank you. You mention there are Committee costs. What would these be? Do you pay mileage to the people that select these arts?

MS. GERMAIN: I'm not sure exactly. I would assume that there were some travel expenses and so forth to convene those committees.

CHAIRMAN WEYLER: Question from Representative Kurk.

REP. KURK: Thank you, Mr. Chairman. Good afternoon. Are you aware of any State Buildings which have art on loan that is displayed as opposed to art that's owned and purchased by the State that's on display, excluding this room?

MS. GERMAIN: Well, this is, in fact, these works are on loan from what's called the State Art Fund and some amount of money within that 20%, and maybe others could speak better than I towards that, is to create a group of artworks that can be loaned out to State Buildings which wouldn't otherwise be considered. Some other person might be able to answer better than that. But in terms of work that is loaned directly by artists, or by somebody else who may own a piece of art and wanted to be in the State Building, I don't have information about that. I do -- I do think, if I might follow-up, that any work that was loaned, which either came directly from an artist or from a private collector or something, still has to be looked after. It has to be taken care of. It has to be done in some kind of secure fashion. Somebody has to be in charge

of it.

CHAIRMAN WEYLER: Follow-up.

REP. KURK: Thank you, Mr. Chairman. If this Bill passes and the art fund no longer exists, will you and other folks make an effort to see if we could have various artists display their work in various buildings?

MS. GERMAIN: I can't --

REP. KURK: Is this something you might emulate New Mexico on?

MS. GERMAIN: I can't speak to that. I know other places where artists do exhibit their work, and it might be done on some kind of basis. But I think, again, having a process by which art is appropriate to the space that it goes to is very important. Otherwise, you're turning a lobby or whatever into an art gallery which might not reflect appropriately whatever is going on in that building.

REP. KURK: Follow-up. Last follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. KURK: Art has a certain intrinsic value of its own. Why must it be relevant to the building?

MS. GERMAIN: I think you may be able to tell something more than, you know, from some of the work that you see that's going around now. Sometimes the art is intended to be beautiful because it is a place that people want to feel comfortable when they come into that building. They may want some inspiration. They may want some comfort. Some of the courthouse artists were elected with those kind of things in mind. Just to enhance a work of art with something of beauty or enhance a building with something of beauty is also very important in and of



itself. And that's, of course, aesthetic considerations are also very important to all of the selection. It's not meant to be didactic in any way.

REP. KURK: Thank you.

CHAIRMAN WEYLER: Representative Umberger for a question.

REP. UMBERGER: Yes. Thank you very much. Miss Germain, you have indicated that you are opposed to this Bill, but this Bill has passed the Legislature. So the only thing that you can be opposed to, I think, is whether or not you want to do away with the dedicated fund and allow the Legislature to appropriate money separately for art. And so the question that I have is it sounds like you believe that the Legislature would only provide money for art as long as it's done in a dedicated fund as opposed to some other method. True or false?

MS. GERMAIN: I think there are hazards to leaving it as a general fund item, leaving it up to appropriation Department by Department. That may, in some cases, result in art, it may not. I think what we are trying to defend here is the process and the fact that this process ensures that the best possible art appropriate to individual State Buildings will be chosen.

CHAIRMAN WEYLER: Follow-up.

REP. UMBERGER: So you want to maintain the dedicated art fund no matter what; is that what you're saying?

MS. GERMAIN: At this point that's what I hope can happen. Yes.

REP. UMBERGER: Thank you.

CHAIRMAN WEYLER: Representative Cebrowski for a question.

REP. CEBROWSKI: I withdraw my question.  
Representative Kurk basically asked mine.

CHAIRMAN WEYLER: Thank you. Representative Simard for a question.

REP. SIMARD: Thank you, Mr. Chairman. Ma'am, I have a question for you. If we -- if this Bill succeeds, will that sound the death nail for the Council on the Arts?

MS. GERMAIN: I think this is a program that the Arts Council has maintained and administered. It doesn't speak to all of the rest of the things that the Arts Council does, and it is a distinct and individual program of the Arts Council. It would diminish some of the impact, to be sure. But there are many other programs that the Arts Council will continue and should continue and this would just eliminate this one.

REP. SIMARD: Thank you.

CHAIRMAN WEYLER: Representative Keane for a question.

REP. KEANE: Thank you, Mr. Chairman. Thank you for coming today. This being Finance Committee, and the mind -- in my mind the way it works, I wonder over 30 years have we purchased any art that's actually appreciated in value?

MS. GERMAIN: I am sure that is the case. And I don't know whether or not it would be possible to, you know, even take a sample of this work and have a professional art appraiser come and assess what the art might be worth today versus when it was purchased. It would be an interesting thing to try to do.

REP. KEANE: Thank you.

MS. GERMAIN: I don't think this is under the purview

of what's available through this Bill, however.

REP. KEANE: Thank you.

REP. KURK: After 20% administrative.

CHAIRMAN WEYLER: Representative Rosenwald for a question.

REP. ROSENWALD: Thank you, Mr. Chairman. Does the state art fund cover insurance on these artworks? Some of them must have become more valuable over time.

MS. GERMAIN: I'm sure that they have been -- become more valuable. But I think there is a self-insurance provision in the State, but I don't know how this specifically applies.

REP. ROSENWALD: Thank you.

CHAIRMAN WEYLER: Representative Belvin for a question.

REP. BELVIN: Thank you, Mr. Chairman. Welcome. I note that from time to time statuary on the State House grounds undergoes repair or renovation. Is this done through the art fund or some alternate mechanism?

MS. GERMAIN: I believe, and I would invite some of my other colleagues perhaps to speak to this, but I believe that there is a curatorial responsibility that is also within the Department of Cultural Resources. And the Arts Council and the Department collaborate on some of that curatorial work. I can't tell you exactly how that -- how that is designated.

REP. BELVIN: Thank you. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: I know there is a Committee of legislators that decide what paintings go on the walls and

some of them are put in closets as they rotate things around and some of them higher. There's one that's in base of the stairs as you go up to the Chamber, huge one of a battle in Civil War that was contributed. Somebody found it rolled up in a barn and they brought it in. I don't think it's come before Facilities. I know there's a specific committee that I remember somebody spent many months cleaning that painting.

REP. BELVIN: I was thinking, Mr. Chairman, of the statuary and maybe it's other places in the state, are not associated with particular building's construction. They sort of came along later. Look at the dates on them. And is there some other mechanism that these entities are maintained?

CHAIRMAN WEYLER: They were contributed by the name on one of pedestals, a relative of one of the people contributed all those statutes. His name --

REP. BELVIN: It's cleaning up after the pigeons I was concerned with.

CHAIRMAN WEYLER: Yeah, we had an appropriation some years ago for that.

REP. BAROODY: Doesn't that come under Facilities?

CHAIRMAN WEYLER: I think that does.

VICE-CHAIRWOMAN OBER: The pigeon appropriation.

CHAIRMAN WEYLER: Any further questions for Miss Germain? Representative Vaillancourt.

REP. VAILLANCOURT: Thank you. I'm going to work on a little math here. You mention 606 works of arts in the last 30 years. Can you tell us how much was spent in those 30 years so I can then divide?

MS. GERMAIN: No, I can cannot.

REP. VAILLANCOURT: You cannot?

MS. GERMAIN: No, I don't have that figure.

CHAIRMAN WEYLER: I thought more than a million dollars?

REP. VAILLANCOURT: Well, we have 606 works of art in 30 years. I guess we added up the price on those 606 we could find out how much they spent. I'm just trying to get an idea of what you spend for the average piece of art.

MS. GERMAIN: I don't know. There's no average. Just like there's no average or typical year. It really fluxes.

CHAIRMAN WEYLER: Representative Kurk has some input.

REP. KURK: Thank you, Mr. Chairman. For Representative Vaillancourt's question if you assume \$50,000 a year for 30 years, it's 660 -- \$6,666 per work of art is the average purchase price.

REP. VAILLANCOURT: You know that or you assume?

REP. KURK: I assume lots of things. That's giving approximate answer.

CHAIRMAN WEYLER: Any further questions for Miss Germain? Thank you very much for enlightening us.

MS. GERMAIN: I wonder if I might just add something because it might be relevant. I just remembered I had a list here and these are recent projects that have been completed through this fund. Just a few. The Department of Revenue Administration in Concord, the Laconia Courthouse in Laconia, the Hampton Beach Redevelopment Project, the New Hampshire Technical Institute in Concord, the Merrimack Court in Merrimack, the National Guard

Building F in Concord, the Hillsborough Court which is the one that's upcoming, and the Bureau of Graphic Services in Concord, which is also upcoming. It just gives you the idea -- an idea of the variety of the buildings that are affected by this. Thank you so much for your attention.

CHAIRMAN WEYLER: Just one more question.  
Representative Kurk.

REP. KURK: Your last comment intrigued me. Could you share with us what type of art was purchased for the DR -- the Department of Revenue Administration Building.

MS. GERMAIN: I would have to leave that --

CHAIRMAN WEYLER: Thumb screws.

MS. GERMAIN: I do want to leave you with a reminder that all of this artwork is in public spaces in the building. It's not -- it is not intended for anybody's private office or anything that's behind a closed door. It will be something that will be in the public and appreciated by the public. And I'll leave you with these fact sheets. Thank you so much.

CHAIRMAN WEYLER: Thank you. I have Ward D'Elia. Ward D'Elia, Architect. Thank you for coming. Welcome to Finance.

WARD D'ELIA, AIA, Samyn-D'Elia Architects, P.A., Ashland, NH: Good afternoon. Thank you. It's an interesting hearing.

CHAIRMAN WEYLER: Pull that mic very close, because we need to have people behind you hear.

MR. D'ELIA: Can you hear me now?

CHAIRMAN WEYLER: You have a soft voice.

MR. D'ELIA: Can you hear me now? I have a short statement about the benefit of the program. And then -- but I could talk about the process a little bit. I was involved in it and seems as though that might be a little more pertinent.

REP. ROSENWALD: Could you ask the gentleman to introduce himself?

CHAIRMAN WEYLER: Begin with your name and what brings you here.

MR. D'ELIA: My name is Ward D'Elia. Samyn-D'Elia Architects up in Ashland, New Hampshire. Thank you for the opportunity to speak on HB 1285 and in support of the Percent For the Arts Program. We have provided architectural services in New Hampshire for 32 years. Over the years we have worked on four state-funded projects that had the Percent For the Art Program as part of the project budget. The District Courthouses in Plymouth, Dover, Jaffrey, and recently we just completed the Hampton Beach Redevelopment Project which had art work as part of that. In each case, we were involved in the process with the New Hampshire State Council on the Arts in their selection of the artists and the artwork.

My main points as to why this is an important program and needs to be retained are, one, these buildings are the people of New Hampshire's buildings. They reflect the character of our State and its people. I can tell you that the projects we worked on were economical in cost, efficient in design, and attentive to the quality and standards of community they were located. Taxpayers when they use the State Building expect quality at every level and the Percent For the Arts Program is part of that.

Two: The integration of some art is important to a properly designed State Building as good working space, proper lighting, energy efficiency and other features that go into a successful building. The Percent for the Art

Program shows that the building is special and that it is well thought out and displays the polished and refined character the taxpayers expect. The Percent for the Arts Program is an inexpensive investment for the value of many of the pieces of artwork that continue to appreciate in value. The small cost of one-half of one percent allows the whole spirit of the building space and the activity and the work taking place in to be greatly enhanced.

I hope you will take the time to look at the many examples of art work found in State Buildings and agree that there would be a significant void for the visitors, the workers, and the public image of the State of New Hampshire if this program is not funded in future projects.

Now the process which is what you seem to be focusing on, which I agree, we were involved in each one of these buildings, and I found it to be an extremely disciplined method of achieving high quality art that's appropriate for the building that has the appropriation. It involved many people, including the users of the building, the State Agency, the public, the architect, and as well as the Arts Council consultants.

At Hampton Beach we have about six pieces there and almost all of them are integrated into the building itself. As an example, I don't know if you've been there but this is the Seashell Building. And up at the top when we designed the building, we designed these medallions. And those were part of the RFP that went out for the selection of artists. There was a budget established that was appropriate and these designs were selected with an interaction between the Council, us, and the artists. And this worked out extremely well. That's an important part of the aesthetic of that building.

Another example at Hampton Beach, again, this is the Seashell and up in the second floor, there is a conference room which we designed into the building which I'm sure



all of you will experience sometime in the near future because it's a beautiful room. And the State is making a little bit of money by renting it out to large variety of people, including weddings. And part of that is a mural that was commissioned as part of that budget. Again, and this mural, if you get a chance to look at it, is Hampton Beach. It's the old Hampton -- the Town of Hampton behind the area where the swamps -- swamp grass is and the harvesting of the grass, as well as the beach itself over time, picking different points in time in its history to articulate in this room. So all of that is important to the architecture of the building and the ambience of the space and the success of the architecture.

One more example is we have two bath houses at Hampton Beach and there's a stair, a walk-through area that takes you from the parking lot to the beach in which the toilet areas are off of that. And on the walls there we have the opportunity to commission four individual ceramic paintings that go on the wall that reflect the ecology of Hampton Beach, both the fish life, the geological life, the flora, the fauna that can be found there. So it's -- and they're very accurately portrayed and they're beautiful to look at. So these are examples of how the architecture and the art are brought together, as opposed to just independent paintings that will go in a room. And that can only happen through a disciplined process that this current process provides where you have the right people and the right number of people working together with the artists who understand the scope of the project, the program, the purpose of the building, who the users are, and what the budget constraints are to try to get the most bang for the buck for the State. And I was extremely impressed at being part of that process. I think it's an excellent process and what I fear is not that -- this is not really an autopilot process. In some ways it is autopilot, but in a way it ensures that random money is not spent on random artwork to be randomly placed in buildings, which is a possible consequence of just budgeting money with each building. This is a very

disciplined process that is, I think, for the most part has proven successful and that to break it up to where art is simply a line item to be selected in ways yet to be determined, I think we will lose the ability to be efficient with the use of art in buildings and to be economical, 'cause this process is very economical.

We negotiated with artists to come down in their price. We tried to stretch the dollars as far as we could to get as many pieces and as many different artworks as possible incorporated. So it's not just going and buying a piece of art. It's a process in and of itself that starts before the artists even begin to make the piece.

CHAIRMAN WEYLER: Those renderings you showed, were they part of the architectural presentation so you knew beforehand, before even hiring the artist what you wanted it to portray?

MR. D'ELIA: We had a general idea, but we did not confine the artist to something specific. You know, the example of these medallions, this is called the Seashell. We thought something that reflected a building with that name should have some association with it, but we didn't say it had to be a Seashell and there were other presentations that were made. That's part of the balance is you want to bring the artist in to let them be inspired by the problem that you're presenting to them. You only want to get them guided into the proper framework and have them understand what is the purpose that this art will serve in this environment and then let them use their imagination. That's part of what we are paying them for and that's the part of the talent we are trying to bring into the process.

CHAIRMAN WEYLER: Give them general guidelines.

MR. D'ELIA: General guidelines and discussion about how did the building get to be the way it is and who's going to be there and things like that.

CHAIRMAN WEYLER: Questions for Mr. D'Elia.  
Representative Umberger.

REP. UMBERGER: Yes. Thank you, Mr. Chairman. And thank you for coming. I may have asked this to Ms. Germain, but what is the percentage of artwork for buildings that is produced by artists? Is that 100% or do you often go out and buy things?

MR. D'ELIA: In my experience it was -- I think, on some of the courthouses they may have commissioned portfolios from artists for paintings, water colors. We had a small amount of money. We thought water colors might be appropriate with the dollars available. And I think some artists brought in portfolios and they selected pieces that had already been done that seemed appropriate. But for the most part, that is not the process. For the most part, the artists are commissioned and they begin to -- what they do is they come forward with a sort of a sketch, schematic sketch of what they have in mind. That's how they're selected. So there's an idea on the table. Might be a little model, a little pencil sketch, a water color, something like that that we look at. And there will be a whole -- all the presentations will be there. Then we select a certain number from that group of proposed schematic concepts and then work with them.

REP. UMBERGER: Thank you.

CHAIRMAN WEYLER: Representative Vaillancourt.

REP. VAILLANCOURT: Yes. Thank you. Since you mentioned the most bang for the buck, and I hate to be so mundane as to ask a question, can you tell us how many bucks you paid for those murals you have in front of you?

MR. D'ELIA: The whole process -- the whole Hampton Beach was about \$60,000, and that included the medallions, the four of these tiled paintings. It also included two

sculptures of fish which you'll see by the playground. It included the mural and some schools of fish that are by the showers that are on the buildings. I don't have any photos of that. So there were -- one, two, three, four, five, six, seven, eight pieces -- nine, ten. Ten pieces of art.

REP. VAILLANCOURT: So 6,000 apiece.

REP. KURK: Six.

MR. D'ELIA: Some more than others.

REP. VAILLANCOURT: I guess my follow-up is that the best art eye -- I'm not a connoisseur of art -- I've seen was when we were invited to students of the New Hampshire Institute of Art, I think in Manchester, who were displaying their artwork throughout various buildings in the center city, it seems to me I could have gotten something really good there for less than \$6,000. Have you ever just tried to go some place there and pickup art -- I hate to be vulgar again -- on the cheap?

MR. D'ELIA: I'm not actually involved in that process, but there's -- I don't see anything wrong with that.

CHAIRMAN WEYLER: Representative Benn for a question.

REP. BENN: Thank you, Mr. Chairman. Thank you very much for an excellent presentation, I thought, and clarified the process.

Would it be fair to say, in answer to the Chairman's question, about what you give to the artist, you give them a location, perhaps a size, perhaps the material. It's interesting that you're dealing with something you need durability in a place like that. You wouldn't want to bring a painting like this and hang it on the wall.

MR. D'ELIA: Absolutely. Those are exactly the kinds

of criteria you have to present. I mean, Hampton Beach is an extremely difficult place to put any material. It's all salt air, high winds, sun. So we were very, very careful to restrict the materials that would be used so that they would be able to be there 100 years and not require maintenance. And we did -- we had the location selected, the size, all of that was predetermined. It was disciplined, again, that way so that the artist knew exactly what their limitations were and they had free hand to work within them.

REP. BENN: Thank you.

CHAIRMAN WEYLER: Representative Belvin for a question.

REP. BELVIN: Thank you, Mr. Chairman. Welcome, sir.

MR. D'ELIA: Yes.

REP. BELVIN: I would ask you to stick with the Hampton Beach example, please, that structure. Could you please speculate for us to the best of your ability what that cost or process would have been had this Bill been in place and this was no half percent cap?

MR. D'ELIA: What it would have cost to provide art for that?

REP. BELVIN: Yeah.

MR. D'ELIA: I have no idea. Most of what I'm talking to is the process. So I don't know what the process would have been or how -- what the criteria would have had to be in order to incorporate it. Again, in most of these cases we are incorporating it into the building. Material. So it had to be an integrated collaboration between the artist and the architect and the builder and the client. And this process now as it stands provides that collaboration. If it was a line item, like landscaping, I

don't know how you would be able to evaluate which -- how to select pieces and to get the criteria incorporated. You have to write specifications for all that would be cumbersome beyond belief. So, again, I think my focus here is I think you've got a process that really works to get the -- and it could include students from Manchester, you know, or any other lower cost process. But I think what it does is it ensures that you have high quality product that's appropriate.

REP. BELVIN: Follow-up.

CHAIRMAN WEYLER: Follow-up.

REP. BELVIN: May I?

MR. D'ELIA: Did I answer your question? Am I on the right track?

REP. BELVIN: No. If you had \$120,000 instead of 60, what would you have done different?

MR. D'ELIA: We probably would have done more but we would have done the same that we have now. So, I mean, there are other areas that could have used -- could have benefitted. There were a lot of places. It's a mile long stretch of beach, and there are a lot of themes that you could have that would -- people would enjoy seeing. So we could have spent hundreds of thousands of dollars in our work.

REP. BELVIN: Thank you for your candor, sir. Thank you, Mr. Chairman.

CHAIRMAN WEYLER: Any further questions?  
Representative Barry.

REP. BARRY: Thank you, Chairman, and the follow-up with that. You're, obviously, very pleased with the process, that it works and has brought together some

beautiful -- I was over there for the Penguin Plunge and it was interesting to watch.

MR. D'ELIA: Good for you.

REP. BARRY: The question before us being financial, is the half a percent too small, too much, just right?

MR. D'ELIA: In my experience it has been fine.

REP. BARRY: Thank you.

CHAIRMAN WEYLER: Seeing no further questions, thank you very much, sir. The last person I have a card for is Daniel Callahan, New Hampshire Citizen For the Arts. Mr. D'Elia, did you have something written?

MR. D'ELIA: I do.

DAN CALLAHAN, ESQ., Devine, Millimet & Branch, Manchester, NH: Good afternoon, Mr. Chairman.

CHAIRMAN WEYLER: Good afternoon, Mr. Callahan.

MR. CALLAHAN: My name is Dan Callahan. I'm a lawyer at Devine, Millimet & Branch in Manchester. We represent New Hampshire Citizens for the Art. My sole purpose, Mr. Chairman, is to present the testimony of Nicolette Clarke who had to leave earlier. She has written testimony with regard to that. Be glad to answer any questions and also look forward to working with the Division on this Bill and 1274. Thank you.

CHAIRMAN WEYLER: Any questions for Mr. Callahan? Representative Vaillancourt.

REP. VAILLANCOURT: Does part of that 20% pay your salary, the 20% overhead they were talking about? Who's paying your salary as a lobbyist, the Arts Council?

MR. CALLAHAN: No.

MS. GERMAIN: No.

MR. VAILLANCOURT: No.

REP. BARODY: Got that answer.

MR. CALLAHAN: My client is New Hampshire Citizens For the Art, Representative Vaillancourt.

REP. VAILLANCOURT: What is that?

MR. CALLAHAN: It's a not-for-profit entity here in the State of New Hampshire that advocates on behalf of arts.

CHAIRMAN WEYLER: Further questions for Mr. Callahan? And we will get the --

MR. CALLAHAN: Thank you, Mr. Chairman.

CHAIRMAN WEYLER: -- written piece distributed. This Bill will go before Division I and Chairman of Division I, Representative Belvin, will announce the time and date. Representative Belvin.

REP. BELVIN: Thank you, Mr. Chairman. Yes. Division I will meet at 1:30 p.m. this coming Thursday in Room 212 and we will consider House Bill 1285-FN, repealing the state art fund and following that 2:00 p.m. Senate Bill 376. As I said this morning, we will focus on the narrow financial issues as opposed to various policy concerns that were discussed here today. Thank you.

CHAIRMAN WEYLER: Representative Umberger has an announcement.

REP. UMBERGER: Yes. Division II will meet at 1 o'clock Thursday on HB 1274.



CHAIRMAN WEYLER: Okay.

MR. CALLAHAN: Mr. Chairman, could I correct one record.

CHAIRMAN WEYLER: Mr. Callahan, we haven't closed the hearing yet. You're recognized. Excuse me, Mr. Callahan.

MR. CALLAHAN: I just wanted to be clear. New Hampshire Citizens For the Art is a 501c(4) entity, not a 501c(3).

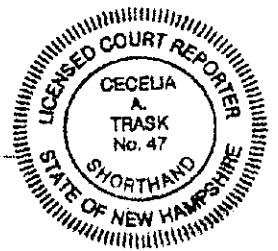
CHAIRMAN WEYLER: Thank you for clarifying. Anyone else wish to testify on this House Bill 1285? Seeing -- seeing none; we'll close the hearing and it will go to Division I as announced.

(Hearing closed at 3:18 p.m.)

CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask  
Cecelia A. Trask, LSR, RMR, CRK  
State of New Hampshire  
License No. 47



HOUSE COMMITTEE ON FINANCE

DIVISION I WORK SESSION ON HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** March 12, 2012

**LOB ROOM:** 212

**Time Work Session Called to Order:** 1:30

**Time Adjourned:**

(please circle if present)

**Committee Members:** Reps. Belvin, L. Ober, Twombly, Baroody, Benn, Vaillancourt, Garcia and Worsman. **Temporary Members:** Reps. Simard, S. Keams, Weyler.

**Bill Sponsors:** Rep. D. McGuire, Merr 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

\* Amendment 2012-0987h, Rep. Belvin

\* Amendment 2012-1065h, Rep. Belvin

\* Handouts from Legislative Budget Assistant's Office (LBAO).

Rep. Belvin stated process of subcommittee session. Handout from LBA regarding State Art Fund. 20% funds spent on curatorial activities.

Ms. Kathy Stanick, Depart. of Cultural Resources: 2011 \$5,863 : Hills Street Graphic Services, Laconia District Court, Merrimack District Court, Hampton. 1/3, 1/3, 1/3. If bill becomes law how about curatorial care? Would it be HB1, HB2?

Comm. McLeod: Have an inventory of all art, check it each year and provide maintenance. With bill passing must depend on the recipient for curation.

Rep. Belvin: How would State get art?

Comm. McLeod: From Department's Operating Budget.

Rep. L. Ober: When Capital Budget passes before Public Works (PW), do they think about art budget?

Comm. McLeod: We open dialog when the budget is approved by Governor and Council.

Rep. Weyler: Never been a topic.

Rep. L. Ober: After it is approved is when you, Commissioner, become involved?

Comm. McLeod: Yes.

**Ms. Stanick:** Projects are in works. If passed, 60 days would be a problem in completing the project. Members of selection committee are only paid mileage. If bill becomes law a grandfather amendment must be submitted.

**Rep. Belvin:** If this bill becomes law is a building going to cost ½% less?

**Rep. Weyler:** To administer funds from National Endowment of the Arts (NEA) no strings attached. We use as much as we can for match. NEA we have received 600k to 700k arts and education, workshops panel, staff salaries.

**Rep. Baroody:** Without a cap a building could cost much more??

**Comm. McLeod:** This RSA just allows us to keep the negotiations in movement. The ½% allows us to keep things in perspective and notes to artists of what we can afford.

**Rep. L. Ober:** Department of Administrative Services (DAS) cost of art as separate line item, Chairman of policy committee, HB 25, needs to tell us how to fund this.

**Rep. Belvin:** Members of Finance said this is dedicated fund. Would it be appropriate to Interim Study this?

**Comm. McLeod:** Yes.

**Rep. Benn:** What do other states do?

**Rep. Weyler:** Got until March 22; there maybe federal guidelines. Would support Interim Study.

Chairman of PW, DAS, with LBA grandfathering language.

**Rep. Simard:** Hampton 2 medallions and architectural design; committee worked hard on decisions.

**Rep. L. Ober:** ED&A didn't look at fiscal note. Without will adjourn. Get fiscal note to go with this. 4 to 4 motion fails.

Respectfully submitted,

Rep. Tim Twombly, Clerk, Division I

**Motions:**        OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: 7-1 (Please attach record of roll call vote.)





3/12/12

HB 1285

1:00 Conclude Mtg

Maria P. Seward, Ben Barondy, L. Turley, P. Blum, L. Oberg, S. Kraus, S. Wassman

Hearing HB 1285 Repeal the State Art Fund  
20% Fund for cultural activities

0987H

	Fav	Oppose
Refer to subcommittee	7	1

Handouts included from LPA

File

Rep. Belvin, Hills. 6  
February 22, 2012  
2012-0987h  
05/10

Draft Amendment to HB 1285-FN

1 Amend paragraph III as inserted by section 2 of the bill by replacing it with the following:

2

3 III. RSA 21-K:8, V relative to rulemaking on requirements for selecting art to be funded by  
4 the state art fund.



Draft Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2  
3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
4 follows:

5 VII. To administer any federal funds received from the National Endowment of the Arts  
6 ~~[and the art fund established under RSA 19-A:9].~~

7 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

8 19-A:9 Art Fund.

9 ~~[I.] There is hereby established a non-lapsing art fund [consisting of 1/2 of one percent of the~~  
10 ~~first \$15,000,000 of the bid contract price of each new building or major addition authorized by the~~  
11 ~~capital budget to be paid from the general fund. As used in this section, "major addition" means any~~  
12 ~~addition which increases by 25 percent or more the square footage of the building to which it is being~~  
13 ~~added. Contracts for the following projects are excluded:~~

14 ~~(a) Repairs;~~

15 ~~(b) University system of New Hampshire;~~

16 ~~(c) Those paid for by the highway fund, fish and game fund, or federal funds; and~~

17 ~~(d) Self liquidating projects.~~

18 ~~II. The commissioner of administrative services shall pay the specified percent to the fund~~  
19 ~~out of the original capital budget appropriation when the governor and council approve the~~  
20 ~~construction contract. The percent shall be a charge against the bond or note financing the~~  
21 ~~construction].~~

22 3 Repeal. The following are repealed:

23 I. RSA 6:12, I(b)(103), relative to the state art fund.

24 II. The subdivision heading preceding RSA 19-A:8, and RSA 19-A:8 through RSA 19-A:12,  
25 relative to the state art fund.

26 III. RSA 21-K:8, relative to rulemaking on requirements for selecting art to be funded by the  
27 state art fund.

28 4 Applicability.

29 I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
30 repair of a work of art which is approved by the commissioner of the department of cultural  
31 resources prior to July 1, 2013 and which is to be funded through the art fund.

32 II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on

Draft Amendment to HB 1285-FN  
- Page 2 -

1 July 1, 2013 shall lapse to the general fund.

2 5 Effective Date.

3 I. Sections 1 and 3 of this act shall take effect July 1, 2013.

4 II. The remainder of this act shall take effect upon its passage.

Draft Amendment to HB 1285-FN  
- Page 3 -

2012-1065h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2013.

State of New Hampshire  
State Art Fund (RSA 19:9) Activity  
FY 2004 - FY 2012

1	Fiscal Year	Revenues	Expenditures
2	FY 2004	\$0	(\$45,094)
3	FY 2005	\$0	(\$1,449)
4	FY 2006	\$116,754	(\$73,830)
5	FY 2007	\$0	(\$39,181)
6	FY 2008	\$90,949	(\$8,581)
7	FY 2009	\$26,911	(\$27,210)
8	FY 2010	\$149,118	(\$92,220)
9	FY 2011	\$5,863	(\$81,513)
10	FY 2012*	\$0	(\$17,672)
11			
12	<b>Totals Since FY 2004</b>	<b>\$389,595</b>	<b>(\$386,750)</b>
13			
14	<i>* Through January 31, 2012</i>		
15			
16	Available Fund Balance as of January 31, 2012: <b>\$19,031.25</b>		
17			
18	Sources: Statement of Appropriation Reports and Dedicated Fund Reports		

**New Hampshire State Council on the Arts, Department of Cultural Resources  
State and Local Percent for Art Programs**  
Compiled 10/19/10 with data supplied by the National Assembly of State Arts Agencies

**State Percent for Art Programs = 27**

<b>Name of Agency</b>	<b>Percentage</b>
<u>Alaska State Council on the Arts</u>	1%
<u>Colorado Council on the Arts</u>	1%
<u>Connecticut Commission on Culture &amp; Tourism: Arts Division</u>	1%
<u>District of Columbia</u>	1%
<u>Hawaii State Foundation on Culture and the Arts</u>	1%
<u>Illinois Capitol Development Board</u>	0.5%
<u>Iowa Arts Council</u>	0.5%
<u>Louisiana Division of the Arts</u>	1%
<u>Maine Arts Commission</u>	1%
<u>Maryland State Arts Council</u>	1%
<u>Minnesota State Arts Board</u>	1%
<u>Montana Arts Council</u>	1%
<u>Nebraska Arts Council</u>	1%
<u>New Hampshire State Council on the Arts</u>	0.5%
<u>New Jersey State Council on the Arts</u>	1.5%
<u>New Mexico Arts</u>	1%
<u>North Carolina Arts Council</u>	0.5%
<u>Ohio Arts Council</u>	1%
<u>Oklahoma Arts Council</u>	1.5%
<u>Oregon Arts Commission</u>	1%
<u>Rhode Island State Council on the Arts</u>	1%
<u>South Carolina Arts Commission</u>	1%
<u>Utah Arts Council</u>	1%
<u>Vermont Arts Council</u>	Percentage not applicable (\$50,000 annual appropriation)
<u>Washington State Arts Commission</u>	1%
<u>Wisconsin Arts Board</u>	0.25%
<u>Wyoming Art Council</u>	1%

**Local Arts Agency Percent for Art Programs = 35**

<b>Name of Agency</b>	<b>Percentage</b>
City of Albuquerque Public Art Program (Albuquerque NM)	1%
City of Atlanta, Office of Cultural Affairs (Atlanta GA)	1-2%
City of Aurora, Cultural Services Division (Aurora CO)	1%
City of Austin Cultural Arts Division (Austin TX)	2%
Baltimore Office of Promotion and the Arts, Inc. (Baltimore MD)	1%
Arts & Science Council of Charlotte, Inc. (Charlotte NC)	1%
City of Cincinnati Dept. of Community Develop. (Cincinnati OH)	1%
City of Dallas Office of Cultural Affairs (Dallas TX)	1.5%

Denver Office of Cultural Affairs (Denver CO)	1%
El Paso, TX	1%
Broward County Cultural Division (Fort Lauderdale FL)	1%
Arts Council of Fort Worth and Tarrant County (Fort Worth TX)	2%
City of Honolulu Mayor's Office of Culture & Arts (Honolulu HI)	1%
Arts Council of Indianapolis (Indianapolis IN)	1%
Cultural Council of Greater Jacksonville (Jacksonville FL)	1%
Kansas City, MO	1%
City of Las Vegas Office of Cultural Affairs (Las Vegas NV)	1%
City of Los Angeles Dept. of Cultural Affairs (Los Angeles CA)	1%
Miami, FL	1%
City of Minneapolis, Div. of Cultural Affairs (Minneapolis MN)	1%
Metropolitan Nashville Arts Commission (Nashville TN)	1%
New York, NY	1%
Oakland, CA	1%
Phoenix Office of Arts & Culture (Phoenix AZ)	1%
Portland, OR	1%
City of Raleigh Arts Commission (Raleigh NC)	1%
Sacramento Metropolitan Arts Commission (Sacramento CA)	1%
City of San Diego Commission for Arts & Culture (San Diego CA)	2%
San Jose, CA	1%
City of Seattle, Office of Arts & Cultural Affairs (Seattle WA)	1%
St. Louis, MO	1%
Tampa, FL	1%
Toledo, OH	1%
Tucson Pima Arts Council (Tucson AZ)	1%
Tulsa, OK	1%

**State Arts Agencies with Percent for Art Programs = 27**

**Local Arts Agencies with Percent for Art Programs = 35**

**Total State and Local Arts Agencies with Percent for Art Programs = 62**

HOUSE COMMITTEE ON FINANCE

EXECUTIVE SESSION on HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** March 20, 2012

**LOB ROOM:** 210-211

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Simard

Seconded by Rep. L. Ober

Vote: 15-9 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

REGULAR or CONSENT CALENDAR VOTE: (circle one)

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Karen Umberger, Clerk

Rep. Belvin, Chairman Division I, recommended Interim Study.

Art fund ½ of 1% of bid price \$75,000 per project maximum.

\*Rep. Belvin – had handout providing information on how various states fund arts.

Amendment 2012-1241h provided by Rep. Belvin.

Amendment 2012-1330h provided by Rep. D. McGuire.

Cut off debate – 14/8.

Rep. Belvin moved Interim Study, seconded by Rep. L. Ober. Motion adopted 15-9.

Rep. D. McGuire to right Minority blurb.

HOUSE COMMITTEE ON FINANCE  
EXECUTIVE SESSION on HB 1285-FN

BILL TITLE: repealing the state art fund.

DATE: March 20, 2010

LOB ROOM: 210-211

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL Interim Study (Please circle one.)

Moved by Rep. ~~Be~~ Belaun Simard

Seconded by Rep. Oh

Vote: 15-9 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

REGULAR or CONSENT CALENDAR VOTE: (circle one)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Karen Umberger, Clerk



## FINANCE

Bill #: 1285 Title: repealing the state art fund.PH Date: 02/21/12Exec Session Date: 3/20/12Motion: Interim Study

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Weyler, Kenneth L, Chairman	15	
Ober, Lynne M, V Chairman	14	
Kurk, Neal M		1
Emerton, Larry <i>abs</i>		
Rodeschin, Beverly T		2
Belvin, William S	1	
Elliott, Robert J		3
Vaillancourt, Steve		2
Allen, Mary M	2	
Garcia, Marilinda J		5
Barry, Richard W	3	
Cebrowski, John W <i>abs</i>		
Smith, William B		6
Sova, Charles E		7
Umberger, Karen C, Clerk	4	
Keane, Thomas E	5	
McGuire, Dan		8
Simard, Paul H	6	
Twombly, Timothy L	7	
Worsman, Colette		9
Foose, Robert A	8	
Nordgren, Sharon	9	
Baroody, Benjamin C	10	
Benn, Bernard L	11	
Lerandeau, Alfred C	12	
Rosenwald, Cindy	13	
TOTAL VOTE:	15	9

amend 1339 eliminate #7 add MS since  
changes - Rep Kirk, Rep Smith  
Rep Smith Blank minority report date 14/10

Rep

HB 1285

Rep Belvin Division 1 recommended interim study

art fund

1/2 of 1% of Bid price \$75,000 per project maximum

Rep Belvin - had handout providing information  
on how various states fund arts

amendment 2012-1241h provided by Rep Belvin

amendment 2012-1330 provided by Rep MS since

cut off debate - 14/8

Rep Simard blank majority

Rep MS since minority

HB 1652 Rep Foase <sup>move</sup> Resenwald <sup>second</sup>

amend 1138h - Transfer of \$1.5 mil to HHS  
to support developmental Disability wait list

amend - 6/19

minority report Rep Foase

**New Hampshire State Council on the Arts, Department of Cultural Resources**  
**State and Local Percent for Art Programs**  
Compiled 10/19/10 with data supplied by the National Assembly of State Arts Agencies

**State Percent for Art Programs = 27**

<b>Name of Agency</b>	<b>Percentage</b>
<u>Alaska State Council on the Arts</u>	1%
<u>Colorado Council on the Arts</u>	1%
<u>Connecticut Commission on Culture &amp; Tourism: Arts Division</u>	1%
<u>District of Columbia</u>	1%
<u>Hawaii State Foundation on Culture and the Arts</u>	1%
<u>Illinois Capitol Development Board</u>	0.5%
<u>Iowa Arts Council</u>	0.5%
<u>Louisiana Division of the Arts</u>	1%
<u>Maine Arts Commission</u>	1%
<u>Maryland State Arts Council</u>	1%
<u>Minnesota State Arts Board</u>	1%
<u>Montana Arts Council</u>	1%
<u>Nebraska Arts Council</u>	1%
<u>New Hampshire State Council on the Arts</u>	0.5%
<u>New Jersey State Council on the Arts</u>	1.5%
<u>New Mexico Arts</u>	1%
<u>North Carolina Arts Council</u>	0.5%
<u>Ohio Arts Council</u>	1%
<u>Oklahoma Arts Council</u>	1.5%
<u>Oregon Arts Commission</u>	1%
<u>Rhode Island State Council on the Arts</u>	1%
<u>South Carolina Arts Commission</u>	1%
<u>Utah Arts Council</u>	1%
<u>Vermont Arts Council</u>	Percentage not applicable (\$50,000 annual appropriation)
<u>Washington State Arts Commission</u>	1%
<u>Wisconsin Arts Board</u>	0.25%
<u>Wyoming Art Council</u>	1%

**Local Arts Agency Percent for Art Programs = 35**

<b>Name of Agency</b>	<b>Percentage</b>
City of Albuquerque Public Art Program (Albuquerque NM)	1%
City of Atlanta, Office of Cultural Affairs (Atlanta GA)	1-2%
City of Aurora, Cultural Services Division (Aurora CO)	1%
City of Austin Cultural Arts Division (Austin TX)	2%
Baltimore Office of Promotion and the Arts, Inc. (Baltimore MD)	1%
Arts & Science Council of Charlotte, Inc. (Charlotte NC)	1%
City of Cincinnati Dept. of Community Develop. (Cincinnati OH)	1%
City of Dallas Office of Cultural Affairs (Dallas TX)	1.5%

Denver Office of Cultural Affairs (Denver CO)	1%
El Paso, TX	1%
Broward County Cultural Division (Fort Lauderdale FL)	1%
Arts Council of Fort Worth and Tarrant County (Fort Worth TX)	2%
City of Honolulu Mayor's Office of Culture & Arts (Honolulu HI)	1%
Arts Council of Indianapolis (Indianapolis IN)	1%
Cultural Council of Greater Jacksonville (Jacksonville FL)	1%
Kansas City, MO	1%
City of Las Vegas Office of Cultural Affairs (Las Vegas NV)	1%
City of Los Angeles Dept. of Cultural Affairs (Los Angeles CA)	1%
Miami, FL	1%
City of Minneapolis, Div. of Cultural Affairs (Minneapolis MN)	1%
Metropolitan Nashville Arts Commission (Nashville TN)	1%
New York, NY	1%
Oakland, CA	1%
Phoenix Office of Arts & Culture (Phoenix AZ)	1%
Portland, OR	1%
City of Raleigh Arts Commission (Raleigh NC)	1%
Sacramento Metropolitan Arts Commission (Sacramento CA)	1%
City of San Diego Commission for Arts & Culture (San Diego CA)	2%
San Jose, CA	1%
City of Seattle, Office of Arts & Cultural Affairs (Seattle WA)	1%
St. Louis, MO	1%
Tampa, FL	1%
Toledo, OH	1%
Tucson Pima Arts Council (Tucson AZ)	1%
Tulsa, OK	1%

**State Arts Agencies with Percent for Art Programs = 27**

**Local Arts Agencies with Percent for Art Programs = 35**

**Total State and Local Arts Agencies with Percent for Art Programs = 62**



STATE OF NEW HAMPSHIRE  
DEPARTMENT of CULTURAL RESOURCES

*State Council on the Arts, Division of Historical Resources  
State Library, Film & Television Office,  
Commission on Native American Affairs (administratively attached)*

20 Park Street  
Concord, New Hampshire 03301  
www.nh.gov/nhculture



VAN McLEOD  
Commissioner

TEL: 603-271-2540  
FAX: 603-271-6826  
Van.McLeod@dcr.nh.gov

February 23, 2012  
Representative William S. Belvin, Chairman  
Division 1 House Finance Committee

Dear Representative Belvin:

Here are the answers to the three questions you posed to me in your letter of February 15, 2012 :

1. I am aware that several southern NH libraries (e.g. Amherst, Bedford Salem, Manchester and others) have apparently contracted for interlibrary deliveries separate from the NH State Library service. Is this correct? If so, how would this service impact your LSTA evaluation report and future five-year plan?

**This is not correct; the State Library still makes three stops a week to Amherst, Bedford, Derry, Manchester, Milford and Merrimack, two stops a week to Salem, Goffstown, Hooksett, and one stop at Windham. Since July 2011, the Manchester City Library has hired Granite State Shuttle Service once to pick up a large number of bags because of a backlog. Other than that one pickup on October 27th, State Library personnel, using our interlibrary loan vans, have picked up all interlibrary loan materials for the these libraries.**

2. Your report indicated the van program could not function with a single van, but is there some alternate number less than the present four vans that could preserve the service? Also please comment on the necessity of available personnel to operate the vans allowing for staff illness, vacation and other duties.

**The difficulty posed by reducing the number of vehicles is that in an eight-hour day a van makes approximately 18 stops. As mentioned in the report, the volume of interlibrary loan has increased dramatically in large part because of the ease with which patrons are able to request materials electronically. In the last two years, approximately 800,000 items were transported each year. If the State Library were to reduce the number of vans currently providing interlibrary loan service, the waiting time for materials will grow and it is anticipated that dissatisfaction with the service will drive people away from requesting materials.**

**Interlibrary loan is an important service offered by American libraries. In New England, only Vermont does not have a delivery system as a component of its interlibrary loan service. They are trying to establish one and are finding it difficult. The State Library has had challenges over the years in maintaining our system; the most recent budget cuts affected our ability to supplement the federal funds used to maintain the system. As a result, we have struggled to maintain this high-quality, much-needed service.**

**Recently our most experienced driver was out on medical leave for 6 weeks. The staff, however, always steps up and fills in when necessary. It has always been this way because they know how vital the service is to New Hampshire communities. The staff takes pride in what we are able to do for libraries in New Hampshire; this is reflected in the willingness to pitch in and help when someone is ill or on vacation.**

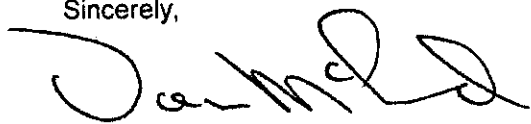
3. Lastly, there was reference to the use of LSTA funds for information technology (IT) use at the NH State Library, and could you see a future system for information distribution that relies virtually entirely on IT rather than those physically moving books and other documents by the present vans process

**Most of New Hampshire's public libraries are members of the New Hampshire Downloadable Book Consortium (<http://nh.lib.overdrive.com>). The group, established in November of 2005 by the New Hampshire State Library, currently has a collection 16,000 digital books – both audio and eBooks (3,500 unique eBook titles and 5,500 audio book titles). The consortium is governed by the member libraries and managed by the State Library. It provides access to these electronic resources to 1.1 million citizens in New Hampshire through their public libraries. Since 1995, the State Library has used federal funds to provide access to a suite of full-text databases that provide information on an infinite number of subjects. New Hampshire students are among the most active users of these services, either through their school libraries or the public library in their community.**

**The major issues facing libraries with respect to digital content are not technological in nature; the barriers to wider use are legal. Copyright issues prevent the wide use of digital materials either free of charge or at reasonable prices. For over two hundred years in America, public and subscription libraries have purchased books from publishers to be lent to authorized borrowers. Since the beginning of the 20th century, public libraries have been the primary vehicle for the public to get access to materials free of charge. The problems caused by the NAPSTER situation a number of years ago have made publishers leery of selling digital content to libraries; 5 of the 6 largest publishers in the United States are restricting the sale of their eBooks to libraries. Organizations such as the American Library Association and the Chief Officers of State Library Agencies are working with publishers to try and reach an accommodation on what is reasonable in terms of access and cost.**

**We are clearly in a transition period with respect to digital materials; libraries have embraced the use of digital materials and are doing all they can to make them available to their patrons. Libraries have always embraced new media and made a place for it in their collections. The public library remains the comprehensive repository for information regardless of the format.**

Sincerely,



Van McLeod



Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
4 follows:

5 VII. To administer any federal funds received from the National Endowment of the Arts  
6 ~~[and the art fund established under RSA 19-A:9].~~

7 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

8 19-A:9 Art Fund.

9 ~~[L.] There is hereby established a non-lapsing art fund [consisting of 1/2 of one percent of the~~  
10 ~~first \$15,000,000 of the bid contract price of each new building or major addition authorized by the~~  
11 ~~capital budget to be paid from the general fund. As used in this section, "major addition" means any~~  
12 ~~addition which increases by 25 percent or more the square footage of the building to which it is being~~  
13 ~~added. Contracts for the following projects are excluded:~~

14 (a) ~~Repairs;~~

15 (b) ~~University system of New Hampshire;~~

16 (c) ~~Those paid for by the highway fund, fish and game fund, or federal funds; and~~

17 (d) ~~Self liquidating projects.~~

18 ~~II. The commissioner of administrative services shall pay the specified percent to the fund~~  
19 ~~out of the original capital budget appropriation when the governor and council approve the~~  
20 ~~construction contract. The percent shall be a charge against the bond or note financing the~~  
21 ~~construction].~~

22 3 Repeal. The following are repealed:

23 I. RSA 6:12, I(b)(103), relative to the state art fund.

24 II. The subdivision heading preceding RSA 19-A:8, and RSA 19-A:8 through RSA 19-A:12,  
25 relative to the state art fund.

26 III. RSA 21-K:8, V, relative to rulemaking on requirements for selecting art to be funded by  
27 the state art fund.

28 4 Applicability.

29 I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
30 repair of a work of art which is approved by the commissioner of the department of cultural  
31 resources prior to July 1, 2013 and which is to be funded through the art fund.

32 II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on

Amendment to HB 1285-FN  
- Page 2 -



- 1 July 1, 2013 shall lapse to the general fund.
- 2 5 Effective Date.
- 3 I. Sections 1 and 3 of this act shall take effect July 1, 2013.
- 4 II. The remainder of this act shall take effect upon its passage.

Amendment to HB 1285-FN  
- Page 3 -



2012-1241h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2013.





Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2  
3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
4 follows:

5 VII. To administer any *state, federal, or private funds received by or appropriated to*  
6 *the council for the purchase of works of art, including any federal funds received from the*  
7 *National Endowment of the Arts [and the art fund established under RSA 19-A:9].*

8 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

9 19-A:9 Art Fund.

10 [~~I.~~] There is hereby established a non-lapsing art fund [~~consisting of 1/2 of one percent of the~~  
11 ~~first \$15,000,000 of the bid contract price of each new building or major addition authorized by the~~  
12 ~~capital budget to be paid from the general fund. As used in this section, "major addition" means any~~  
13 ~~addition which increases by 25 percent or more the square footage of the building to which it is being~~  
14 ~~added. Contracts for the following projects are excluded:~~

15 (a) ~~Repairs;~~

16 (b) ~~University system of New Hampshire;~~

17 (c) ~~Those paid for by the highway fund, fish and game fund, or federal funds; and~~

18 (d) ~~Self-liquidating projects.~~

19 ~~H. The commissioner of administrative services shall pay the specified percent to the fund~~  
20 ~~out of the original capital budget appropriation when the governor and council approve the~~  
21 ~~construction contract. The percent shall be a charge against the bond or note financing the~~  
22 ~~construction].~~

23 3 State Art Fund Subdivision Heading Repealed. The subdivision heading preceding RSA 19-  
24 A:8 is repealed and reenacted to read as follows:

25 State Art Collection

26 4 Council on the Arts; Powers and Duties of the Commissioner of the Cultural Resources.  
27 Amend RSA 19-A:10 to read as follows:

28 19-A:10 Powers and Duties of Commissioner. The commissioner shall have the following powers  
29 and duties relative to this subdivision:

30 I. To adopt rules, pursuant to RSA 541-A, with the advice of the New Hampshire state  
31 council on the arts, relative to the selection and placement of art purchased [~~through~~] *by the state*  
32 [~~art fund established in this subdivision].~~



1           II. To select, with the advice of the New Hampshire state council on the arts, state buildings  
2 and facilities as appropriate sites for works of art.

3           III. To acquire insurance when he *or she* deems such insurance necessary for the protection  
4 of the works of art purchased, subject to the provisions of RSA 21-I:7-c, V.

5           IV. To establish selection committees of interested citizens and experts to assist in the  
6 carrying out of the provisions of this chapter. The selection committees may include the project  
7 architect, a representative of the agency involved, a professional artist, a local citizen, and either a  
8 state senator or a state representative from the district in which the project will be located. The  
9 members of the selection committee shall serve without pay, but may be compensated for mileage by  
10 the department of cultural resources.

11         5 Repeal. The following are repealed:

12           I. RSA 6:12, I(b)(103), relative to the state art fund.

13           II. RSA 19-A:9, relative to the state art fund.

14           III. RSA 21-K:8, V, relative to rulemaking on requirements for selecting art to be funded by  
15 the state art fund.

16         6 Applicability.

17           I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
18 repair of a work of art which is approved by the commissioner of the department of cultural  
19 resources prior to July 1, 2017 and which is to be funded through the art fund.

20           II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on  
21 July 1, 2017 shall lapse to the general fund.

22         7 Effective Date.

23           I. Sections 1 and 5 of this act shall take effect July 1, 2017.

24           II. The remainder of this act shall take effect upon its passage.



2012-1330h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2017.

HOUSE COMMITTEE ON FINANCE

EXECUTIVE SESSION on INTERIM STUDY HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** October 12, 2012

**LOB ROOM:** 210-211

**\*Rep. Belvin:** Not recommended for future legislation. Current art work needs action and this is only place for it to be accomplished.

**Rep. D. McGuire:** Not in favor of; floor on spending, not cap – this is automatic spending.

**Rep. Kurk:** Concurs with Rep. D. McGuire. Should be open decisions on how much should be spent on art work – policy decision not automatic.

**Rep. Foose:** An across-board policy.

**Rep. Simard:** Supports the not recommended position.

**Rep. Kurk:** How does fund work?

**LBA:** Once contract approved the money is spent for building.

**Rep. Belvin:** Project \$15 million, 1.5% goes to art fund – art fund is not specific to building. Arts Council and Commissioner make decision on what art is purchased.

**Rep. Elliott:** supports motion.

**Motions:** Recommended for Future Legislation, Not Recommended for Future Legislation  
(Please circle one.)

Moved by Rep. Belvin

Seconded by Rep. L. Ober

Vote: 13-2 (Please attach record of roll call vote.)

REGULAR or CONSENT CALENDAR (Please circle one.)

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Karen Umberger, Clerk

Rep Behm - not recommended for future legislation

current art work needs action and this is only place for it to be accomplished

Rep MS Guire - not in favor of floor on spending not cap - This is automatic spending

Rep Kirk - concurs with Rep MS Guire should be open decisions on how much should be spent on art work - need policy decision not automatic

Rep Foote - on across board policy

Rep Simard supports the not recommended position

Rep Kirk - how does fund work

LBA - once contract approved the money is spent for building

Rep Behm - ~~prop~~ project \$15 million 1 1/2% goes to art fund - art fund is not specific to building - Arts Council + Commissioner make decision on what art is purchased

Rep MS Guire

Rep Elliott - ~~opposed~~ support

Rep Behm / Rep Ober more not recommended for future legislation

FINANCE

Bill #: HB 1285 Title: Repealing the State Art Fund

PH Date:      /      /     

Exec Session Date: 10 / 11 / 12

Motion: Not recommended for further legislation Amendment #:     

MEMBER	YEAS	NAYS
Weyler, Kenneth L, Chairman	13	
Ober, Lynne M, V Chairman	12	
Kurk, Neal M		1
Emerton, Larry	N/A	
Rodeschin, Beverly T	1	
Belvin, William S	2	
Elliott, Robert J	3	
Allen, Mary M	N/A	
Garcia, Marilinda J	N/A	
Barry, Richard W	4	
Cebrowski, John W	N/A	
Smith, William B	N/A	
Sova, Charles E	N/A	
Umberger, Karen C, Clerk	5	
Keane, Thomas E	N/A	
McGuire, Dan		2
Simard, Paul H	6	
Twombly, Timothy L	N/A	
Worsman, Colette	N/A	
Nordgren, Sharon	N/A	
Baroody, Benjamin C	7	
Benn, Bernard L	8	
Foose, Robert A	9	
Lerandean, Alfred C <u>Rep Keane</u>	10	
Rosenwald, Cindy <u>Rep Shantliff</u>	11	
TOTAL VOTE:	13	2

DRAFT

Interim Study Report  
HB 1285-FN Repealing the State Art Fund  
June 19, 2012 – Rep. W. Belvin

Interim Study passed the House, and was assigned to the House Finance Committee for Interim Study. As HB 1285 was studied by Division One of House Finance (Rep. W. Belvin, Chair) House Finance Chair Rep. K. Weyler assigned the Interim Study process to be conducted by Division One, with Rep. W. Belvin as Chair. All members of the House Finance Committee were noticed by e-mail, and were welcomed to attend.

A public "Organizational Meeting" was noticed in the House Calendar, and held Tuesday, June 19, 2012 in Room 212 of the LOB at 10 AM.

The members of the Interim Study Subcommittee were: Rep. W. Belvin, Chair, Rep. L. Ober, Rep. P. Simard, Clerk, and Rep. B. Baroody.

Cultural Resources Commissioner Van McLeod and Deputy Secretary of State David Scanlan, attended and offered remarks and responded to questions. Mr. Michael Landrigan of the Legislative Budget Assistant's office was also in attendance.

Copies of previous documents associated with HB 1285-FN were distributed to committee members. Additionally a new document, prepared by Legislative Research, on practices of the 23 states that do not follow the "percent of building cost" model used by New Hampshire and 26 other states was distributed and considered. These documents are attached to this report as an Appendix.

#### **Findings**

The bill's repeal of the State Art Fund intent, within 60 days of passage, left a series of consequences without adequate remedy: no provision was made for curation of the approximate 600 state art works; potential breach of contract by the state for art works in progress; no spending cap; and no prohibitions or process in place for any future state art work purchases on an event by event discretionary basis.

Several amendments had been considered to address some of these issues, e.g. effective date change to avoid any breach of contract, and to correct drafting citation errors, while still repealing the State Art Fund.

After considering the body of previous and new research documents, with its new information, it was the subcommittee's opinion that the current RSA 19-A:9, and its associated Dedicated Fund serve the best interests of the citizens and state of New Hampshire, and should remain in place without change.

A motion to this effect was made and seconded, and after discussion was passed 3 in favor and 1 against.

#### **Recommendation**

It is recommended that no further legislative action be taken relative to HB 1285-FN.

# Speakers



# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1285 / ~~1285~~ Date 01.20.12

Committee EDQA

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
SIM THEVAUT	94 Whitlow Rd Redester NH	603 333 3104	NH 03867		X
Georgia Edwards	85 Summer Laconia		NH NAIC		X
SEN. SYLVIA LARSEN	ROOM 120 SH				X
Nancy Ladd	483 Newmarket Rd Warner		Y56 3661		X
Nan Bradley	267 Bible Hill Rd Hillsboro				X
Martha Carlson Bradley	267 Bible Hill Rd Hillsborough		464-1033		X
Mike Bradley	267 Bible Hill Rd Hillsboro		404-4033		✓
Shery Good	3210 Skelton Way W. of Acworth	938-2613			X
RANDY ARMSTRONG	167 Beauty Hill Rd Barrington		03825		X
TIM SAPPINGTON	56 Boathman Ln Randolph		NH		X
Joni Pappas	432 Hanover St Manchester				X
Greg Brooks	11 Auburn St Concord				X
Marek Bennett	Hemiker NH	428-7049			X
Tim Sinte	Gr. Concord Chamber of Commerce				✓
Peter Ramsay	State Rep Manchester				X
Meredith Hoffman	45 Hardy Rd Londonderry		4323412		X
Cynthia Martin	Concord Thruway CT North Green NH		231-4555		X
Constance Rosemont	24 Franklin St Concord	545-9104	NH citizens for Arts		X
Elizabeth Muzzey	27 Shawmut St Concord	271-8850	NH DHR / DCE		X

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1285-FW Date 1/20/12  
 Committee Exec. Dept. + Admin.

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Doris Ballard	7 Broadway Concord	226-8872	Concord TV		✓
DAVID R WHITE	474 Crown Rd Hopkinton	224-5957	CREDIT ARTVENTURES NE		✓
Matthew Newton	11 Oriskany St	224-7216			X
LAURA MORRISON	4 JORDAN AVE. Concord	226-9434	women's Caucus for Art		X
CAROL D BRACKS	11 Autumn St Concord NH	224-6932			X
Juille Carson Noel	92 Canterbury Rd Chester, NH	03258			X
ANGEL SICA	49 Penny Ln Laconia NH	524-1844	Poetry CATION		X
Misunger	9 Linden Ave Tilton	603 296 2029	Bishop Brady's		X
Grace Bonison	95 Quaker St. Weare NH	03281	Bishop Brady		X
Allina Howland	203 Davis Rd Bradford NH	03221	Bishop Brady		X
Oliveah Sears	9 Tahanto St. Concord NH	03301	Bishop Brady		X
Orin Kumbal	223 Shaw St Middleton	03887	755-8954		X
Beverly Thomas	51 Ministeria Rd Bedford	03110	472-8914		X
Maggie Stier	PO Box 53 New London NH	03257	344-1726		X
Sylvia Miskoe	102 Little Pond Rd Concord	03301	225-6546		X
Pam Jortell	236 Hopkinton Rd Concord	03301	224-2853		X
Kate Russell	5 Sunwell Mtn Rd Belvidere N.H.				X
Tammy Capozzi	N.H.U.H. Tilton NH	919-9399			X
Eric Pierce	Bow, NH	225-2245			X
DAVID HALLOWBEEK	4 NEEDEY LN ANTON ST NH	624-827			X
Paul Sullivan	91 Lovejoy Rd W. Hampton				X
John Anderson	89 Liberty St. Manchester, NH	03104			✓
Emil Dubs	157 Tinker Hill Concord NH	03301			✓

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1285 Date 2-21-12

Committee Finance

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Clawia Cass	17 West St	4902487	SELF		X
Mark Barker	Boscawen		self		X
DARIN BRIGGS	Belmont	545-4922			X
DARIN BRIGGS	Belmont	545-4920			X
Marlene Hochman	45 Hardy Rd	Londonberry, NH 03053		<del>X</del>	<del>X</del> for N
Carol Brooks	11 Auburn St	Concord NH			X
Andrey V. Silvestov	46 W Main St	Bradford NH			X
Timothy	1511 Talcott Hill Rd	CANTON, 52307289			X
Wanda DeLuca	PO BOX 1259	ASHLAND NH 03217-6039	687133		X
CONNIE ROSEMENT	24 FRANKLIN ST.	CONCORD	545-9104	SELF	X
Tim Sink	Govt. Concord	Chamber of Commerce			X
Elizabeth Muzzey	Concord NH	NH/DAR/DCR			X
GORDON CARISUE	ELIOT, ME	603-431-3639	SELF		X
Cynthia	Dorchester	NH 281-4055			X
LAURA MORRISON	1 JEROME AVE.	CONCORD, NH 03301			X
GALE SHUDA	28 ALLISON ST.	CONCORD, NH 03301			X
Sara Grimaldi	PO Box 278	Dublin NH			X
Heather	St. Kilian	PO Box 56	Dublin self		X
Woody Stackwell					X
JAY WARD	Concord	271-3411X110	SEA		X
Nicolette B. Clark	135 Amherst St	Amherst, NH 03091			X
Rep Robert Fredette	Hillsboro District 1				X
Owen DeFrancesco	44 Upper Craig Hill Rd	Wear NH 03284			X



# Hearing Minutes

**HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**PUBLIC HEARING ON HB 1285-FN**

**BILL TITLE:** repealing the state art fund.

**DATE:** 1/20/12

**LOB ROOM:** 306      **Time Public Hearing Called to Order:** 3:25

**Time Adjourned:** 4:40

(please circle if present)

**Committee Members:** Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

**Bill Sponsors:** Rep. D. McGuire, Merr 8

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Dan McGuire** – Question on how to budget for art – operating funds vs. capital budget – Art fund comes from capital budget new and renovations ½% up to 50k of contract goes to buy art for projects – in 2011 \$150 K went into fund.

**Rep. Peter Ramsey** – Defines what NH is.

\***Rep. David Watters** – Written – opposed

**Rep. Timothy Horrigan** – new commercial offices come with art – opposed – line 9 repealing RSA 21-K:8 should be V only.

\***Nicolette Clark, Citizens for the Arts Amherst, NH** – opposed- supervised by arts council, but workers in that building have input.

**Paul Sullivan, N. Hampton NH** – Artist

\***Terese Taylor, Barnstead, NH** – Salty Dog Pottery – opposed- has art in number of buildings, must be juried artist.

\***Emile Birch, Artist, Canaan NH - Sculptor** – important that the art is created in NH not NJ or NY – opposed

\***James Garvin - Pembroke NH** – State architectural historian – 30 years ago art fund created – opposed

**Kim Theriault, Art Historian, Rochester NH – opposed.**

**\*Sara Germain – NH State Council of the arts, Dublin NH – some are commissioned, each is original & unique to that agency. 606 art works 54 sites, 22 towns since 1982 – funds in account will not be spent till work is finished. Monies may be in account for a building that won't be finished until future years.**

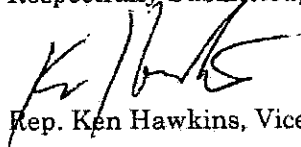
**Paul Maggiotto, Concord NH – appreciates art in public spaces – opposed.**

**Barry Conway – NH Veterans home, Tilton NH – has helped morale & improved the home – opposed.**

**Rep. Steve Vaillancourt – Support – Govt should not choose art – Germany supported fascist art- Russia supported Socialism art.**

**Marilyn Hoffman – NH Citizen for the arts, Londonderry NH – prior to art fund, art not purchased by Builder or architects.**

Respectfully Submitted,



Rep. Ken Hawkins, Vice Chairman

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1285-FN

BILL TITLE: repealing the state art fund.

DATE: 1/20/12

LOB ROOM: 306

Time Public Hearing Called to Order: 3<sup>25</sup>

Time Adjourned: 440

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Gowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Rep. D. McGuire, Merr 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted

- Rep McGuire - Question on how to Budget for Art - operating Funds vs Capital Budget - Art Fund comes from Capitol Budget New + renovations \$1270 up to 50% of Contract goes to buy Art for ~~the~~ Projects - In 2011 \$150K went into Fund
- Rep Ramsey - Defines what NH is -
- \* Rep Waters - written - opposed
- Rep Horrigan - New Commercial offices connect with Art - opposed - line 9 repealing RSA 21-K:8 should be II only
- \* Nicolette Clark - Citizens For the Arts - opposed - supervised by Arts Council, but workers in that building have input.
- Paul Sullivan - Artist -
- \* Terese Taylor - Salty Dog Pottery - opposed - has art in number of Buildings - must be juried Artist
- \* Emile Birch - ~~State~~ Sculptor - important that the Art is created in NH not NJ or NJ - opposed -
- \* James Garvin - state Architectural Historian - 30 yrs ago Art Fund Created - opposed
- Kim Theriault - Art Historian - opposed
- \* Sara German - NH State Council of the Arts - Some are commissioned - Each is original + Unique to that Agency, Gov works 54 sites, 22 Towns since 1982 - Funds in Account will not be spent till work is finished - monies may be in Account for a building that won't be finished ~~for~~ until future years
- Paul Maggioro - Appreciates Art in Public Spaces - opposed
- Barry Conway - NH Veterans Home - has helped morale & improved the Home - opposed
- Rep Steve Vaillancourt - Support - Government should not ~~set~~ <sup>choose</sup> Art - Germany supported Fascist Art - Russia supported Socialism Art -



Marilyn Hoffman - NH Citizen For The arts - prior to Art Fund Art was  
purchased by Builder, or Architects

HOUSE COMMITTEE ON FINANCE

PUBLIC HEARING ON HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** February 21, 2012

**LOB ROOM:** 210-211                      **Time Public Hearing Called to Order:** 2:03

**Time Adjourned:** 3:20

(please circle if present)

Committee Members: Reps. Weyler, L. Obel, Kurk, Emerton, Rodesehn, Belvin, Elliott, Vaillancourt, Allen, Garcia, R. Barry, Cebrowski, Wm. Smith, Sova, D. McGuire, Umberger, Keane, Simard, Twombly, Worsman, Foose, Nordgren, Baroody, Benn, Lerandean and Rosenwald.

Bill Sponsors: Rep. D. McGuire, Merr 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Rep. D. McGuire, prime sponsor, introduced the bill and spoke in support. Let's stop buying art on autopilot.

Rep. Vaillancourt: Question on fiscal note.

Question by Rep. Belvin,

LBA: Balance of dedicated fund about 20k in art fund.

Questions were asked by the following members: Rep. Keane, Rep. Cebrowski, Rep. Rosenwald, Rep. Benn, Rep. Barry, Rep. Kurk and Rep. Vaillancourt.

\*Rep. Horrigan: Opposes - doesn't like policy. Submitted written testimony. No one with authority for curator duties. RSA 21K8(5) may want to leave in.

Rep. Bowers: Spoke in favor of the bill, should spend on autopilot.

\*Ms. Sara Germain, representing the NH State Council on the Arts, submitted written testimony and spoke in opposition to the bill. Look at site specific - 80% for art, 20% administration and future care of art. Preference for art works from northeast. Art work requirement goes out on RFP.

Rep. Vaillancourt: What is 20% administration costs for?

Other questions/comments were received by Rep. Benn, Rep. Kurk, Rep. Umberger, Rep. Simard, Rep. Keane, Rep. Rosenwald, Rep. Belvin and Rep. Kurk.

**\*Mr. Ward D'Elia**, representing Samyn-D'Elia Architects, submitted written testimony and spoke in opposition to the bill.

Described the process. Disciplined process now in place – artist commissioned individually for each building – do not purchase from completed work.

Committee questions from: **Rep. Umberger, Rep. VAillancourt, Rep. Benn, Rep. Belvin, and Rep Barry/**

**\*Mr. Daniel Callaghan**, representing NH Citizens for the Arts, spoke in opposition to the bill and submitted written testimony.

\*Written testimony was also received from **Emile Birch, Canaan and Nicolette Clarke, Amherst**, both in opposition to the bill.

HB 1285-FN will go to Division I for further work.

Respectfully submitted,

Rep. Karen Umberger,  
Clerk

HOUSE COMMITTEE ON FINANCE

PUBLIC HEARING ON HB 1285-FN

BILL TITLE: repealing the state art fund.

DATE: 2/21

LOB ROOM: 210-211

Time Public Hearing Called to Order: 2:03

Time Adjourned: 3:30

(please circle if present)

Committee Members: Reps. Weyler, L. Ober, Kurk, Emerton, Rodesch, Belvin, Elliott, Vaillancourt, Allen, Garcia, R. Barry, Cebrowski, Wm. Smith, Soya, D. McGuire, Limberger, Keane, Simard, Twombly, Worsman, Foose, Nordgren, Baroody, Bonn, Lerandeau and Rosenwald

Bill Sponsors: Rep. D. McGuire, Merr 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

HB 1285

Rep McGuire - let's stop buying art on autopilot

Rep Villanovant - Question on fiscal note

Rep Belin

LBA

Balance ~~to~~ dedicated fund about 20K in art fund

Rep Keane - question

Rep Lichowski - question

Rep Rosinwald - question

Rep Binn

Bany

Kirk

Villanovant

} Questions

Rep Harrigan - opposes - doesn't like policy - written testimony  
no one with authority for curator duties

RSA

21K 8(5) may want to leave in

Rep Bowers - in favor, should spend on art <sup>pilot</sup>

Sara Germain - NH State Council of the Arts <sup>written testimony</sup>

- look at site specific

80% - for art 20% admin

and future care of art

Reference for art works from Northeast  
art work requirement goes out on RFP

Rep Bunn

Rep Vaillancourt - what is 20% admin costs for

Rep Kirk

Rep Umbry

Rep Simard

Rep Keane

Rep Rosenwald

Rep Belin

Rep Vaillancourt

Rep Kirk

Ward D'ella - architects

written testimony

discussed the process

disciplined process now in place -

artist commissioned individually - do not purchase

Rep Umbry from completed work

Committee Questions

Rep Umbry

Rep Vaillancourt

Rep Bunn

Rep Belin

Rep Bunn

for each building

David Callaghan - NH Citizens for the Arts

Will go to Div I

# Sub-Committee Actions



HOUSE COMMITTEE ON FINANCE

INTERIM STUDY SUBCOMMITTEE WORK SESSION ON HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** June 19, 2012

**LOB ROOM:** 212

**Time Work Session Called to Order:** 11:00

**Time Adjourned:**

(please circle if present)

**Subcommittee Members:** Reps. Belvin, L. Ober, Simard, and Baroody.

**Bill Sponsors:** Rep. D. McGuire, Merr 8

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Repeal Art Fund HB 1285-FN  
Work Product - recommend or not for further action.

Present: Chairman Bill Belvin, Rep. Lynne Ober, Rep. Ben Baroody, Rep. Paul Simard as Clerk, Commissioner Van McLeod, Department of Cultural Resources and Deputy Secretary of State David Scanlan.

Target mid July.

Four members present shall constitute the subcommittee.

Rep. L. Ober: Motion to recommend committee take no further action, seconded by Rep. Baroody.

Motion passed 3-1.

Respectfully submitted,

Rep. Paul Simard  
Clerk, Interim Study Subcommittee

**Motions:** Recommended for Future Legislation, Not Recommended for Future Legislation  
(Please circle one.)

Moved by Rep. L. Ober

Seconded by Rep. Baroody

Vote: 3-1 (Please attach record of roll call vote.)

6/19/12

Repeal Act HB 1285 - FN

Works Product

recommend or not for further action

Present: Chm. Bill Belan, Legu Ober,  
Ben Baroody  
Comm. McCloud, Mr. Scullin  
Clubs - Paul Jinaard

Target. Mid July

4- Members present shall constitute  
the committee.

Ober: Motion

Recommend Committee take no further  
action

Second: Ben Baroody  
Motion Passed 3 TO 1

**ROLL CALL  
INTERIM STUDY BILLS  
2012 SESSION**

DATE: 6-19-12

BILL #: HB 1285-FM BILL TITLE repealing the state art fund.

**Amendment**

Sponsor: Rep Donaghy OLS Document #: \_\_\_\_\_

Motions: RECOMMENDED FOR FUTURE LEGISLATION;  
NOT RECOMMENDED FOR FUTURE LEGISLATION

Motion made by: L. Ober Seconded by: B. Baroody

	YEAS	NAYS	ABSENT
Belvin, Bill - Chairman		✓	
Ober, Lynne - Vice Chairman	✓		
Paul Simard - Clerk	✓		
Baroody, Ben	✓		

\_\_\_\_\_  
Rep. Paul Simard  
Clerk

*Clerk Cegay*

**Agenda  
Division 1 House Finance  
Interim Study HB 1285-FN  
Tuesday, June 19, 2012  
10 AM – Room 212 LOB**

**Organization Meeting**

Interim Study Process: like any other sub-committee

Members/Clerk

Recommendation for/against future legislation

Incumbent seeking re-election, file LSR Sept. 17-26, 2012

HB-1285-FN Repealing the State Art Fund

Blurbs

Finance questions

Research documents

Agency Comments

Next Steps

Assignments

Schedule

Adjourn

**Excerpt from 2012 House Record No. 5 (January 27, 2012)**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 1285-FN, repealing the state art fund. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Spec Bowers for the **Majority** of Executive Departments and Administration: HB 1285 is about accountability and transparency in government. It would delete a dedicated fund which is funded on autopilot, and replace it with appropriations from the general fund. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. Opponents will claim that this bill is anti-art; that without an art fund we will no longer buy any artworks for our buildings. But history belies that claim. The art fund has existed only since 1979. For most of 200 years prior to that date, legislatures continually appropriated funds to buy the many great artworks that grace our capitol. The public hearing mentioned the eagle atop our dome as an example of artwork purchased by one generation for the benefit of later generations. But that eagle was purchased long before there was a state art fund. Future legislatures will always be able to appropriate moneys for art even without a dedicated art fund. **Vote 8-7.**

Rep. Randall A Whitehead for the **Minority** of Executive Departments and Administration: The minority argues that this is a flawed bill due to several factors. The NH Constitution (Art 83) clearly states that the State shall "cherish" and "encourage" the arts. The small amount of funding required by the state art fund enhances NH's image, boosts the pride of our citizens, attracts tourism, generates financial dividends, and supports NH artists, thus serving the interests of our state on many planes.

HB 1285 originated in ED&A, passed the house and came to the house finance committee for second committee review. The bill would repeal the existing state art fund. House finance deals with the financial aspects of the bill and recommends Interim Study for financial reasons. At present there are over 600 individual works of art and historic items the state has bought and paid for, constituting a valuable state asset in need of curation, maintenance, and as needed, repair. These necessary functions currently receive funds that are to be abolished, leaving it up to the division of cultural resources to seek new funding in future state budgets, for those responsibilities and to maintain the value of the collection. Once HB 1285 becomes law there would be no art spending cap as now exists; and the current prohibition of using funds from building repairs, transportation, fish and game, university system of New Hampshire and federal money for the calculation of art fund revenue would be eliminated opening the general fund to unknown future art expenditures. It is because of these financial concerns, and with the intent of resolving these concerns, to include alternate funding sources other than as a percent of capital budget projects in HB 25, that the house finance committee recommends Interim Study.

HOUSE FINANCE

15 FOR, 9 AGAINST

State of New Hampshire  
State Art Fund (RSA 19:9) Activity  
FY 2004 - FY 2012

1	Fiscal Year	Revenues	Expenditures
2	FY 2004	\$0	(\$45,094)
3	FY 2005	\$0	(\$1,449)
4	FY 2006	\$116,754	(\$73,830)
5	FY 2007	\$0	(\$39,181)
6	FY 2008	\$90,949	(\$8,581)
7	FY 2009	\$26,911	(\$27,210)
8	FY 2010	\$149,118	(\$92,220)
9	FY 2011	\$5,863	(\$81,513)
10	FY 2012*	\$0	(\$17,672)
11			
12	<b>Totals Since FY 2004</b>	<b>\$389,595</b>	<b>(\$386,750)</b>
13			
14	<i>* Through January 31, 2012</i>		
15			
16	Available Fund Balance as of January 31, 2012: <b>\$19,031.25</b>		
17			
18	Sources: Statement of Appropriation Reports and Dedicated Fund Reports		

**New Hampshire State Council on the Arts, Department of Cultural Resources  
State and Local Percent for Art Programs**  
Compiled 10/19/10 with data supplied by the National Assembly of State Arts Agencies

**State Percent for Art Programs = 27**

<b>Name of Agency</b>	<b>Percentage</b>
<u>Alaska State Council on the Arts</u>	1%
<u>Colorado Council on the Arts</u>	1%
<u>Connecticut Commission on Culture &amp; Tourism: Arts Division</u>	1%
<u>District of Columbia</u>	1%
<u>Hawaii State Foundation on Culture and the Arts</u>	1%
<u>Illinois Capitol Development Board</u>	0.5%
<u>Iowa Arts Council</u>	0.5%
<u>Louisiana Division of the Arts</u>	1%
<u>Maine Arts Commission</u>	1%
<u>Maryland State Arts Council</u>	1%
<u>Minnesota State Arts Board</u>	1%
<u>Montana Arts Council</u>	1%
<u>Nebraska Arts Council</u>	1%
<u>New Hampshire State Council on the Arts</u>	0.5%
<u>New Jersey State Council on the Arts</u>	1.5%
<u>New Mexico Arts</u>	1%
<u>North Carolina Arts Council</u>	0.5%
<u>Ohio Arts Council</u>	1%
<u>Oklahoma Arts Council</u>	1.5%
<u>Oregon Arts Commission</u>	1%
<u>Rhode Island State Council on the Arts</u>	1%
<u>South Carolina Arts Commission</u>	1%
<u>Utah Arts Council</u>	1%
<u>Vermont Arts Council</u>	Percentage not applicable (\$50,000 annual appropriation)
<u>Washington State Arts Commission</u>	1%
<u>Wisconsin Arts Board</u>	0.25%
<u>Wyoming Art Council</u>	1%

**Local Arts Agency Percent for Art Programs = 35**

<b>Name of Agency</b>	<b>Percentage</b>
City of Albuquerque Public Art Program (Albuquerque NM)	1%
City of Atlanta, Office of Cultural Affairs (Atlanta GA)	1-2%
City of Aurora, Cultural Services Division (Aurora CO)	1%
City of Austin Cultural Arts Division (Austin TX)	2%
Baltimore Office of Promotion and the Arts, Inc. (Baltimore MD)	1%
Arts & Science Council of Charlotte, Inc. (Charlotte NC)	1%
City of Cincinnati Dept. of Community Develop. (Cincinnati OH)	1%
City of Dallas Office of Cultural Affairs (Dallas TX)	1.5%



Denver Office of Cultural Affairs (Denver CO)	1%
El Paso, TX	1%
Broward County Cultural Division (Fort Lauderdale FL)	1%
Arts Council of Fort Worth and Tarrant County (Fort Worth TX)	2%
City of Honolulu Mayor's Office of Culture & Arts (Honolulu HI)	1%
Arts Council of Indianapolis (Indianapolis IN)	1%
Cultural Council of Greater Jacksonville (Jacksonville FL)	1%
Kansas City, MO	1%
City of Las Vegas Office of Cultural Affairs (Las Vegas NV)	1%
City of Los Angeles Dept. of Cultural Affairs (Los Angeles CA)	1%
Miami, FL	1%
City of Minneapolis, Div. of Cultural Affairs (Minneapolis MN)	1%
Metropolitan Nashville Arts Commission (Nashville TN)	1%
New York, NY	1%
Oakland, CA	1%
Phoenix Office of Arts & Culture (Phoenix AZ)	1%
Portland, OR	1%
City of Raleigh Arts Commission (Raleigh NC)	1%
Sacramento Metropolitan Arts Commission (Sacramento CA)	1%
City of San Diego Commission for Arts & Culture (San Diego CA)	2%
San Jose, CA	1%
City of Seattle, Office of Arts & Cultural Affairs (Seattle WA)	1%
St. Louis, MO	1%
Tampa, FL	1%
Toledo, OH	1%
Tucson Pima Arts Council (Tucson AZ)	1%
Tulsa, OK	1%

**State Arts Agencies with Percent for Art Programs = 27**

**Local Arts Agencies with Percent for Art Programs = 35**

**Total State and Local Arts Agencies with Percent for Art Programs = 62**

(UUT/WAL  
RE SCORER  
USE  
SMW  
PROCESS)

Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as  
4 follows:

5 VII. To administer any federal funds received from the National Endowment of the Arts  
6 ~~[and the art fund established under RSA 19-A:9].~~

7 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

8 19-A:9 Art Fund.

9 ~~[L.] There is hereby established a non-lapsing art fund [consisting of 1/2 of one percent of the~~  
10 ~~first \$15,000,000 of the bid contract price of each new building or major addition authorized by the~~  
11 ~~capital budget to be paid from the general fund. As used in this section, "major addition" means any~~  
12 ~~addition which increases by 25 percent or more the square footage of the building to which it is being~~  
13 ~~added. Contracts for the following projects are excluded:~~

14 ~~(a) Repairs;~~

15 ~~(b) University system of New Hampshire;~~

16 ~~(c) Those paid for by the highway fund, fish and game fund, or federal funds; and~~

17 ~~(d) Self liquidating projects.~~

18 ~~II. The commissioner of administrative services shall pay the specified percent to the fund~~  
19 ~~out of the original capital budget appropriation when the governor and council approve the~~  
20 ~~construction contract. The percent shall be a charge against the bond or note financing the~~  
21 ~~construction].~~

22 3 Repeal. The following are repealed:

23 I. RSA 6:12, I(b)(103), relative to the state art fund.

24 II. The subdivision heading preceding RSA 19-A:8, and RSA 19-A:8 through RSA 19-A:12,  
25 relative to the state art fund.

26 III. RSA 21-K:8, V, relative to rulemaking on requirements for selecting art to be funded by  
27 the state art fund.

28 4 Applicability.

29 I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
30 repair of a work of art which is approved by the commissioner of the department of cultural  
31 resources prior to July 1, 2013 and which is to be funded through the art fund.

32 II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on

Amendment to HB 1285-FN

- Page 2 -

1 July 1, 2013 shall lapse to the general fund.

2 5 Effective Date.

3 I. Sections 1 and 3 of this act shall take effect July 1, 2013.

4 II. The remainder of this act shall take effect upon its passage.

2012-1241h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2013.

REARREST FOR COMMITTEE IF IS KMS



LEAVES PROGRAM IN PLACE 5 YRS.

Amendment to HB 1285-FN

1 Amend the bill by replacing all after the enacting clause with the following:

LEAVES IN ALL BUT VII

2  
3 1 Council on the Arts; Reference to State Art Fund Removed. Amend RSA 19-A:5, VII to read as follows:

4  
5 *- BRANNON -*  
6 VII. To administer any state, federal, or private funds received by or appropriated to  
7 the council for the purchase of works of art, including any federal funds received from the  
8 National Endowment of the Arts [and the art fund established under RSA 19-A:9].

9 2 State Art Fund. Amend RSA 19-A:9 to read as follows:

10 19-A:9 Art Fund.

11 [I.] There is hereby established a non-lapsing art fund [consisting of 1/2 of one percent of the  
12 first \$15,000,000 of the bid contract price of each new building or major addition authorized by the  
13 capital budget to be paid from the general fund. As used in this section, "major addition" means any  
14 addition which increases by 25 percent or more the square footage of the building to which it is being  
15 added. Contracts for the following projects are excluded:

- 16 (a) Repairs;
- 17 (b) University system of New Hampshire;
- 18 (c) Those paid for by the highway fund, fish and game fund, or federal funds; and
- 19 (d) Self liquidating projects.

20 II. ~~The commissioner of administrative services shall pay the specified percent to the fund  
21 out of the original capital budget appropriation when the governor and council approve the  
22 construction contract. The percent shall be a charge against the bond or note financing the  
23 construction].~~

24 3 State Art Fund Subdivision Heading Repealed. The subdivision heading preceding RSA 19-  
A:8 is repealed and reenacted to read as follows:

State Art Collection

26 4 Council on the Arts; Powers and Duties of the Commissioner of the Cultural Resources.  
27 Amend RSA 19-A:10 to read as follows:

28 19-A:10 Powers and Duties of Commissioner. The commissioner shall have the following powers  
29 and duties relative to this subdivision:

30 I. To adopt rules, pursuant to RSA 541-A, with the advice of the New Hampshire state  
31 council on the arts, relative to the selection and placement of art purchased [through] by the state  
32 [art fund established in this subdivision].

JULY 1  
2017

DEFINITIONS  
5 YRS  
NOT PAID

PURPOSE WORKS OF ART & OBJECTS  
OF HISTORIC SIGNIFICANCE



*REPEALS*

1 II. To select, with the advice of the New Hampshire state council on the arts, state buildings  
2 and facilities as appropriate sites for works of art.

3 *REPEALS* III. To acquire insurance when he *or she* deems such insurance necessary for the protection  
4 of the works of art purchased, subject to the provisions of RSA 21-I:7-c, V.

5 *REPEALS* IV. To establish selection committees of interested citizens and experts to assist in the  
6 carrying out of the provisions of this chapter. The selection committees may include the project  
7 architect, a representative of the agency involved, a professional artist, a local citizen, and either a  
8 state senator or a state representative from the district in which the project will be located. The  
9 members of the selection committee shall serve without pay, but may be compensated for mileage by  
10 the department of cultural resources.

*JULY 1 2017*

11 **5 Repeal.** The following are repealed:

12 I. RSA 6:12, I(b)(103), relative to the state art fund. - *DEDICATED FUND*

13 II. RSA 19-A:9, relative to the state art fund. - *NOT FUND. - FUNDING MECHANISM*

14 III. RSA 21-K:8, V, relative to rulemaking on requirements for selecting art to be funded by  
15 the state art fund. *pg. 357*

16 **6 Applicability.**

17 I. The repeal of the art fund established in RSA 19-A:9 shall not apply to the acquisition or  
18 repair of a work of art which is approved by the commissioner of the department of cultural  
19 resources prior to July 1, 2017 and which is to be funded through the art fund.

20 II. Except as provided in paragraph I, any unexpended balance remaining in the art fund on  
21 July 1, 2017 shall lapse to the general fund.

22 **7 Effective Date.** *REPEAL*

23 I. Sections 1 and 5 of this act shall take effect July 1, 2017.

24 II. The remainder of this act shall take effect upon its passage.

*CULTURAL RESOURCES*



2012-1330h

AMENDED ANALYSIS

This bill repeals the state art fund effective July 1, 2017.

OFFICE OF LEGISLATIVE SERVICES  
RESEARCH DIVISION - ROOM 112  
603-271-3326

## Memo

*To:* Honorable William Belvin  
*From:* Myla A. Padden, Research Director  
*Date:* May 23, 2012  
*Re:* Revenue Sources For State Art In Public Buildings Programs

---

Earlier this month, we discussed your need for information relating to revenue sources for state art funds. To assist in the study of HB 1285, an act repealing the state art fund, you obtained information from the New Hampshire State Council on the Arts that identified a total of 27 states, including New Hampshire, that have what are commonly referred to as Percent for Art Programs.

As you know, under the provisions of New Hampshire RSA 19-A:9, ½ of one percent of the first \$15,000,000 of the bid contract price of each new building or major addition that is authorized by the capital budget and paid for with general fund revenues is deposited into a non-lapsing art fund for purposes that include the purchase of artwork for display in state buildings and other appropriate facilities. The designated percentage and requirements differ among the states but the overall intent of the 27 Percent for Art Programs is comparable to the New Hampshire program.

You requested me to provide information on the 23 states that do not have a Percent for Art Program. Your overall intent is to determine if and how these states support the arts and ensure the presence of art work in state and other public buildings.

To address your question, I contacted Kelly Barsdate, Chief Program and Planning Officer at the National Assembly of State Art Agencies (NASAA). She informed me that her organization has extensive information on the "Percent for Art" programs that exist throughout the country but they have not monitored the funding sources for any art in public building programs in the 23 states that do not have a percent program. It is her belief that states without public art requirements tend to leave it up to the individual building sites to determine whether or how artwork will be funded. Her impression is that the funding mechanisms vary from site to site, but typically are either a portion of the state construction/renovation budget or a specific legislative appropriation.

From a cultural policy perspective, Ms. Barsdate suggested there are some pitfalls to a site-by-site approach without a state leadership role. Where there is a more ad-hoc approach, she suggested that inequities among communities could exist. She explained that some sites might incorporate more art than others which could irk taxpayers who all have an equal stake in the same public spaces. Additionally, she suggested that a site-by site approach without state management might result in uneven implementation and redundancy if individual sites end up spending time and money to invent a process for art selection and other related issues. Also, she suggested that such an approach can lead to some tricky legal issues such as who owns the artwork, how is it insured, who's responsible for maintenance, and which parties manage the various risks. She suggested that these are among the reasons why a number of states implemented their Percent for Art Program.



As you will see from my summaries below, some states have created a special license plate program to support the arts. Ms. Barsdate informed me, however, that with the exception of New Hampshire's Moose Plate Program, where a portion of the revenues can be used to preserve and/or purchase works of art, the revenues generated through other states' arts license plate programs are not used to fund art in state buildings but rather are used to fund the grants budgets of state art agencies or to feed into a designated state endowment fund with that same purpose. The same is true in those states that have special funding mechanisms for arts and cultural programs that include designated taxes or fees. Ms. Barsdate knows of no example where a state has used special tax or fee revenues to underwrite an art in state buildings program.

Although I found Ms. Barsdate to be extremely knowledgeable on this subject, for added insight, I decided to contact the state art agency directors from the 23 states that do not have a Percent for Art Program. I requested information on their funding sources and revenue distribution mechanisms that provide for artwork in state buildings and other public places. The responses of the agency directors appear below. Most responded by e-mail but I received a telephone response from the Idaho director. He likened Idaho's demographics and present fiscal condition to New Hampshire's and believes their program to provide art in the state capital building might be of particular interest to New Hampshire lawmakers due to its budget neutral approach. Based on the responses I've received the far, the Idaho program appears to be unique.

**California:** The California Arts Council generates over \$3 million per year from the sale of an "Arts License Plate". The remaining funds for the Council, approximately \$1 million, come from the State General Fund. The Council receives matching funds from the National Endowment for the Arts.

**Georgia:** A number of cities, including Atlanta, have programs to support public art through percent programs. The state generates revenue through the sale of a book of artwork by Georgia visual artists. Also, they are in the process of designing a license plate for the arts, the revenues of which they believe will offer a consistent funding for art and cultural programs.

**Delaware:** In 2009, the state created a Cultural Access Fund supported with monies raised through the collection of government record management fees. A small percentage of the revenue is distributed to counties with the state receiving the remainder. The monies fund two staff positions and some grants to art organizations.

**Idaho:** The Idaho State Capitol Commission administers a program that showcases professional works of art by Idaho artists in the state capital building on a rotating basis. Exhibits must meet the criteria established by the commission (see attached document). The program was described as having the dual benefit of enabling the state to encourage artwork displays in public buildings without impacting state finances, and providing Idaho artists an opportunity to display their works on a highly visible public stage.

**Kentucky:** The state does not have a revenue source for art purchases in public buildings. Some individual projects such as the new Yum! Center arena in Louisville had artwork included in the project contract.

**Michigan:** At one time, the Michigan Arts Projects program received state funding to offer grant monies for commissioning works of art in public spaces. Also, a Capital Improvement program existed to provide grants to municipalities for similar purposes. Current economic conditions have resulted in the elimination of the Capital Improvement program and a significant curtailment in appropriations for the Michigan Arts Projects program.

**Missouri:** In 1995, the legislature created the Missouri Arts Council Trust Fund (MACTF) and designated 60 percent of the state income tax collected from non-resident professional athletes and entertainers (known as the Arts and Entertainment Tax) to be allocated to the MACTF for the sole purpose of promoting the arts throughout the state and for the administrative costs of the Missouri Arts Council.

Because Missouri has a constitutional mandate to present a balanced budget, the legislature elected not to allocate the funds to the MACTF for the last two years and has never allocated the full 60 percent required by the original law.

**North Dakota:** The state has a permanent art collection but there is no specific funding mechanism through the state.

**Pennsylvania:** The state does not have a specific funding source for art in public buildings. In past years, purchase of artwork has been included in the appropriations approved for specific state funded construction projects. The recent expansion of the Pennsylvania Convention Center included some state funding for purchase of artwork to supplement the Philadelphia "Percent for Art" program.

**South Dakota:** A short time ago, the legislature approved a special annual appropriation of \$20,000 that was added to the South Dakota Arts Council's budget for the purpose of purchasing art created by South Dakota artists and displaying it in public areas of the state Capitol complex. Beyond that appropriation, the state makes no provisions for the acquisition of art.

**Tennessee:** The state has no dedicated source of revenue for art related purchases. Some municipalities dedicate one percent of the cost of new construction toward public art projects.

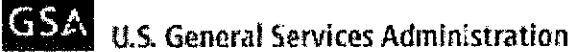
**Texas:** The state has a voluntary Percent for Art Program. State agencies initiating projects with construction budgets exceeding \$250,000 may use up to one percent of the project costs toward fine arts projects at or near the site of the building construction.

In response to your question concerning how the federal government funds art displays in federal buildings, I identified the section of the Code of Federal Regulations (CFR) that relates to public contracts and property management. Title 41, Part 102 relates to Art-In-Architecture. It appears that to the extent not prohibited by law, federal agencies must fund the Art-In-Architecture efforts by allocating a portion of the estimated cost of constructing or purchasing new federal buildings, or of completing major repairs and alterations of existing buildings. Funds for qualifying projects must be in a range that is determined by the Administrator of General Services.

Finally, as I am sure you already know, the New Hampshire Council on the Arts administers the Arts Bank Collection program. Artworks in this collection are available on loan to state agencies for display in public spaces of state buildings. The art work available through the program is not of the magnitude of what the state percent for art program traditionally provides but I thought I should remind you of its existence. Information on the program is available through this link: <http://www.nh.gov/nharts/programservices/artsbank.htm>

Please accept this information as a preliminary attempt to provide the material you need for the study of HB 1285. I will be happy to shift my focus if you feel it necessary. Also, I will forward a follow-up request to the states that have not yet responded to my inquiry.

I will continue working on this request and look forward to any comments or suggestions you might have on how I can further assist you.



[Home](#) > [Buildings & Real Estate](#) > [Design & Construction](#) > [Design](#) > Art in Architecture Program

## Design

### Overview

### Design Excellence Program

### Awards Program

### Design Library

### GSA Fine Arts, Stats on Installed Works

### Legal Fact Sheet

### New Deal Artwork: GSA's Inventory Project

### New Deal Artwork: Ownership

### Fine Arts Program Library

### Art in Architecture Program

### Art in Architecture Publication

### Fine Arts Collection

# Art in Architecture Program

The GSA Art in Architecture Program oversees the commissioning of artworks for new federal buildings nationwide. These artworks enhance the civic meaning of federal architecture and showcase the vibrancy of American visual arts. Together, the art and architecture of federal buildings create a lasting cultural legacy for the people of the United States.

GSA reserves one-half of one percent of the estimated construction cost of each new federal building to commission project artists. A panel composed of art professionals, civic and community representatives, the project's lead design architect, and GSA staff meets to discuss opportunities for artists to participate in the building project. This panel reviews a diverse pool of artist candidates and finalists for GSA to evaluate. Artists who receive federal commissions work with architects and others as members of a design team to ensure that the artworks integrated into the overall project.



Alexander Calder, "Flamingo," John C. Kluczynski Federal B  
Photograph: Carol M. Highsr

All artist candidates for Art in Architecture commissions are drawn from GSA's National Artist Registry, which is a database of artists who have submitted digital images of their work for review by GSA panels. The registry is open to all American artists (citizens or permanent residents of the United States). Instructions for joining the National Artist Registry are available in the link below.

Art in Architecture Program  
Office of the Chief Architect  
U.S. General Services Administration  
1800 F Street NW, Suite 3326 PCAA  
Washington, DC 20405

### Additional Information:

[National Artist Registry Letter>>](#)

[Form GSA7437: Art in Architecture-National Artist Registry](#)

[Art in Architecture Policies and Procedures](#)

The shortcut to this page is [www.gsa.gov/artinarchitecture](http://www.gsa.gov/artinarchitecture).

*Last Reviewed 05/18/2012*

# Testimony

3

Representative David Watters  
Strafford 4

Testimony in Opposition to House Bill 1285

House Bill 1285-FN proposes to eliminate the State Arts Fund, better known as the percent for the arts program. This is one of the most popular programs concerning the arts across New Hampshire, and since its inception, it has graced our public buildings with splendid works of art by New Hampshire artists. One half of one percent, up to \$50,000, is apportioned from major construction or rehabilitation projects to purchase or commission art works. We see these works here in the LOB. One of my favorites is the splendid wildlife mural in the Fish and Game Department. There is an obvious public economic benefit from this program, as we all know how important the arts and culture are to our economy. These are beautiful works of art, and people take pride in the beauty of our public places. Article 83 of our state constitution enjoins all future legislatures to promote the arts because our founders knew that the general welfare would be benefitted by the best productions of the human soul. Look no further than Thomas Jefferson's passion for the finest in public arts and architecture, or further than the art in our state house or the sculptures of our heroes in front to the state house to see how the arts communicate our deepest democratic values. I urge you to vote ITL.

5

January 20, 2012

Dear Members of the House Executive and Administrative Committee:

I come before you today as a citizen of Amherst, NH and Vice Chair of the NH Citizens for the Arts, a group of concerned individuals that care deeply about the cultural landscape of this great State.

I urge you to vote against House Bill 1285 as it dismantles a 30 year old program and dooms our State funded public buildings to be utilitarian, functional, and uninteresting, sending a message that we do not care about the civic lives of the people who work in and make use of these buildings and the important services of State government.

Many of us in this room believe that the New Hampshire State Capitol would not be complete or as striking if it was missing the beautiful eagle that adorns the very top of that building. Placed there in 1819, it sends a symbolic message that we in NH value strength and freedom. What you may not know is that eagle was the first work of public art commissioned in New Hampshire.

State Buildings are the peoples' buildings, they belong to all of us, and they are where citizens of the state conduct their business and provide important and needed services.

For the last 30 years the State Arts Fund known as Percent for Art Program has funded the investment of art and elements of design that put the finishing touches on new State construction projects, giving each new building a specific artistic identity. Each site-specific installation of art selected with input from the people who will work or be served in that building makes a unique statement and tells everyone entering that space, "what happens here is important." The elimination of the State Arts Fund will mean that, unlike state building construction projects of the past, major new construction and significant renovations to existing state buildings will be devoid of the aesthetic elements that create an identity to that particular built environment.

I am proud of the fact that the residents of the Veterans Home in Tilton may not be able to venture out into nature given their frail health, but can still enjoy the beauty of the White Mountains through the magnificent mural by Sheldon Cassady in the recreation area of that care facility.

I am uplifted by the fact that we celebrate the contributions made by our dedicated National Guard men and women in a relief sculpture by Kathleen Brennan that welcomes all who enter the NH National Guard Building F in Concord.

I am touched that that we care enough about people with dementia who are residents in the NH State Hospital that we would commission artwork by Gordon Carlisle that helped patients recall memories that comfort them

And I am very pleased that we want to welcome residents and visitors to Hampton State Beach by inviting them to learn about marine life of the area with murals by Sheryl Chatterton at the new bath house and visitors center. And I am equally pleased that I can tell grandchildren to meet me at the Granite fish when we have family outings at the beach.

I know that the decision to take on the development and construction of new state facilities is not done hastily or without great consideration. So when it is time in the judgment of the legislature to make a significant investment to construct a new building or significantly renovate an existing building, let's do it right and complete the job by giving the inhabitants and users an artistic treatment that tells a NH story, expresses NH values, and honors our NH heroes.

The State Art Fund is run with efficiency and a transparent process of which we can all be proud. . Unlike other states that fund percent for art programs at a full one percent, the frugal minded legislature in 1979 allowed only one-half of one percent of the total construction project to be allocated to the incorporation of integrated design and art objects and treatments. That level of investment has served us well as I hope the images of the artworks that have been rolling through on my computer screen can attest.

The responsibility to make quality buildings for state programs and services is a state responsibility and it is not appropriate to think that this is a job for the private sector.

People who work in and use these buildings should be proud of them and we as taxpayers should take pride in our investments.

This small investment speaks volumes about who we are and how we conduct our business with each other in the public sector. Please let the citizens of today make their contribution to the legacy of the state by incorporating purposeful site specific artwork into state government buildings and allow the State Art Fund (Percent for Art Program) to continue. Please vote no on House Bill 1285.

Thank you.



Nicolette B. Clarke  
135 Amherst St. Unit #3  
Amherst, NH 03301



1

**Please vote against HB1285.** The Percent for Art program allows 1/2 of 1% of a state-owned building project's budget for artwork to enhance the finished building. The art work enhances the buildings with a NH character and adds pride and a sense of place to citizens and sometimes tourists. This amounts to a very small amount of money for a large return. Math: A million dollar project would take \$5000 from the capitol budget for public art. As an artist that has been selected by numerous installation committees (which are public and inclusive) to create work for many state buildings, it has provided me with jobs and income. My tile work also creates beauty and pleasurable viewing for those using the building. I have installations in the following buildings:

NHTI Dental lab

Division of Revenue Administration

Laconia Courthouse

The Hillsborough Court House (in process)

Thank you for your consideration and preserving the arts in NH.

Teresa Taylor

Salty Dog Pottery

<http://www.saltydogpottery.com>

92 Suncook Valley Rd.

Barnstead, NH 03218

435-6014



Textures and Impressions of NH  
Teresa Taylor

PERCENT FOR ART NH STATE COUNCIL ON THE ARTS

DIVISION OF REVENUE (MUSEUM) CERAMIC TILES  
ADMINISTRATION BLDG. CONCORD, NH

8

Emile Birch

157 Talbert Hill Road, Canaan, New Hampshire 03741

1 603 523 7289

### **Testimony HB1285**

My name is Emile Birch, I am a sculptor, and New Hampshire has been my home for more than thirty-seven years. There are many sculptors and artists who call this beautiful state home. I, for one, would not have been able to live and work here if it weren't for the creation of the New Hampshire State Council on the Arts. This important agency and its many supportive programs kindle creative thought and provide a considered definition for us to better understand our culture and its heritage. It is a beacon in our state that sings out an indelible truth, and that is, the arts are important and make a difference in all of our lives.

Much of the sculpture that I have created is public art. Simply stated it is the art of the people. The artwork commissioned through our Percent for the Arts Program is public art. They are sited in state buildings where our people come together, such as the Laconia Courthouse, where a beautiful mosaic mural depicting Lake Winnepesaukee greets you. A painted mural of the view from the summit of Mount Kearsarge brightens every day in the community area at the New Hampshire State Veterans Home. A flock of purple finches and other indigenous birds fly through the air as part of the kinetic mobile, which was especially designed for the rotunda of the Sununu Youth Services Center. These are places where color, light and a touch of whimsy help to comfort the mind and the spirit.

All of these works of art reflect the natural gifts of our unique and beautiful state. New Hampshire artists created them for New Hampshire's people and their communities. To do away with our State Council on the Arts and in particular the Percent for the Arts Program is a short sighted, terrible mistake for our state, its people and our future. Our state! Its people! Our future!

9

ARCHITECTURAL HISTORY HISTORIC PRESERVATION

JAMES L. GARVIN  
FARRINGTON HOUSE

30 South Main Street      Concord, New Hampshire, 03301  
[james@jamesgarvin.net](mailto:james@jamesgarvin.net)      <http://www.james-garvin.com>

January 11, 2012

House Executive Departments and Administration Committee  
Room 306  
Legislative Office Building  
Concord, New Hampshire, 03301

Re :      House Bill 1285, "An Act Repealing the State Art Fund"

Dear Chairman McGuire and members of the committee:

I am writing in opposition to House Bill 1285.

In the twenty-four years during which I served as state architectural historian, I had many occasions to work with the Bureau of Public Works and the architects whom they employed in designing or adapting state buildings. I know how much effort and creative energy the State of New Hampshire invests in making its architectural identity the best possible reflection of the character and integrity of our state.

I also observed the efforts that Senator Elaine Krasker and others expended during the 1970s to create the State Art Fund. In the succeeding decades, I have seen how the artworks acquired through this fund have enhanced our public buildings and transformed them into expressions of the humanity and creativity of the people of New Hampshire. These works of art, created by our talented friends and neighbors, express the sensitivity and intelligence that characterize New Hampshire as a place and a people. As elements of the public property of our state, these works of art are among the proudest possessions of our citizens.

All past and current societies of any significance have understood the power of the arts to express their essential character. Our founders understood this when they enjoined all future legislatures in the State Constitution to nurture the arts among the other attributes of a self-respecting citizenry.

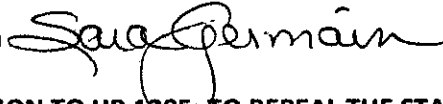
The provision of one-half of one percent of the cost of a building to transform that structure from a mere container into an expression of humanity is a wise expenditure. Having enriched and represented the people of New Hampshire for over thirty years, this program deserves enhancement, not extinguishment.

Sincerely,  
  
James L. Garvin

January 20, 2012

**TO:** Representative Carol McGuire, Chair, and Members of the House Executive Departments and Administrative Committee

**FROM:** Sara W. Germain



**TESTIMONY IN OPPOSITION TO HB 1285: TO REPEAL THE STATE ART FUND**

If you've taken a child to the McAuliffe Planetarium or visited a relative in the NH Veteran's Home or had business to do with another State agency, I'm sure you've noticed artwork in our State buildings. But you may not know that the art you or your families admired was there because of the State Art Fund, usually known as the Percent for Art program, which was established into law with broad bipartisan support in 1979. As one of many people who were involved in encouraging this legislation, I have some perspective on this, and offer a brief overview.

Simply put, the State Art Fund provides for one-half of one percent of the final bid price for most new or renovated capital building projects to be used for artwork to enhance public spaces in these buildings. The artwork is chosen in a rigorous and transparent process by a Site Selection Committee specific to each project. Each committee includes State employees who use the building, planners, architects and builders, art professionals and private citizens. Works of art are selected and commissioned through proposals submitted by artists and craftspeople, and are site specific; they may range from murals to sculpture to tile installations to woven hangings and more. Each piece of art is original and unique. In all cases, the art reflects the public purpose and service provided by the State agency housed in the building, and helps to fulfill the agency's mission.

The first pieces of art purchased through the Art Fund were put into place in 1982. Since then, 606 works of art by more than 225 artists have been chosen, and are located in 54 sites in 22 towns across New Hampshire.

The NH State Council on the Arts administers the acquisition and commissioning process, and in partnership with the Department of Cultural Resources' Curatorial Services, provides museum-quality stewardship and oversight of the State's public art, including labeling, conservation and repair, and maintenance of a collections database.

The funds come from the capital construction budgets, set in a competitive bid process. The amount designated for artwork naturally ebbs and flows with the capital budget, varying with the legislature's decisions on which capital projects to undertake from year to year. Funding set aside for artwork may not be spent for 2 or 3 years following legislative authorization, so in some years there could be several projects waiting for completion and in other years, one or even none. The funds for art are always used efficiently, with an eye to creating the most impact possible within budgetary constraints. (The price of a work may be negotiated with a selected artist, for example.)

These are only bare facts about the Percent for Art program. You have examples of installations that provide a much better idea of the effect of these works and, of course, you may remember seeing others. In every case, the artwork is intended to represent and celebrate New Hampshire's people, places, culture and heritage, and to tie our traditions and values to our public spaces.

I urge you not to repeal this meaningful program that has enhanced the civic life of New Hampshire for over 30 years, and which should serve generations of New Hampshire citizens in years to come.

# State Culture & Art Collections Factsheet

HB1285 Eliminates the Percent for Art Program (State Art Fund)  
& places the future stewardship of existing State Arts Collections in jeopardy

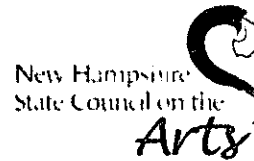
## New Hampshire State Arts Collections

Percent for Art & Arts Bank & Living Treasures & Traditional Arts  
Administered by the NH State Council on the Arts

Since 1982, artworks have been acquired through the State Arts Fund for the public's benefit. They are located in public areas of state buildings throughout New Hampshire.

The NH State Council on the Arts oversees the acquisition and commissioning of artworks purchased through the State Arts Fund using an inclusive process. The State Arts Council, in partnership with the DCR Curatorial Services, provides professional museum-quality stewardship of the artwork, including a collections management database, labeling, site visits, conservation and repairs.

Total number of artworks: **606**  
Acquisition Dates: 1982 through 2011



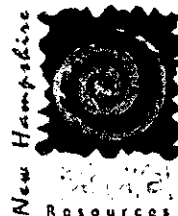
▪ Indicates State buildings that display artwork from the State Arts Collections at 54 sites in 22 different towns.



Portrait of General John Stark, NH State House

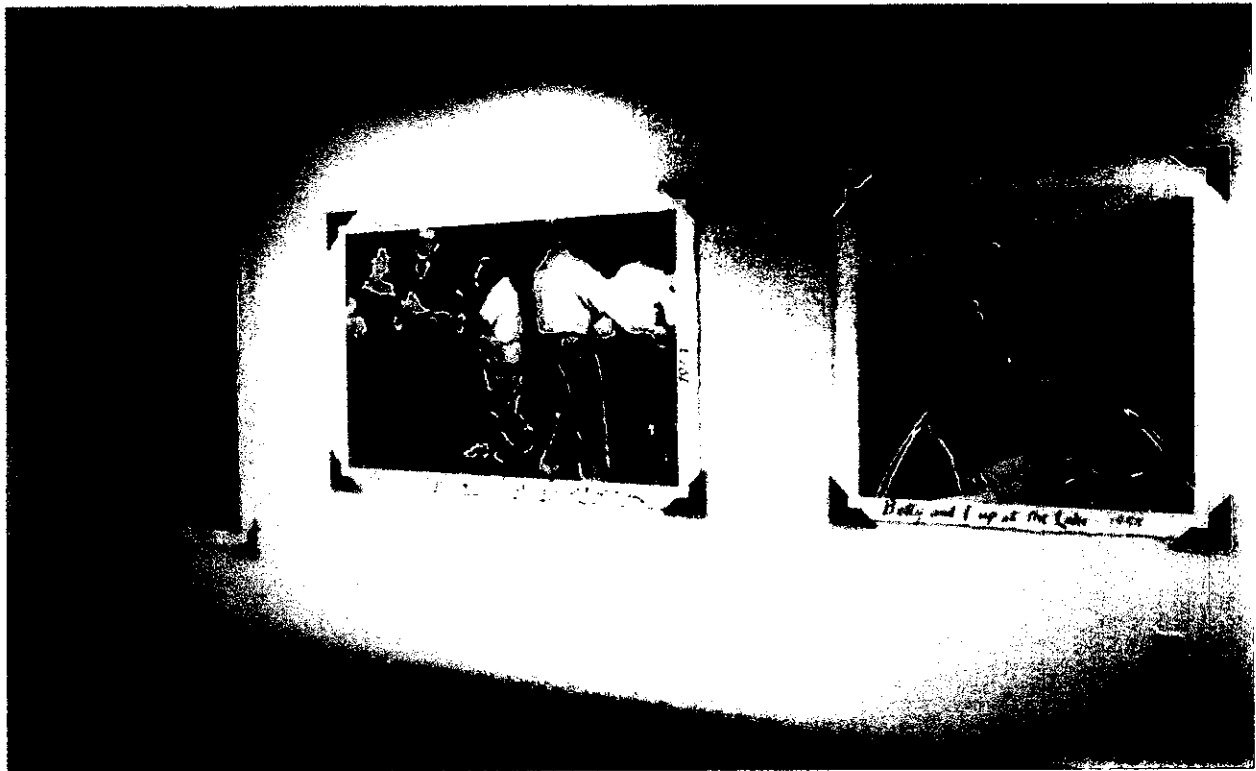
The State Arts Collections are part of the larger collection of historical furniture, objects and artwork that are located in public buildings around the state including the New Hampshire State House and overseen by Curatorial Services of the Department of Cultural Resources.

Total number of objects: **2,455**  
This includes 223 items, primarily historic portraits, located in the New Hampshire State House.



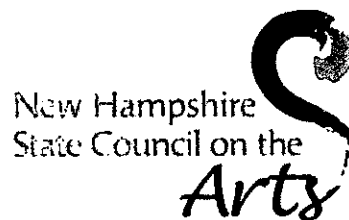
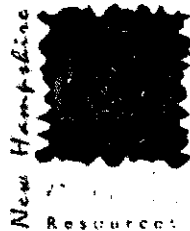
# Selections of Percent for Art

Projects commissioned for State Buildings  
through the State Art Fund.



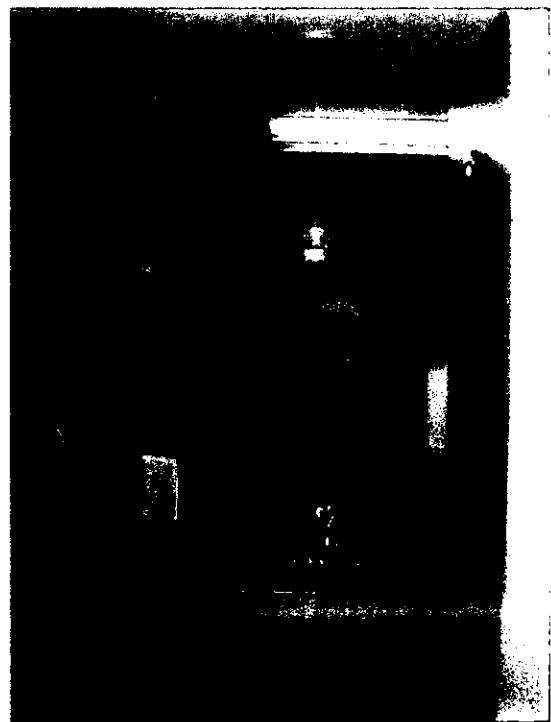
*Memory Lane* by Gordon Carlisle, 1997  
Located in the dementia wing to help patients recall memories.

**New Hampshire State Hospital**





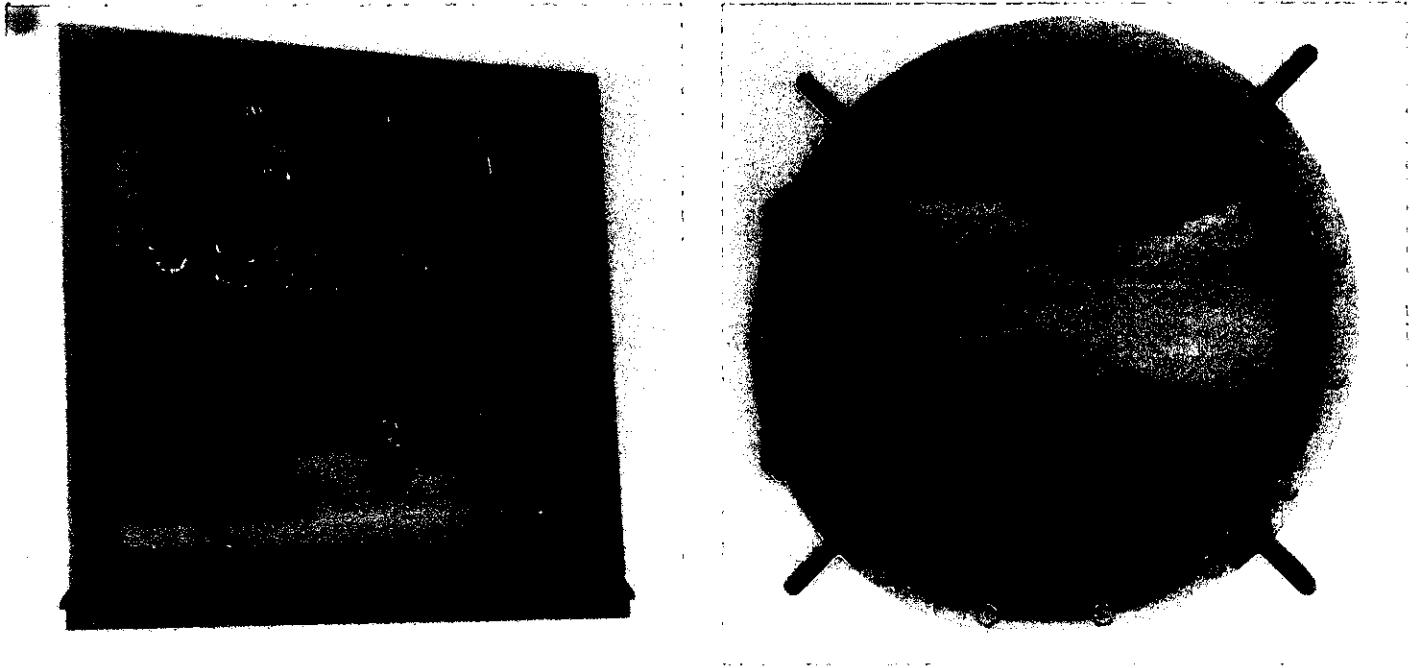
***National Guard Relief*** by Kathleen Ann Brennan, 2011  
Located in the reception area to illustrate the services provided by the  
New Hampshire Army & National Guard.



***Always Ready Always There*** by Matt Patterson, 2011  
Located in the reception area to convey the mission of the National Guard.

## **New Hampshire National Guard: Building F, Concord**





***Windows Coming Home* by Gordon Carlisle, 2003**  
Located in hallway to help residents to recall memories

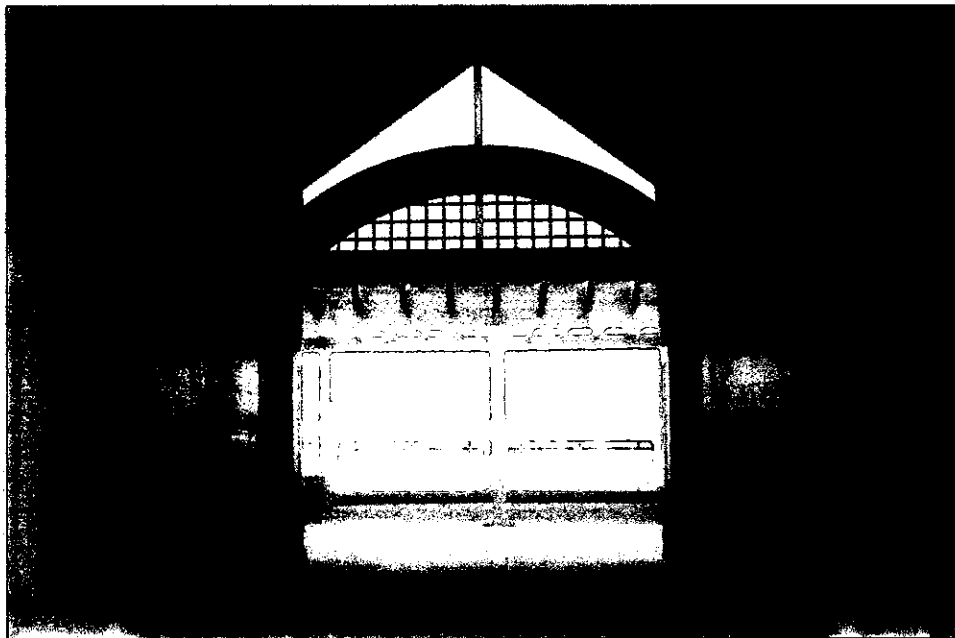


***Atop Mt. Kearsarge* by Sheldon Cassady, 2003**  
Located in the atrium of recreation area to provide residents  
a virtual experience of being outdoors.

**New Hampshire Veterans Home, Tilton**



**Painted clay tile murals by Sheryl Chatterton, 2011  
Located in the breezeways of the North & South Bath Houses  
to engage families in learning about marine life of the area.**



**Hampton Beach State Park Bath Houses, Hampton**

**TESTIMONY OPPOSING HB 1285,  
A bill to repeal the State Art Fund (Percent-for-Arts Program)**

To: Members of the House ED&A Committee

Date: January 20, 2012

I write to support **the continuation of the Percent for Art Program (also called the State Art Fund)**. I write in **opposition to HB1285, a bill to repeal the State Art Fund** (introduced by Rep. Dan McGuire). The State Art Fund allocates 1/2 of 1% of a state-owned building project's budget for artwork to enhance the finished building.

**This program was put in place because state money was being wasted** in furnishing state buildings with inferior "interior design" fake art. For the same cost, the state could invest in real NH artists and real art, which tends to appreciate in value and inspire those who enter the buildings.

Also, through the careful procedure set up to select the art for the buildings, the public and users have had a voice in the arts' selection. No "fancy, hard-to-understand" art is imposed from above. This bill, therefore, allows a voice and **more freedom to citizens** and users of state facilities.

This program has worked successfully, creating permanent assets for the state, jobs for artists, and keeping creative people in NH, which many experts think is vital to economic growth.

Please vote against the elimination of the Percent for Art program. Its value is much greater than its small cost. **It's a smart program that creates better, not more, state spending.**

Thank you for your consideration and your hard work.

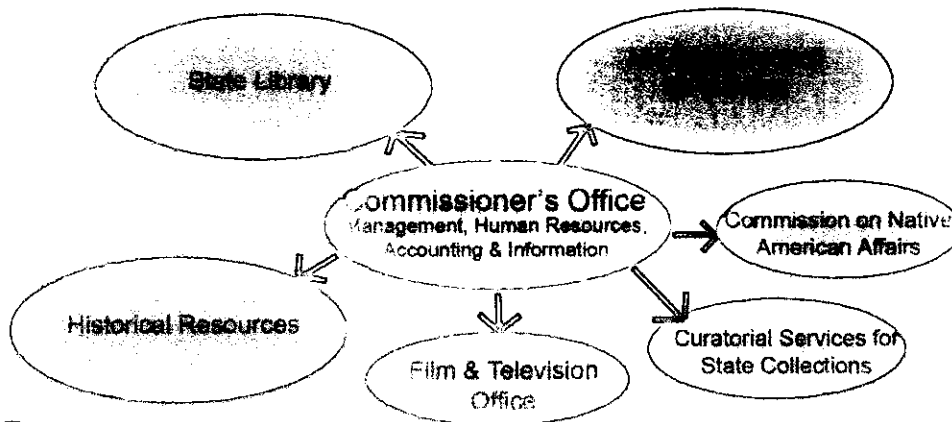
Sincerely,  
Marilyn Hoffman  
45 Hardy Road, Londonderry, NH 03053  
603-432-3440

Small businesswoman: founder of Museum Search & Reference, an executive-search firm for museums, Londonderry, NH (3 employees)

Former Director, Currier Museum of Art, Manchester  
Board Member and former President of the Board, NH Citizens for the Arts

# DEPARTMENT OF CULTURAL RESOURCES

## Protecting & Investing in the Cultural Life of New Hampshire



### Historical Resources:

Created in 1974, this division oversees the historical, archeological, architectural, engineering, and cultural heritage of New Hampshire. Programs include: Archaeology; Architectural History; Certified Local Government Program (CLG); Historic Preservation Review & Compliance; National Register of Historic Places; New Hampshire Historical Highway Marker Program; New Hampshire's First State House Project; New Hampshire State Register of Historic Places; Preservation Easements; Project Archaeology; SCRAP - State Conservation and Rescue Archaeology Program; Survey & Inventory; Tools for Preserving Barns and Farms. Funds for these programs come from State appropriations, donations, grants, and the National Park Service, a federal agency.

### State Library:

This division promotes excellence in libraries and library services to all New Hampshire residents; assists libraries and the people of New Hampshire with rapid access to library and informational resources through the development and coordination of a statewide library/information system; meets the informational needs of New Hampshire state, county and municipal governments and its libraries; and serves as a resource center for New Hampshire. Programs include: Library Services for State Government for the Public and for NH Librarians with services such as Ask-a-Librarian, Best of the Internet, Borrowing, Catalogs, Family Resource Connection, Government Depositories, NH Newspapers, and Online Databases. Funds for these programs come from State appropriations and the Institute for Museum & Library Services, a federal agency.

### New Hampshire State Council on the Arts:

Created in 1965, this division enhances the quality of life in New Hampshire by stimulating economic growth through the arts, investing in the creativity of students, making the arts accessible to underserved populations, and preserving heritage arts. Programs include: Grants (general operating and project support to stimulate creative economy, Arts in Healthcare for reaching underserved populations; arts in education for nurturing the development of students, Traditional Arts Apprenticeships for preservation of heritage art forms, Fellowships for excellence & community engagement, professional & business development for artists); Special projects for arts in education (conferences for educators & teaching artists, Poetry Out Loud for high school students, Arts Education network, New Hampshire Folklife website & exhibits). Funds for these programs come from State appropriations and the National Endowment for the Arts, a federal agency.

### New Hampshire Film & Television Office:

This office promotes New Hampshire as a filming location by attracting and assisting motion picture, television, commercial, photography and multimedia projects that bring significant revenues into the state. Programs include: promotion of in-state film, video and multimedia industry through outreach and networking programs; location assistance and coordination of permitting and logistics for media projects working in NH; networking and clearing house for the state's film industry workforce, local property owners and state government agencies. Funds for these programs come from State appropriations.

### Curatorial Services:

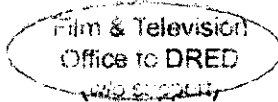
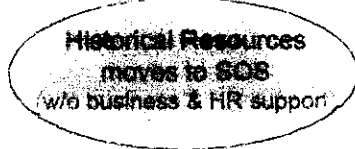
This office provides professional museum quality stewardship for the conservation and tracking of state art collections (606+ artwork in Percent for Art +2455 objects in statewide collection, including 223 paintings in NH State House) Funds for this stewardship come from State appropriations.

### Commission on Native American Affairs:

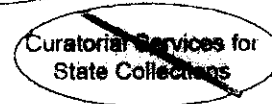
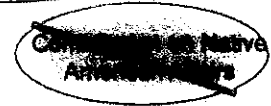
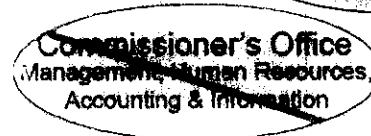
Created in 2011, this commission promotes and strengthens Native American heritage and furthers the needs of New Hampshire's Native American community through state policy and programs. No funds required.

# HB1274FN – Impact of abolishing the Department of Cultural Resources

## RELOCATED Public Services (With costs for support not factored in)



## LOST Public Services



The DCR provides efficient and content specific infrastructure support and delivery of cultural services to the citizens of New Hampshire. Some of the **unintended consequences** are:

- o Loss of trained staff to administer personnel, Governor & Executive Council contracts and federal reporting for the Division of Historical Resources and the State Library that would have to be absorbed by the Secretary of State with an undetermined cost.
- o Loss of trained collections management stewardship, conservation and tracking of state art collections (2,455 objects in statewide collection that includes 223 paintings in NH State House; 606 artworks in State Art Collection of the NH State Council on the Arts)
- o Loss of infrastructure for distributing over \$150,000 annually in "Moose Plate" conservation grants for the preservation of municipally-owned & culturally significant collections and buildings.
- o Loss of the Commission on Native American Affairs.
- o Loss of Cultural Roundtables and panels held statewide that focus on tourism & business support for our cultural organizations.
- o The New Hampshire State Council on the Arts would be eliminated through lack of state and federal funding. (National Endowment for the Arts will not release NH's State Partnership grant to SOS under provisions lined out in HB1274.)

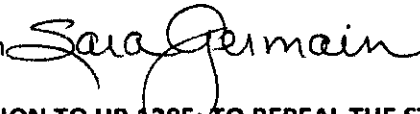
With the loss of the State Arts Council, citizens of New Hampshire would loose public investment in:

- o The cultural infrastructure & creative economy that creates jobs and revenue.
- o Technical assistance & business development support for self-employed artist entrepreneurs so they can contribute to the economy.
- o Assurance that the arts are accessible to all, including people with disabilities and underserved populations in rural areas.
- o Arts in healthcare settings and nursing homes that help create environments conducive to healing and alleviate the isolation of the elderly.
- o Artists into schools and after school programs that help develop creative skills, enabling youth to meet the challenges of the 21<sup>st</sup> century.
- o NH's participation in the national Poetry Out Loud competition, which will involve nearly 10,00 high school aged students in 2012.
- o Preservation of heritage-based traditional art forms through apprenticeships that allow future generations to enjoy them and loss of the NH Folklife Website, the only online educational resource for teachers and students focused on traditional arts in New Hampshire.
- o Statewide networking & clearing house services for information & opportunities related to the arts & culture.

January 20, 2012

**TO:** Representative Carol McGuire, Chair, and Members of the House Executive Departments and Administrative Committee

**FROM:** Sara W. Germain



**TESTIMONY IN OPPOSITION TO HB 1285 TO REPEAL THE STATE ART FUND**

If you've taken a child to the McAuliffe Planetarium or visited a relative in the NH Veteran's Home or had business to do with another State agency, I'm sure you've noticed artwork in our State buildings. But you may not know that the art you or your families admired was there because of the State Art Fund, usually known as the Percent for Art program, which was established into law with broad bipartisan support in 1979. As one of many people who were involved in encouraging this legislation, I have some perspective on this, and offer a brief overview.

Simply put, the State Art Fund provides for one-half of one percent of the final bid price for most new or renovated capital building projects to be used for artwork to enhance public spaces in these buildings. The artwork is chosen in a rigorous and transparent process by a Site Selection Committee specific to each project. Each committee includes State employees who use the building, planners, architects and builders, art professionals and private citizens. Works of art are selected and commissioned through proposals submitted by artists and craftspeople, and are site specific; they may range from murals to sculpture to tile installations to woven hangings and more. Each piece of art is original and unique. In all cases, the art reflects the public purpose and service provided by the State agency housed in the building, and helps to fulfill the agency's mission.

The first pieces of art purchased through the Art Fund were put into place in 1982. Since then, 606 works of art by more than 225 artists have been chosen, and are located in 54 sites in 22 towns across New Hampshire.

The NH State Council on the Arts administers the acquisition and commissioning process, and in partnership with the Department of Cultural Resources' Curatorial Services, provides museum-quality stewardship and oversight of the State's public art, including labeling, conservation and repair, and maintenance of a collections database.

The funds come from the capital construction budgets, set in a competitive bid process. The amount designated for artwork naturally ebbs and flows with the capital budget, varying with the legislature's decisions on which capital projects to undertake from year to year. Funding set aside for artwork may not be spent for 2 or 3 years following legislative authorization, so in some years there could be several projects waiting for completion and in other years, one or even none. The funds for art are always used efficiently, with an eye to creating the most impact possible within budgetary constraints. (The price of a work may be negotiated with a selected artist, for example.)

These are only bare facts about the Percent for Art program. You have examples of installations that provide a much better idea of the effect of these works and, of course, you may remember seeing others. In every case, the artwork is intended to represent and celebrate New Hampshire's people, places, culture and heritage, and to tie our traditions and values to our public spaces.

I urge you not to repeal this meaningful program that has enhanced the civic life of New Hampshire for over 30 years, and which should serve generations of New Hampshire citizens in years to come.

# State Culture & Art Collections Factsheet

HB1285 Eliminates the Percent for Art Program (State Art Fund)  
& places the future stewardship of existing State Arts Collections in jeopardy

## New Hampshire State Arts Collections

Percent for Art & Arts Bank & Living Treasures & Traditional Arts  
Administered by the NH State Council on the Arts

Since 1982, artworks have been acquired through the State Arts Fund for the public's benefit. They are located in public areas of state buildings throughout New Hampshire.

The NH State Council on the Arts oversees the acquisition and commissioning of artworks purchased through the State Arts Fund using an inclusive process. The State Arts Council, in partnership with the DCR Curatorial Services, provides professional museum-quality stewardship of the artwork, including a collections management database, labeling, site visits, conservation and repairs.

Total number of artworks: **606**  
Acquisition Dates: 1982 through 2011



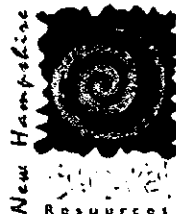
▪ Indicates State buildings that display artwork from the State Arts Collections at 54 sites in 22 different towns.



Portrait of General John Stark, NH State House

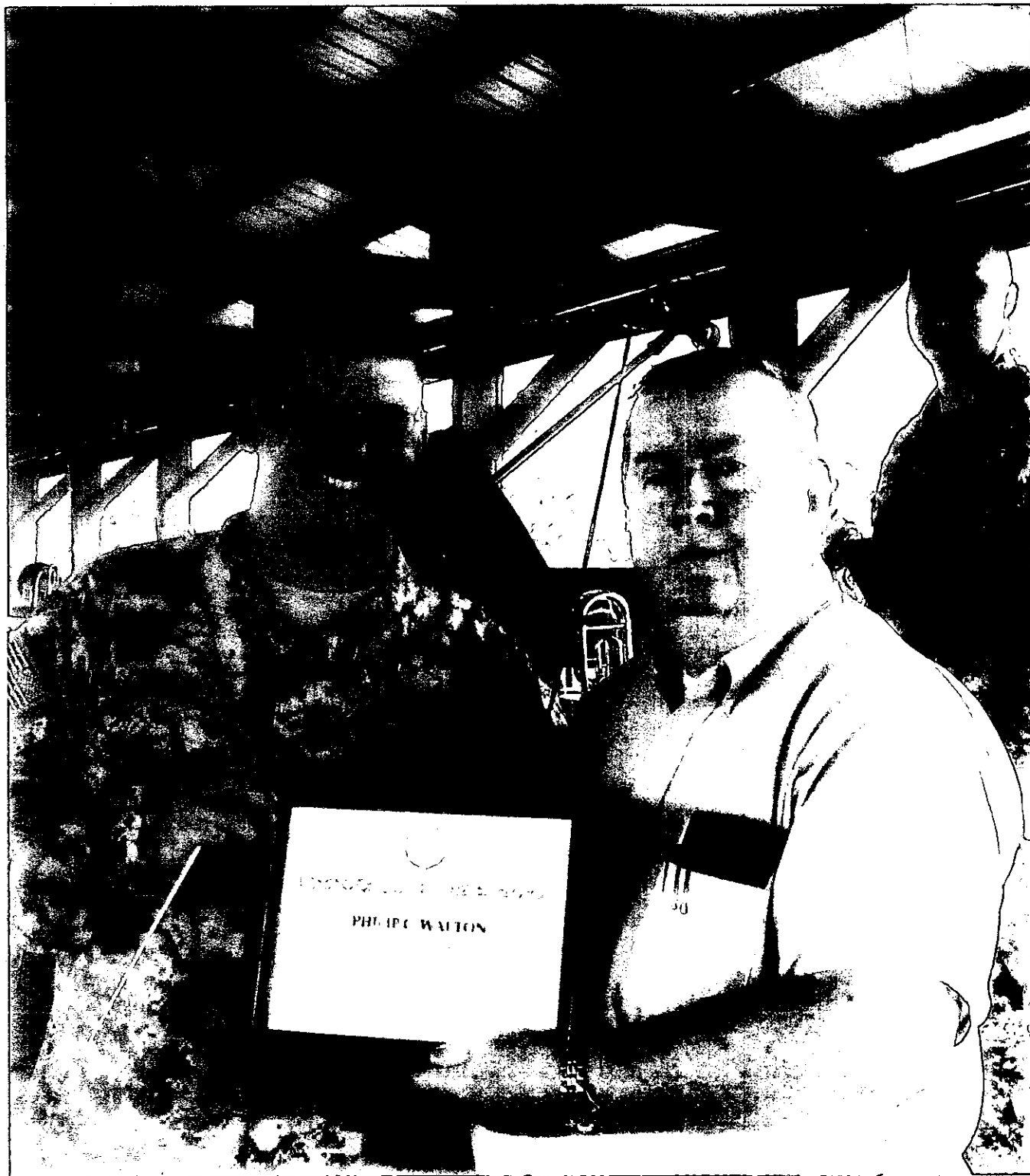
The State Arts Collections are part of the larger collection of historical furniture, objects and artwork that are located in public buildings around the state including the New Hampshire State House and overseen by Curatorial Services of the Department of Cultural Resources.

Total number of objects: **2,455**  
This includes **223** items, primarily historic portraits, located in the New Hampshire State House.



# VETERANS' VOICES

*A Virtual Creativity Magazine by Residents of the New Hampshire Veterans Home  
Volume One, Number Three, Fall, 2007*



*NHVH resident and photographer Phil Walton is recognized for his outstanding contributions to the 39th Army Band.*



## ***THIS IS OUR COUNTRY***

By Forrest Foley  
7/23/07

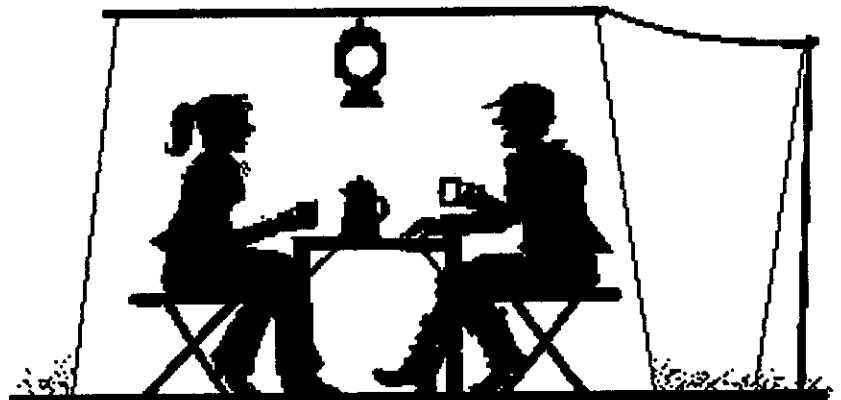


This is our country.

My wife and I were discussing this one day and decided if this country is ours, we should see as much of it as possible. As we had a family, camping was the only way to go. We camped in the White Mountains on the weekends. For vacation, we first went to New York, White Face Mount, and Frontier Town.

Next, we went to Vermont and stayed in an Adirondack Shelter. As it was the Fourth of July, we got a grand view of the fireworks from the roof.

While there, we went to see the floating bridge. We also went to Mount Pellier to look up genealogical information. The view of the green hills from our shelter was fantastic. The week flew by and we headed home.



## Post Commander's Driver

By David Clark

7/16/07

While serving as Post Commander's Driver at Ft. Holabird in Baltimore, MD. United States Army Intelligence School Command (USAINTSC), which is now part of Ft. Huachuca, Arizona, I took part as one of the drivers for the visit of President Richard M. Nixon and Vice President Spiro T. Agnew. My duty was to drive the three of us to the Pentagon in Virginia where they were to hold a meeting.

While waiting for them, I picked up the only book there. It was a Bible. While looking through it, Vice President Agnew came out of the office. I stood at attention.

Looking at me, he said "Specialist, do you believe in what you are reading?"

Quizzically, I answered, "Yes sir, I do, but not as much as I should."

Pointing to the book still in my hand, he remarked "I want you to take that book home with you and read it."

"Yes sir, I will sir. Thank you very much."

After he left I sat back down and continued to read until the meeting had ended. I drove the three of us back to Ft. Holabird where the two boarded the helicopter and left.

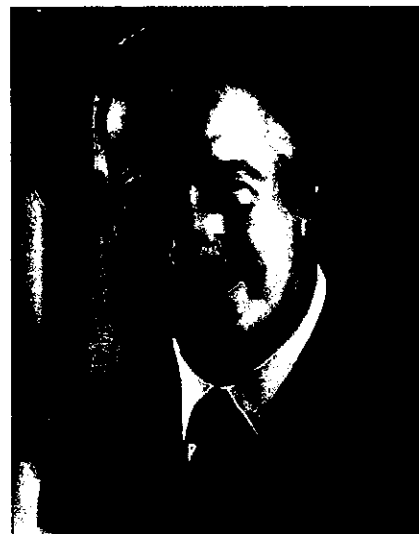
Back at my apartment, while going through the Bible, I noticed some writing on the third blank page, it read: "To Spiro- Love Mother." I reported this to Col. Decker, my superior and Post Commander.

Upon another trip to the Pentagon, I was escorted to where the Vice President was meeting with the General from Ft. Meade. I approached the Vice President, saluted, and proceeded to tell him what I had found.

He answered, "Specialist Clark, I gave you that Bible, so therefore I expect you to keep it and read its words."

I saluted again, and with the Post Commander remaining at the meeting, I exited the room and went out and read the Bible.

I was very proud of this gift from the Vice President. I had brought it with me to the command and placed it in my wall locker. Needless to say, I lost it when several lockers were broken into. Col. Decker had a wall locker inspection, but no Bible showed up. This memory has stayed with me ever since.



Vice President Spiro T. Agnew

# The Rolling Thunders

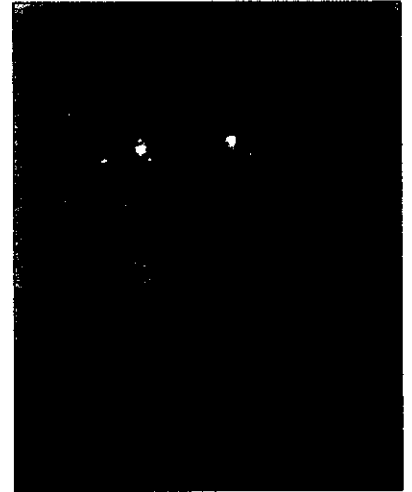
by Richard Mumblo

*I want to thank The Rolling Thunders for putting on the Memorial in Meredith, NH. There were a lot of good things that happened.*

*The ladies that got up and read the letters to the group were wonderful. Sitting there listening to all of the people talk was great. There were a lot of speakers and not once did I hear a curse word, not that I expected it, because it was a memorial for Veterans, but it was appreciated.*

*The presentation of the monument was exceptional. The people were all fantastic. They had a group where we got to walk with each other. We gave our names and shook hands. There were men and women in the motorcycle group, which was nice to see. The biggest thing that came to mind was that the group was so well behaved.*

*The nice thing about the memorial itself was that everything went so smoothly. Even when The Rolling Thunders were leaving the area, it went without a hitch; the bikes left without any problems.*



Richard Mumblo

## **About Rolling Thunder®, Inc.:**

The major function of Rolling Thunder®, Inc. is to publicize the POW/MIA issue: To educate the public that many American Prisoners of War were left behind after all previous wars, and to help correct the past and to protect future veterans from being left behind should they become Prisoners Of War-Missing In Action. We are also committed to helping American veterans from all wars. Rolling Thunder®, Inc. is a non-profit organization and everyone donates his or her time because they believe in the POW-MIA issue that we are working on. All meetings must be orderly and every member must be heard. Everyone is as important as the next. Everyone has different views and we must all work together in an orderly manner.

## Recent Events

Reported by Arthur Foley

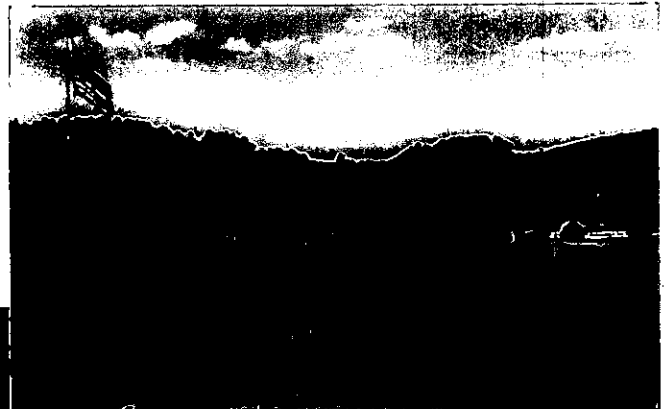
I enjoyed riding in the **Tilton Home Day Parade**. We all sat in a flat bed truck, six of us, which was designed to represent the Veteran's Home, mostly in red, white and blue. We won first prize for the most original float design. There were quite a few floats and vehicles that were filled with children of all ages. There were also marching bands from different parts of the area. All together, it was a wonderful parade.



Photo by Phil Walton

I also enjoyed going to the **Veteran's summer home** at the Weirs, on Lake Winnepesaukee. We all sat on the front porch and enjoyed watching the Mt. Washington ship come and go from its dock, where it took on passengers and released them. They served us a nice lunch of hamburgers and chips and a nice salad. I had iced tea to drink. All and all, it was a great day.

So long for now,  
Arthur Foley  
Vet's Home Resident



THE WEIRS, FROM INTERLAKEN PARK.

Top: An old postcard showing the Weirs Beach boardwalk.

Left: One of the buildings owned by the State Veterans Association--NHVH residents are enjoying the porch and the view of Lake Winnepesaukee.



Photo by Phil Walton



# Veterans Voices Gallery

A Touch of Fall



Don Piehl,  
Artist and Resident



September,  
Early Snow



Hawaii Coast

# HAMPTON BEACH

by Dave Clark

I recall when I was about nine years old and I was taken to Hampton Beach for the very first time. At this time, I was living at St. Peter's Home on Kelley St. in Manchester, NH. The nuns had us board buses for our trip to the beach. I had never gone swimming before and was in awe of what I saw. The beach was beautiful, long and sandy, and there were masses of people along the sandy beach.

We were paired up with swimming buddies and were told not to go out of sight from one another. My swimming buddy and I ran into the water. I froze, the water was freezing. As I stood there wondering if I should follow my buddy or escape the cold water and return back to the beach to play in the warm sand, I was run over by others coming into the water. As I rose again from the water, I had then thought that since I was already wet it didn't feel so cold. I looked around to see if I could find my swimming buddy.

I thought I had found him and began to walk out to where he was.



I then ran out of ground to walk on and fell deep into the water. I struggled and gasped as I fought to find ground under my feet. As I struggled, I was grabbed by this arm that pulled me up out of the watery tomb so I was able to take in gasps of air. This person, being a large woman in a one piece, black bathing suit is all I remember as I was pulled safely to the beach and laid down in the warm sand.

When I opened my eyes, there were people all around me, gazing down on me. Then, one of the nuns came over and she scolded me for not staying with my swimming buddy. Needless to say, I was not allowed back into the water that day. I spent the day digging in the sand, wondering who that lady was that had pulled me out of the water and had saved me from drowning. She never stuck around to get the thanks she deserved. As a grew up I realized how much I have learned from little errors in my childhood, I now stay close to where I now can still touch bottom.

I truly believe in the buddy system.

Dave Clark

# Veterans Voices Gallery



Photo by Nick Mangini

*Boys with American Flag*

# Veterans Voices Gallery



Photo by Phil Walton

*NHVVH Resident and New York Yankees fan Fred Bickerton*





### APRIL WHITHAM

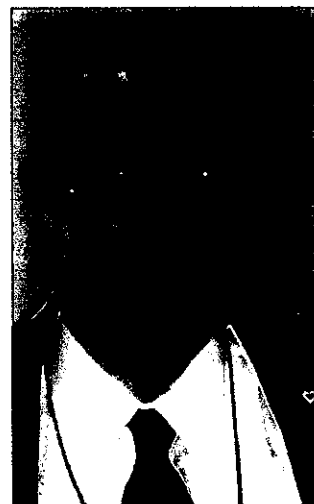
*April Whitham has gone and done it; reached the big FOUR O,  
Proudly letting us all know this milestone she has conquered,  
While strutting around, like a Peacock, her feathers proudly aglow,  
Nursing the attention gleaned from the times she has endured.*

*Standing tall from the many accomplishments she has compounded,  
Whitham has a right to feel the accolades, the applause.  
Her many students have gone forward, with knowledge, resounded!  
Proudly she smiles at the success of this formidable cause.*

*Each and all of us will clearly remember the presence of one so dear,  
Who has been in our midst, quietly, professionally active,  
With a wise understanding of our needs, pains, perhaps our tears,  
Doling out pills, eye drops, nose spray, and even laxative!*

*A quiet girl, wise, personable, and with a nice sense of humor,  
Tall, graceful, with a sensibility quite uncommon today,  
I must impress upon each and all that what is written is no rumor,  
So she should be as proud as that proverbial peacock in full array!*

CHARLIE SAFFORD . . . August 10, 2007.



# South America

by Charlie Safford



## Chapter One

We arrived at the airport in Long Island to pick up our four-engine bomber. It was a beautiful, shiny, B-24 Liberator. We were, to say the least, thrilled.

Soon we were on our way overseas via Florida, first for shots, information, orders, directions, and what was to be our final destination. One week later, we arrived at our first stop ~ ~ ~ Puerto Rico. An awesome land of palm trees, sweet odors of ocean breeze, and warm welcomes. For ten men who lived in the depression years, this was extremely exciting. We who had known only hunger, travel limitations, as to knowledge of such places, it caused wonder with eyes open wide in amazement.

Three days later we landed in British Guiana, South America. It was a jungle. The huts that we slept in were approximately six feet off the ground. The jungle animals would prowl around underneath those huts uttering short growls that disturbed our sleep. The mess hall where we ate our meals was at least 20 feet in the air in order to avoid flies and mosquitoes. Exercise climbing those stairs three times a day was mandatory to maintain a respectable belly.



Our pilot somehow managed to promote a ride in a paddle boat on a jungle river to a town called Georgetown. As we slowly moved along the river we were followed by hungry looking alligators. Overhead were trees that seemed to span both banks. In those trees, chattering as they do, it seemed, thousands of monkeys criss-crossed back and forth from branch to branch. One very small one landed in the lap of the navigator in our crew. He would not leave but cowed and snuggled into his shirt. Who could possibly turn a little fellow like that away? Consequently he became our mascot. Cheesy, because he enjoyed eating cheese.

We marveled, while shivering, at the pigmies running along the shore with their faces painted in fiercely designed white dye. They carried with them their dart guns which they could use to pierce one's skin with poison tipped darts.

Finally after what seemed hours we docked at Georgetown. Debarking, we shuddered again at the extraordinarily rough and hard looking characters around that dock. Puzzled, I thought, what is here for them, what reason would they remain constantly on this dock? Then I realized an obvious and plausible answer. They were frightening, they scowled, they caused fear. This was their comfort zone among those in their group. Our attention then turned to the reason we came . . . Georgetown.

## Chapter Two

Surprisingly we discovered a place in town with bicycles for rent. Since it wasn't a large town it did not take very long before we had explored it in complete circumference. There was a park covered with tropical foliage brilliantly expressed in wonderful colors. A small pond displayed various lilies hiding somewhat the family of manatee or sea cows within. They would surface, roll over, and thoroughly enjoy a good belly scratch.



*Manatee*

Elsewhere were places often called houses of ill repute. Much dancing, drinking and other activities filled the long, hot night for some. Others of us found a pool hall or simply enjoyed this town in the midst of a dense jungle in that tropical paradise called British Guiana. Sleeping was quite difficult as we all crowded into one very small room. We were used to being crowded for if you've ever been in one of those bombers you thought of yourself as being in amongst sardines in a small space.

Finally landing in a place named Natal in Brazil, preparatory to flying across the Atlantic to Africa. Natal, Brazil juts out into the ocean making it the shortest flying distance to the African continent. We took off in early evening, flew all night, and as dawn turned into full daylight we landed at Dakar, Africa in the northern section of that country.

One dark night I was designated as the person assigned to spend the night guarding our aircraft. There in the black shroud of darkness I could see all the lights of the camp in the distance. It was unusually quiet. Not at all as it would be in civilized, city life America. Suddenly a cold chill gripped my body. I did not understand why until, turning around, I found standing immediately behind and close to me, a seven-foot warrior in full white war stripes on his face, and a spear in his hands. Not a sound did he make. Just looking down at me. My heart filled my throat. I gasped for breath. I wanted to run. Instead I stammered, "nice night isn't it?" No answer. I then offered him a ride in the bomber. He ran! I laughed. I still see that warrior in my memory as clear as if it happened last night.

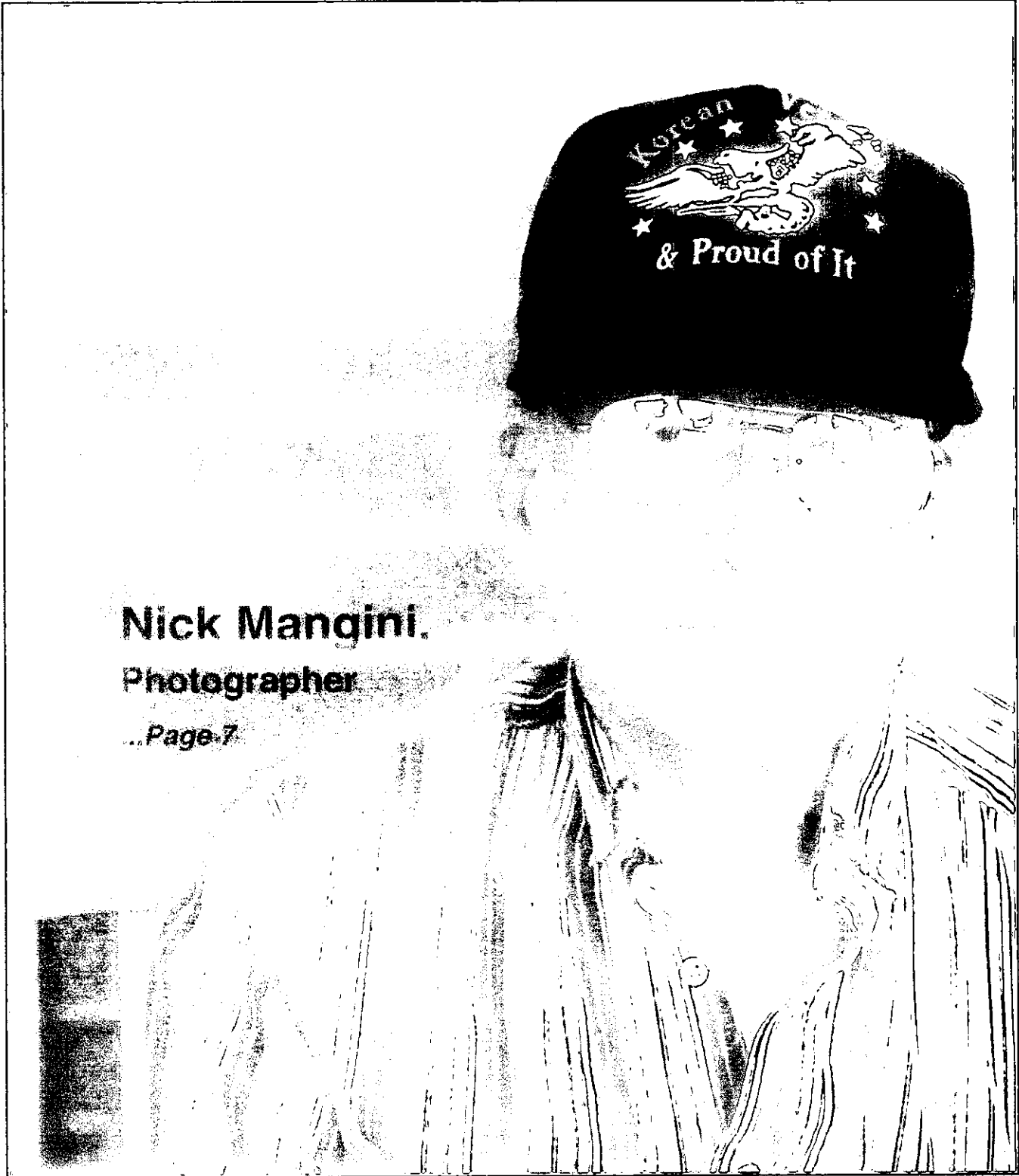
We found a way to visit a village located by the sea which is another story in another adventure still memorable even though 60 years have come and gone. Any prominent occurrence in our lives comes forth, responding to our will to bring it to light once again to another generation. Thus is history related from children to children throughout time and lives.

# VETERANS' VOICES

*A Virtual Creativity Magazine by Residents of the New Hampshire Veterans Home*

139 Winter Street, Tilton, NH 03276

Volume One, Number Four, Winter/Spring 2008: Visit us on the web: [www.nh.gov/veterans](http://www.nh.gov/veterans)



**Nick Mangini.**

**Photographer**

*...Page 7*



# The Joy of Becoming a Grandparent

Kate popped into our life on a cool September morn.

I remember viewing that little spec of life and thinking *flesh of my flesh, blood of my blood, bone of my bone - that little bit of life is part of me.*

A truly warm and loving feeling enveloped me and that feeling continues to grow. Words cannot allow me to express my feelings of love for this young lady who calls me "Poppa." This feeling of joy and love surpasses any other emotion.

Grandchildren are put on earth to be loved and spoiled, which is basically why we have grandparents.

QED\*

*Bob Blanchard*

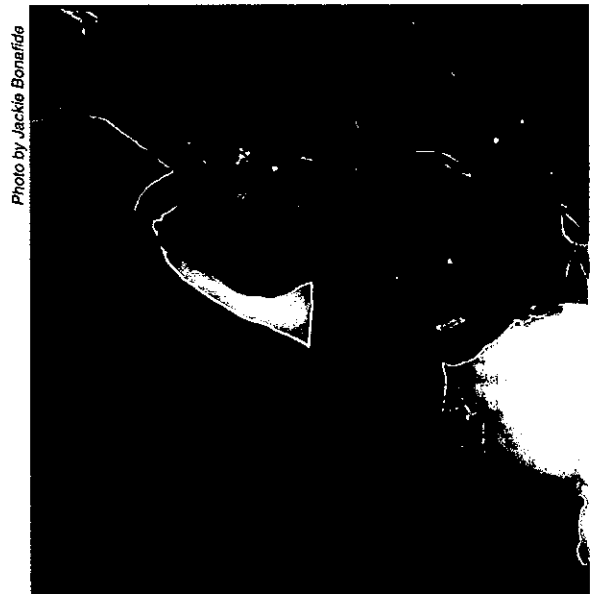


Photo by Jackie Bonafide

*Bob Blanchard with his granddaughter,  
Kate, at the March, 2008  
NHVH Easter Egg Hunt*

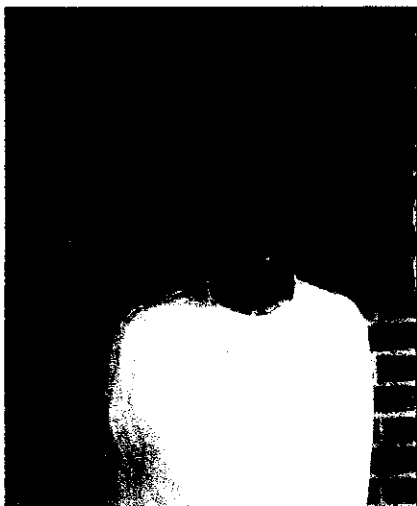
\* Q.E.D. is an abbreviation of the Latin phrase "quod erat demonstrandum" (literally, "that which was to be demonstrated"). The phrase is written in its abbreviated form at the end of a mathematical proof or philosophical argument, to signify that the last statement deduced was the one to be demonstrated, so the proof is complete. From the website: <http://en.wikipedia.org/wiki/Q.E.D.>

## *NH Veterans Home Photo Gallery: Fred Teague, Photographer*

This tree, located near the NHVH fishing pond, is part Swamp Maple (on the left), and part Sugar Maple (on the right). The pictures were taken just a few weeks apart.



Photo by Jackie Bonafide



*Fred Teague*

Visit our website ([www.nh.gov/veterans](http://www.nh.gov/veterans)) to read about  
*Fred Teague and the Merci Boxcar.*

Just click on:

**Then and Now: Veterans Stories through the Years**

## **Through the Eyes of the Native Americans**

Enrich your mind by keeping your history on the leaves of memory,  
Embrace that history by tracing closely your family's past.  
As embraced by the Lakota Indians of South Dakota of a past century,  
And expressed by Luther Standing Bear; A statement to last.

Indians is a name Native Americans were described by White Men.  
They felt profoundly insulted by the name of "Indian".  
History of America through Indians' eyes is a powerful portend,  
Depicting in time, a history wrongfully portrayed, a meridian.

Time may, as our lives play out, prove that one day, invasion  
To our existence could occur, as a portend may prove,  
For there exists an old proverb; "History repeats" on occasion,  
Causing an unwanted, fearful change, an upheaval; A coup.

As life changed for our Native Americans, it could happen again.  
Optimistic though we may be, pessimistic we cannot be,  
For we think we understand the how and the where, but when?  
Again causing precaution, and preparing our minds to see.

Our future lies in the strength of our youth, for in our youth,  
Is where the faith and hope of America's prayers reach,  
To find in them the strength of character, the marvel of truth,  
As their lives unfold will the state of our great nation breach?

**Charles R. Safford . . . October 5, 2007**



*Luther Standing Bear*

# Hot Potatoes

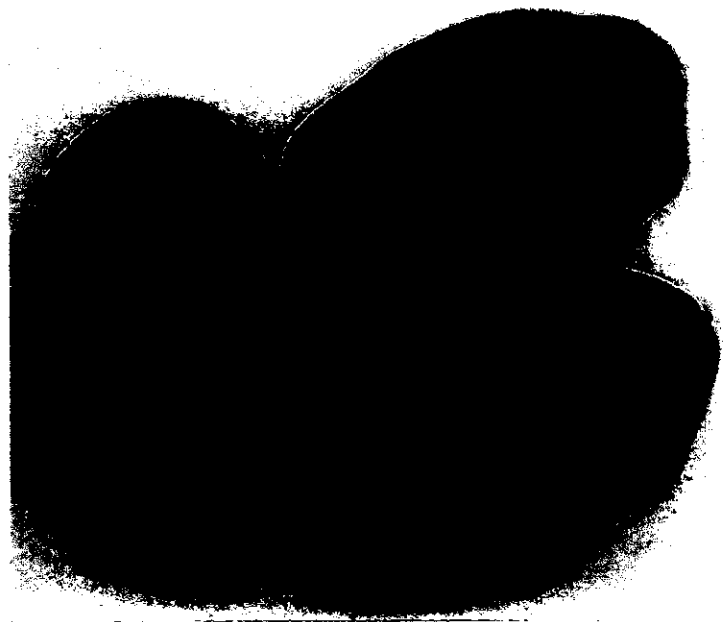
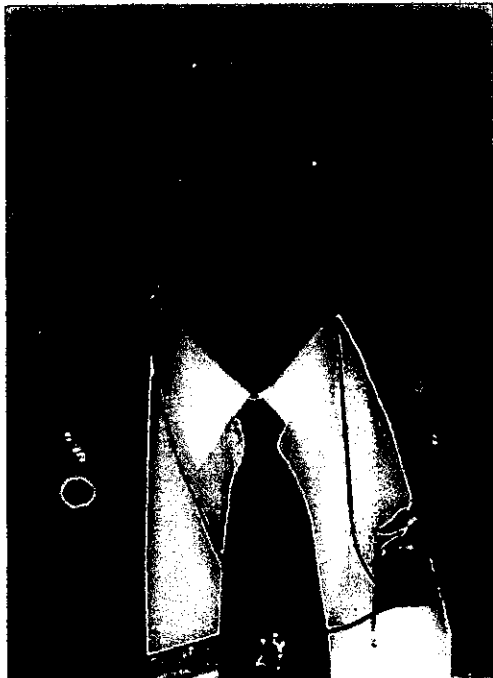
by Charlie Safford

I had a friend and we decided that we wanted to bake some potatoes in a fire, so we created the fire. The trouble was, we were in the woods. The potatoes seemed to be coming along just fine but the fire got out of hand, we couldn't put it out. Since the fire was out of control, we were all black with dust from the fire. Then we decided we better go to school after all.

I was in my classroom when some policemen and some firemen came into the room and asked the teacher if she knew any boys who may have started the fire. Suddenly, it must have clicked in her mind the way I was so covered with soot, she grabbed me by my ear, pulled me up to the front of the class, and the policemen and the firemen said "Charles Safford, did you have anything to do with why the woods burned down behind the school?"

Sheepishly, I said, "Yes, I had something to do with it, we only wanted to bake some potatoes." My mother was furious. She had to pay a fine. I am not that fond of baked potatoes anymore.

Charles Safford



*Charlie Safford...and potatoes*



*NH Veterans Home Gallery: Don Piehl, Artist*

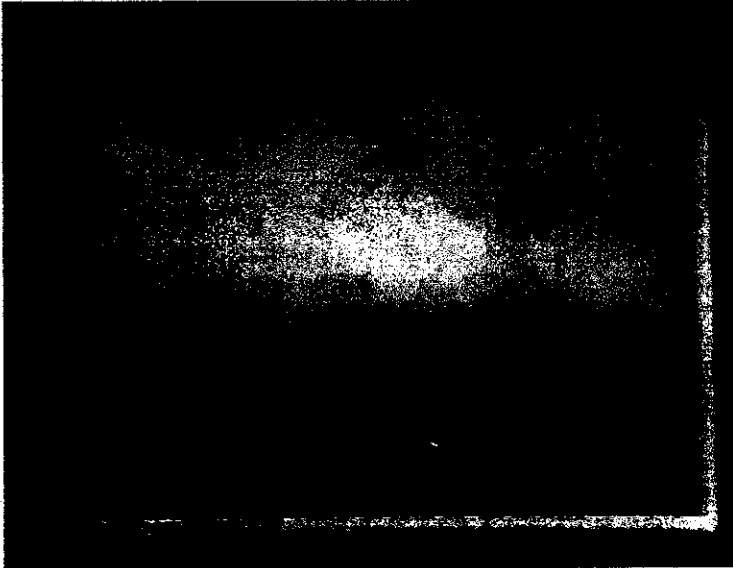
Photo by Jackie Bonafide



*Don Piehl*



*Irish Castle*



*Coastal Fishing Trawler*



*Dusk in the Himalayas*

*NH Veterans Home Photo Gallery: Nick Mangini, Photographer*

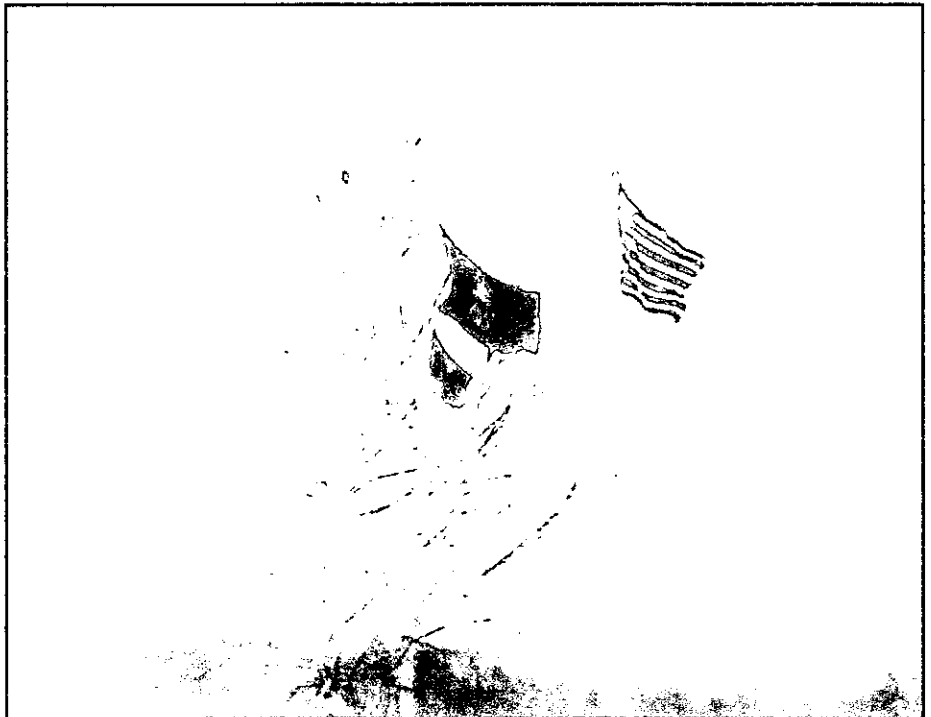
Photo by Jackie Bonafide



*Nick Mangini*



*Two Good Men Working*



*Flags in Winter Storm*



*Sunset*



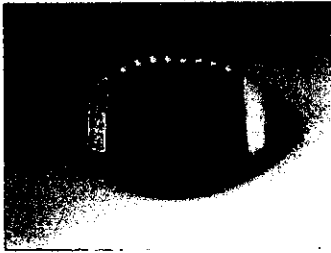
*December snow*



*Bob Blanchard bowling*

## Football, by Richard Mumblo

I used to play football. I played in high school, but not for the high school team. Coach wouldn't let me play because I wasn't big enough. I was the fastest man on the squad. We played pickup games with other people in my high school. I played with a kid named Kenny Kohen. Kenny was a good ball player. He was one of the fastest guys on the squad, until he met me. I used to beat him on the squad, that's how I became the fastest.



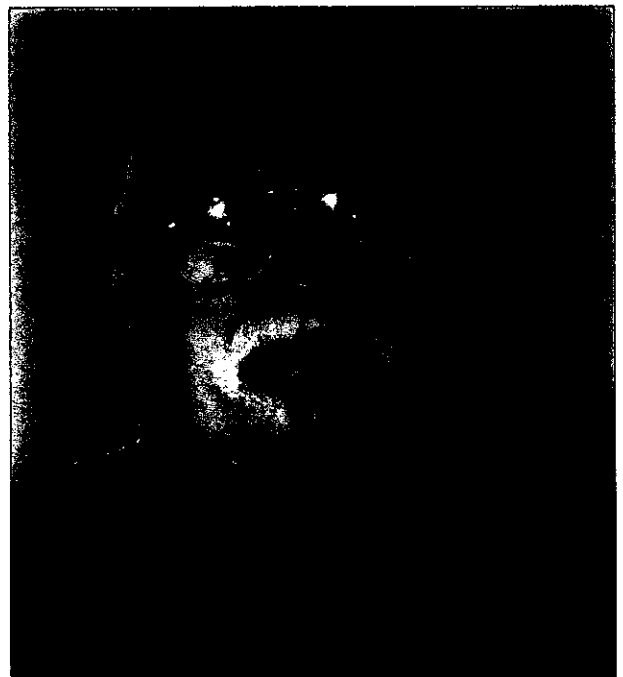
After I graduated high school I was able to play ball because I was big enough. I played for quite a while when I was in the Navy. We played sand lot ball. I played a lot of positions, until I got hurt and tore up my knee. Then I couldn't play any more, but I still played. I played all of the time when I was in the Navy, I played for Quonset Point. We played a lot of ball, we used to play every week, and sometimes every day. I liked the contact part of the game.

When I got out of the Navy we would play touch football in New Hampshire. I continued to play pick up teams throughout my life.

I can't play football now, but I watch all of the ball games and I am very excited about that.

Richard Mumblo  
1/7/08

Photo by Jackie Bonafide



*Richard Mumblo*

Photo by Jackie Bonafide



*Phil Walton*

## *NH Veterans Home Photo Gallery: Phil Walton, Photographer*



*Photos (clockwise):  
Evil Kitty,  
House on Clark Road,  
Daylily*

Visit the home page of our website ([www.nh.gov/veterans](http://www.nh.gov/veterans)) and view more of Phil Walton's and Nick Mangini's pictures on the NH Veterans Home Photo Gallery.

## First Day Back, by Arthur Foley

I am writing about my first day back from the service, on December 8<sup>th</sup>. I was greeted by my father with great fanfare.

Then I went to my room and tried on all of my old clothes, which still fit me after three years of service, from November 1942 until December 1945.

Then I asked my mother to make my favorite dinner dish, which was Shepard's Pie. In the service we had a dish similar to Shepard's Pie, but it tasted like corn and squash mixed together.

The next day I went to visit my old friend who had just arrived home from the Air Force. He was stationed in Fort Myers, Florida most of the time.

One day later, I went to visit my old girlfriend and discovered she was engaged to be married.

I hope you enjoyed reading about my first few days after coming home from the service.

Arthur Foley



Arthur Foley

Photo by Jackie Bonafide

I'd like to write about my family's Shepard's Pie Recipe.

Peel and boil 5 large Red Bliss Potatoes. Place in a bowl when cooked, and mash with butter and milk.

Open 2 cans of cream corn, set aside for now.

Cook 2 lbs. of 80% hamburger. We need a little fat in the hamburger to give the dish flavor. While cooking hamburger, add 1 onion chopped fine, 1 clove of garlic, and a sprinkling of sage.

In a large Pyrex Bowl, place hamburger on the bottom (first layer), next the two cans of cream corn (2<sup>nd</sup> layer), cover the corn with mashed potatoes, then place in the oven for 40 minutes at 300 degrees. Then turn the oven to Broil until the Shepard's Pie has a nice brown crust on it.

Serves 6 people each with a large serving.

Arthur Foley

NH Veterans Home

Tilton, NH



# My First Christmas Eve

By David H. Clark

My first recollection of Christmas Eve was back when I was six years old at the orphanage. All of the good boys and girls were named off. I happened to be one of them. I was dressed up in my Sunday best, and joined the others to board buses that were to take us to the big city. The snow was just beginning to come down hard as we boarded and took our seats. I was really excited as the buses began to move away from the orphanage.

As we entered the city, I was amazed by all of the colorful decorations in the stores and by the banners that stretched across the main street. People scurried in and out of these stores with packages of pretty colored wrapping. The snow was coming down harder as I viewed the windshield wipers trying to brush away the snow that was collecting upon the windshield.

Viewing once again out the side window of the masses of people scurrying along their way, one more exited a store and slipped in the snow. His feet came out from underneath him and flew into the air. The packages he was carrying were tossed high into the air and landed scattered upon the sidewalk. Several people stopped and helped the man up and picked up his packages for him. Several of us on the bus laughed to see such a scene. Everyone seemed to be happy and joyous, unlike the people of today who find Christmas a frustrating time of the year.

The busses pulled into a large parking lot. We exited the busses and lined up two by two. As we entered a large brick building we were told to sit on our jackets upon the floor in front of a stage. We were separated by groups, little and big boys, little and big girls.

One of the nuns opened the evening with the "Lord's Prayer". We then went into singing Christmas songs. I practiced my lip movements without singing a word. After singing, a lady came out on stage and read us "T'was the Night Before Christmas" from a rocking chair. When she got to Santa coming down a chimney, someone yelled from the rear of the room, "Look! It's Santa."

We all turned to see where the voice was coming from. In the rear of the room, there was what looked like a large fake chimney. Looking, we saw these large black boots coming down, and then I saw him. It was Santa; he really did come down the chimney.

Once down, he emerged from the chimney and flung a large red sack over his shoulder. Making his way to the stage, he shouted "Ho, Ho, Ho, Merry Christmas boys and girls, Merry Christmas!" We all applauded and watched with awe as Santa climbed the steps and sat in a big chair. He placed the sack by his chair as he was joined by a dozen or so people dressed as elves. Santa then asked if we were all good boys and girls. We all shouted "Yes, Santa."

He then began to open up the sacks before him and as the elves pulled out package after package, calling out names. We lined up as we approached Santa, and we were each given a present. We were told that we should thank Santa and our host, the Knights of Columbus.

I was given a gun that separated in the middle and when closed together filled the barrel of the gun with air and fired a white plastic ball that is inserted into the muzzle of the barrel. While sitting looking at my present I knew that to open the gift would mean that I would lose it, for we were



informed not to open them. As I sat turning the box between my legs, the evening continued with Santa handing out the rest of the presents while we sang Christmas songs.

After Santa had handed out the last of the presents, he returned to the back of the room and somehow he was whisked back up the make-believe chimney to the applause of all who attended.

Suddenly, one of the Sisters clapped her hands and a silence fell upon the room. "Okay Children, let's line up with your section sisters and file out in an orderly fashion." First out were the big girls, followed by the little girls. The big boys were told to stand and put on their jackets; finally it was the little boys' turn.

Boarding the bus, I found myself further in the back, the next to last seat. As I sat down and the bus began to head back through the city and its beautiful colored lights, I saw that the snow was still falling. The boy next to me leaned over and whispered "WOW! You got a gun, can I see it?" Leaning the box towards him so he could see it, he reached for it and opened the top of the box. Before I could pull the box back, he grabbed the box and began to pull the gun from the box. Soon the entire gun was out and was passed around silently among the other boys.

"Give me a ball," stated one of the older boys in the back seat.

"No!" I responded, "I can't do that." A hand grabbed the box and reached in to take out a white round ball, then handed it to the older boy, who placed the ball into the barrel of the gun.

"Please!" I begged trying to get the gun back. "We're going to get in trouble."

The voices got louder until one of the Sisters told the boys to keep quiet. Nervously, the boy tried to disengage the ball from the barrel, but to no avail. The gun was handed back to me, and I tried to place it in the box, but it was too long to fit. Placing the box between my legs, I forced the gun down into the box. In doing this, the gun was pushed together and the white ball came flying out with a Whoosshh! The ball sailed out so fast no one was able to catch it. It hit the top of the bus with a Waaappp! and proceeded to go flying in all directions before heading to the front of the bus where the ball struck Sister Duceau in the back of the head.

Sister Duceau let out a shriek and jumped to her feet as she grabbed the back of her head. Startled by the shriek, the bus driver pulled over to the side of the road to turn and see what all the commotion was about. He spotted a white round object rolling around in the middle of the isle, picked it up and handed it to the sister.

Walking towards the back of the bus with the ball rolling in her hands, she asked "Where did this ball come from?"

"I - I'm sorry!" I stated as she stopped, looking down on me. As I tried to tell my story, she grabbed me by the ear and as I was wincing in pain she dragged me to the front of the bus. I had to sit next to her for the remainder of the trip back to the orphanage.

Once back home, all the presents were confiscated by the sister and placed into a storage closet. As for my present, I never saw it again.

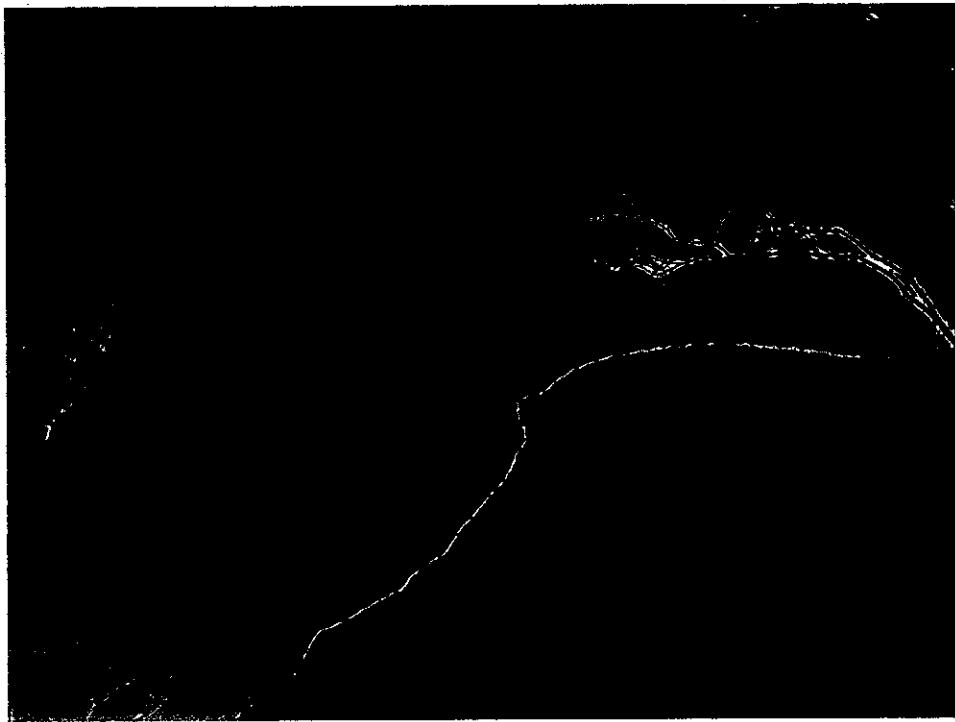


Photo by Jackie Bonafide

David Clark with Santa, Christmas 2007



Photo by Chuck Lewis



## Old Man of the Mountain

Long ago a hiker looked across to a mountain in wonder;  
Saw silhouetted against the sky a face; not a blunder,  
The features of a man, now known throughout the world,  
As the "Old Man of the Mountain;" a legend is unfurled.

New Hampshire's famous "Old Man of the Mountain,"  
Causing a legend far and near of a 'sound trend,'  
Drawing people from all places to gaze on that 'stone face,'  
The face of rock that stood for a long time in such grace.

For many years that 'rock of ages' stood solid and strong;  
Mirrored in the sky and awing a varied and thrilled throng.  
Coming from all over the world to view his strong, rocky features,  
Providing for those unable; a description as do good teachers.

After long years of a steadfast, strong, and enduring existence,  
Nature took its toll and the rocks on the mountain shifted;  
Down fell the 'Old Man.' Sadness has filled our hearts as we long  
To see on that mountain, our friend, 'the rock' who is gone.

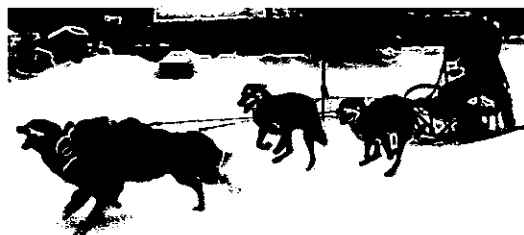
Books will relate the wonderful history of that face of rocks,  
That formed a land of recreation; a visitation of flocks.  
A history created from nature's marvelous and wondrous duty;  
A replica of a man made in the image of God; His beauty.

*Charles R. Safford . . . February 2, 2008*

## The Winter of 1964

It was back in 1964, and I had learned a lot about running the sled dogs during the New England Sled Dog Derby the first weekend in January. In remembering what to do and how to handle the dog team from my first run from the year before when I found myself sitting in the snow and watching my team running down the trail without me.

The following spring and summer I would hitch up a two- or three-dog team to a sled on wheels called a "Gig." The team would run up and down Zion Hill in Northfield. The dogs and I would get to know each other all that summer. We bonded; I would spend hours with the dogs getting to know which dogs pulled together and which dogs didn't like walking side-by-side. When winter arrived, I switched the "Gig" to a sled and continued to learn when to ride on the skids and when to help the dogs by running behind the sled. This method teaches the dogs that they will not have to pull any harder against the line than they had to.



When the time had come for competition against the other teams, the dogs and I had formed such a bond that we knew one another more than you would know a member of your own family.

At Derby time, I hitched up my lead dog Tina and four others behind her. We were one: team and musher. During the seven-dog team event we were only running a five mile course. My team went fifth out of six teams. This time I was ready when the time keeper gave me the signal to mush.

The dogs bolted off the starting line with me running behind the sled. When I felt that the dogs were in unison and were pulling faster than I could keep up with, I placed my feet on the skids of the sled and I felt as though I was flying over the trail. What a wondrous feeling. My team passed two of the four teams that had pulled out ahead of us. The other two teams were faster and we could not catch them, but when we arrived at the end of the run, we had come in third.

This was but one of my happiest moments of the winter of 1964.

David H. Clark



David Clark



## First Day of Trout Fishing

*by Forrest Foley*

We used to go to my brother-in-law's camp, four kids and myself. It was on a point that was a very good fishing spot.

We usually caught our limit; sometimes the game warden would pay us a visit and tell us how many fish we had. Usually we only needed about one more fish a person. I often felt like making a wise remark to the warden, but out of respect for his job, I refrained.



We always dressed the fish and took them to a widow on our street who loved fish.

Forrest Foley 1/28/08



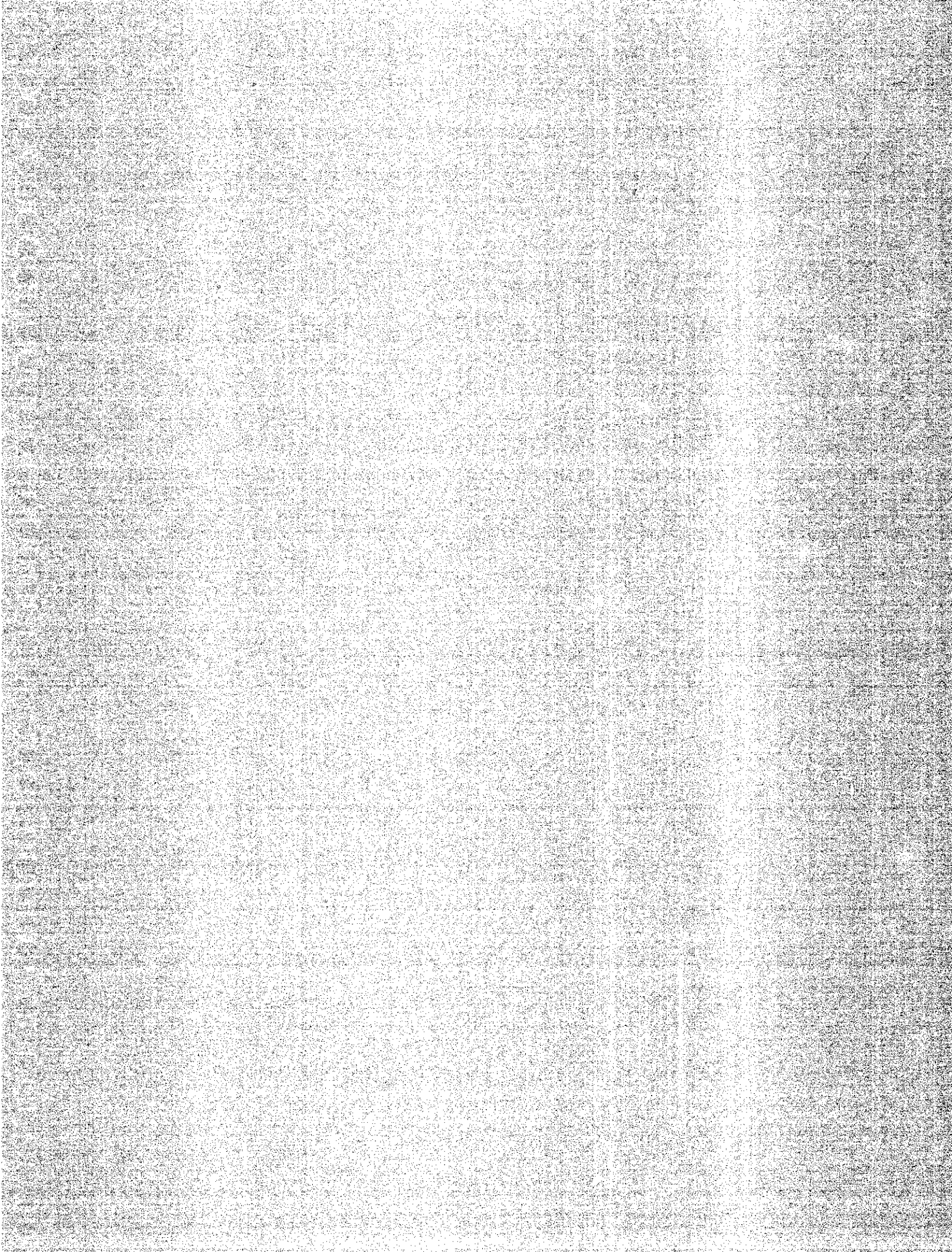
Photo by Jackie Bonafide

## To Our Volunteers

Our volunteers bring much joy and cheer  
When they lend an ear  
Or play a game  
To one and all they are the same  
Some are short some are tall  
But I must say-we love them all.

Forrest Foley

*Forrest Foley*



# Veterans' Voices



*A Virtual Creativity Magazine by Residents of the New Hampshire Veterans Home*

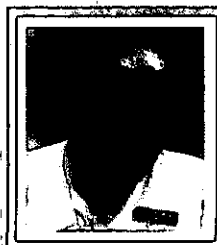
139 Winter Street, Tilton, NH 03276

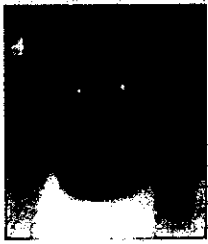
Volume Two, Number Two, Fall 2009

Visit us on the web: [www.nh.gov/veterans](http://www.nh.gov/veterans)



*Photo (above) of NHVH Resident Stanley Strout  
(World War II veteran, Air Force, 1942-45)  
by NHVH Resident Ron Wintriss (right),  
Vietnam veteran, Air Force, 1962-65*





## **Gerard Sullivan, Poet**

*Gerard served in the US Army, World War II, from 7/25/1944 to 9/13/1945; these poems were written in 1943, when he was 17 years old.*

### **Sailing O'er the Sea**

When I'm sailing o'er the sea,  
Thoughts of you come back to me,  
Of the times we spent together,  
In many different kinds of weather.  
In these times the sea has many dangers,  
For at times it's calm, then it changes,  
Destruction is great upon the sea,  
What modern man never thought could be.

### **Water**

Water is very lovely to see,  
Whether in a lake, ocean, stream, or sea,  
Flowing alone without a care,  
Dressed in a flowing gown bright and fair.  
Gliding gently along its way,  
Through all kinds of days.  
Useful to man in factories and on farms,  
And to men on islands with swaying palms.

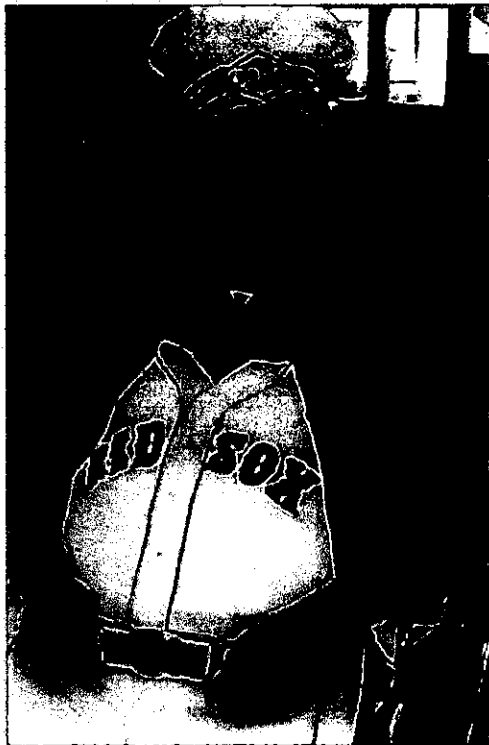
### **Music**

Music is a symbol of man,  
Whether here or in some distant land.  
That begins in his heart,  
Wherever the tune shall make a start.  
Often written by some unknown man,  
To a tune which he has already planned.  
Planned in his mind first of all,  
Then placed on paper, plain and small.  
Sometimes written in happiness and joy  
By some loving girl or boy.  
Other times by one in sorrow and pain,  
Pouring out their troubles to others not to blame.

### **Who Am I and Who Are You?**

Who am I to find romance,  
So the only way is to take a chance.  
And the day I saw you first,  
My heart pounded and nearly burst.  
For I wondered who are you,  
That we should meet, just we two.  
As I looked into your eyes,  
I thought for sure it was Paradise.  
Then we looked and eyes did meet,  
And my heart pounded to a jungle beat.





## Arthur's Cooking Corner

### Stuffed Roast Pork

Buy a large chine end of pork (about 12 pounds). Have the butcher take his cleaver and slice down about 2 inch slices of pork (do not break the flat bone). At home, bend about each pork chop and stuff the inside with stuffing (see recipe below). When you reach the last chop, garnish the whole top of the pork with slices of apple. Bake at 300 degrees in the oven until golden brown. Take it out and with a long sharp butcher knife, slice under each chop and serve with

the stuffing and an apple ring with each chop. Serve with mashed potatoes and carrots and a drink of sweet cider.

### Stuffing Recipe

2 cups of Bells Dry Seasoning

Dice up one large onion and one small pepper

Mix ingredients together with two eggs and add enough milk to hold the mix together.

.....By Arthur Foley

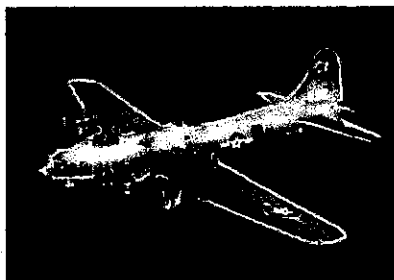
*Arthur is a US Army veteran of World War II. He served from 1942 to 1945.*

## AN EVENT IN A DAY OF WAR

As usual we were awakened at three in the morning to quickly go to breakfast before attending briefing of the day's bombing run. Where we would be bombing we would learn as we attended that briefing time. Crowding into the not so large hall, we found understanding as the Colonels laid out the day's plans in detail. That day, as in a number of others, our target was Fishermenz Market just below the great city of Vienna, Austria.

This particular target was of great significance because it was one of the most guarded places the Germans protected since it was the second largest oil refinery they depended upon for fuel to operate their war machinery.

Surrounding the refinery was a rail yard with many flat cars along the tracks carrying anti aircraft guns capable of reaching high into the sky with the ability to loft their deadly ammunition into the midst of our Flying Fortresses. These flying bombs were filled with scraps of material such as fragments of glass, metal of various sizes and shapes which, when exploded would pierce the wings and bodies of our planes,



tearing large holes wherever they hit.

A small fragment could and would cause great damage to any object it came in contact with and cause a plane to easily tear apart in the air and fall quickly to the ground and literally disintegrate in pieces, or blow up in the air somewhat like a balloon on fire.

Many times as I heard the frightening whoosh of a missile piercing through one of the wings, leaving a massive hole, I would pray that it had not caused a fuel tank to begin leaking the precious gas needed to reach home again, or cause it to catch fire and blow us to bits.

Looking up and through the canopy where my machine gun protruded, I saw some of the planes in our group disintegrate in pieces and fall agonizingly to the ground below, taking with it our hearts as we understood with horror, that our buddies were on that aircraft with no hope of surviving. The realization that we could very easily be next, pounded in my mind and breast fiercely. Oh, yes, there were times when a crew could bail out but then smash against the tail of the plane and fall to the ground unconscious.

As I looked ahead, a black wall of flak (antiaircraft fire), stood between us and our intended target and a horrible sinking feeling grasped my senses as I wondered how it would ever be possible to survive such a devastating display of power from the enemy below.

Our plane flew onward while lurching and shaking from being hit constantly; our bombs dropped erringly toward our intended target, as I watched through the Bombay as they sped toward the ground, carefully noting where they hit, so I could report to the briefing officer my observations if we were blessed enough to even reach home base.

As we landed one by one we few who were left, once again thanked God for bringing us safely back and prayed for those who remained in enemy territory that perhaps they did land safely and found some way to escape.

Briefing, as always was intense and tiring, and when finished we again returned to our tents knowing that again soon or perhaps the next day we would fly off to another target. Meanwhile, immersing ourselves in a game of poker to throw off the remembrance of our present experience and being thankful we were able to be here to share.

*By Charles R. Safford, November 29, 2008*

### **Charlie Safford:**

**February 21, 1922 - February 18, 2009**



More than sixty years ago Charlie Safford flew combat missions in B-17 bombers during World War II. He served as a Tech Sergeant from 1942 to 1945 in the US Army Air Corps. "There was many a hole in the plane," he remembers, "but our guys on the ground were great at patching them up."

On February 18, Charlie passed away peacefully at the New Hampshire Veterans Home—his Home—with members of his family beside him and hundreds of his friends (staff and residents) nearby. We will always remember him.



## Easter Egg Hunt 2009



This year as I was sitting by the elevator, the kids came bursting up the elevator excited to begin. I put some eggs in the first kid's basket and told them it was to start them off. As kids went by, I continued to put eggs in their basket. I only had about three eggs left and there were many kids still coming. Instead of eggs, I put quarters in their baskets so they didn't have to go without anything. That put a smile on their face, and mine.

I was asked to present the chocolate bunny to the winner. I did it with great joy. A little girl got the egg with the notice inside telling her she won the chocolate bunny. I told her she was among the best of the best, and then I said a lot more foolishness. When I finished presenting the bunny I put a quarter in her basket so she could buy jelly beans to feed her bunny, that was a last minute thought.

**Bob Blanchard**

*Bob is a US Army veteran of the Korean War and served from 1951 to 1953.*



## What I did on Easter Past and Present

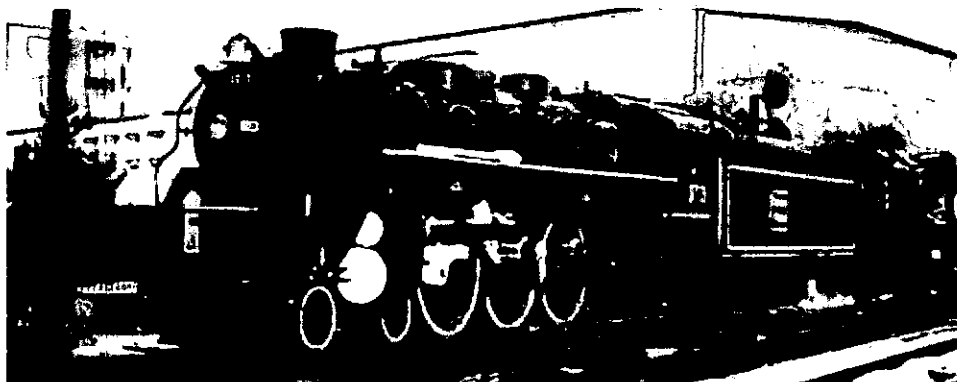
I remember as a young lad what I did on Easter. I would wake up early in the morning and go downstairs and hunt for all the Easter candy which was hidden all over the place. I had an empty Easter basket from last year and I filled it very quickly. I was the baby of the family. My next brother was fourteen and I was eight years old.

When I came back from the service in World War II, 1942 to 1945, all I could think of was trying on my old clothes. If they didn't fit I was going to buy a new wardrobe. We always dressed up Easter Sunday as I was growing up. So I tried to live by the old tradition. We also occasionally went to an Easter Sunday Service. After the service the family would go all out to a nice restaurant and have ham and eggs, toast and coffee, then coffee cake.

Back to my old wardrobe: it fit me, but I thought it looked shabby on me. I went to the bank and withdrew \$200.00 and took the train to Boston. In those days (1940s), the train (B&M) ran from Portland, ME to Boston, MA once a week. They would sidetrack to Nashua and pick up passengers. I would jump ahead and go to Boston and shop at Jordan Marsh Co. They had a great selection of clothes, shoes and other accessories.

Coming home after a nice dinner at a Chinese Restaurant (Chinese food was something I hadn't had since I left to go to World War II). I couldn't wait for the next day so I could dress up in my new clothes and shoes; well I guess you can say I've had a few nice Easters in my life.

Arthur Foley  
NH Vet's Home  
4/13/2009



*A Boston & Maine Railroad train*

## Enlisting

by Bob Blanchard

I tried to enlist in the Army when I was 21 years old. I went to Boston, it was a pleasant day in April, the sun was shining. I was turned down by the Army due to the fact that I only had one eye that worked. I was angry because all of my friends had already enlisted.

Since I was refused for induction we decided to go along with our original wedding date. Approximately 1 week later I received a notice in the mail from the Draft Board telling me to report for a pre-induction physical. I was a bit surprised when I got the letter. I reported fully thinking that I would return home that evening. That evening I had luxurious accommodations at Fort Devens. I was in the Army. I was in a wooden building with bunks in it. The bathroom was essentially one large room at the end of the barracks with a row of toilets on one wall, no stalls, and a row of urinals on the other wall, on the third wall there was a row of sinks. At one end of the latrine there were a couple of shower stalls.

My first week in the military I was at Fort Mead in Maryland. We kept hearing about a GI party. Surprise, surprise...The GI party was an acronym for cleaning the barracks inside and out. That GI party was cleaning every crack, crevasse and surface. Saturday morning we would stand for inspection. If we didn't pass inspection we didn't get a weekend pass. Fortunately for me, I'd get a ride to the railroad station in Baltimore, change trains in NY City and be home for one day. After being home overnight. There was one guy who was always willing to drive us to the station, we just made it in time to buy the ticket before boarding the train. As a GI, we got a discount.

Having been married for one week before I was enlisted, we were still honeymooners. Instead of sitting at the breakfast table holding my wife's hand, I was sitting in a mess hall with a bunch of would-be warriors.

When I got home, I took my hat off. I looked like a cannon ball because the Army had me shave my head, and I had to pay for it.

### Haberdasher to the troops (the quarter master corps)

When one devoted civilian joins the Army, he is soon marched to the quarter master and issued clothing.

If they ask the size and you respond 42-29, you will likely get a 52-42. The theory behind this is the Army is out of sleeping bags and while out in the field the oversize clothes will act as a sleeping bag.

All of the clothing is khaki, including the underwear, and this was well planned. At times, one must answer the call of nature in the closest woods. With the flap down, it makes a perfect target. As Forrest Gump responded when receiving the Medal of Honor and he was asked by the President where he was wounded, he replied, "in the buttocks." A Medal of Honor for being bopped in the bum!

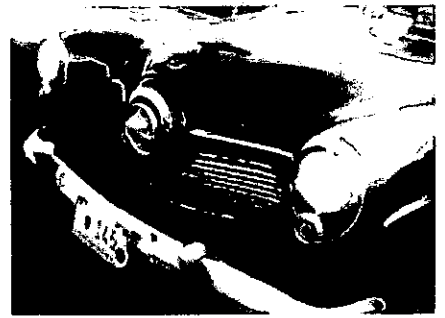
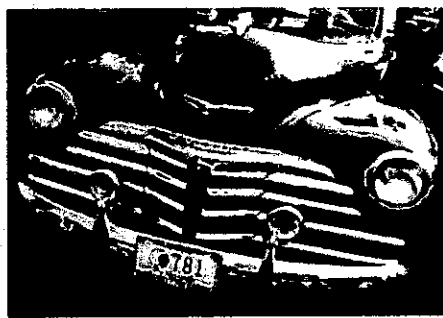
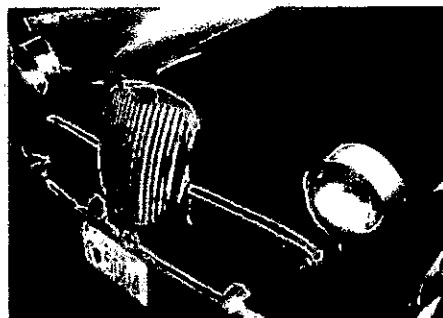
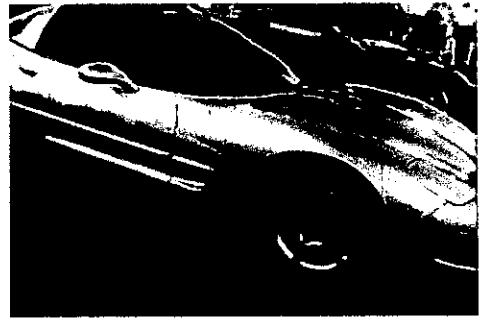
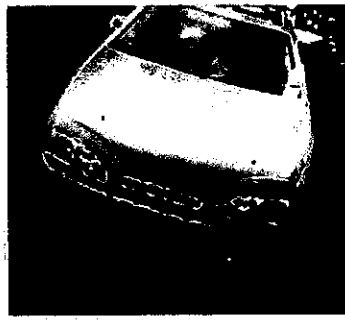
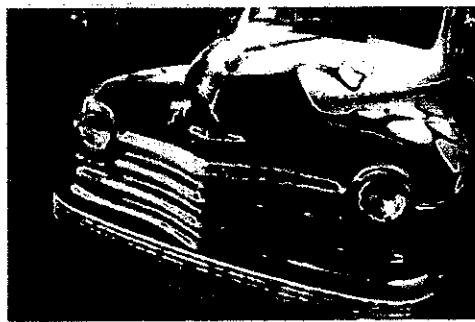
Bob Blanchard



# Nick's Corner

Photos by Nick Mangini, August 2009

*(Nick is a US Army veteran of the Korean War. He served from 1948 to 1952.)*



## My First Day in the Service

I was drafted into the Army on September 24<sup>th</sup>, 1965. I was to report to the Army induction station in Manchester. After a full day of testing and physical examinations I was selected to report back there and was loaded onto a bus that took us to Ft. Dix, New Jersey to begin 12 weeks of basic training. I was assigned to Bravo Company, 5<sup>th</sup> BCT (Basic Combat Training). After unloading our gear into the barracks where we were assigned bunks, we were told that we were no longer the individuals that we once were. The Army Drill Sergeant was now our mother, father, girlfriend and everyone else we ever knew. It became downgrading to me as he seemed to stare into my eyes and make me feel as though I was a child being scolded for having lived another life.



*Dave is a US Army veteran of the Vietnam War.  
He served from 1965 to 1967.  
This picture of him was taken in 1965.*

First, there came the uniforms to replace our civilian clothing, then we obtained first an M1 Carbine that we were taught to shoot. We were later given the new rifle, the M14 which did not fire accurately as the M1. Later, we again were given a newer rifle known as the M16. This was much lighter and easier on the recoil.

We went through hand-to-hand combat training, bayonet practice, gas chamber exercises, many forced marches and physical exercises until that youth that was instilled inside us in civilian life now disappeared and we entered adulthood.

That first day in the service, though degrading to me, had matured me into the adult I never knew was inside.

David Clark  
3/9/09

## On the First Day of Spring 3/16/09

March 21<sup>st</sup>

I would go on a hike in the woods and look for signs of spring. I came upon a load of pussy willows on a tall willow bush. My next find was Dutchman's Britches, a small white flower on a gray stem, the flower hung down like a pipe.

I noticed all the ponds where the ice was out were filled with small tadpoles. Everything smelled so clean after a long winter.

About 2 weeks later I'd go fishing for suckers, a large fish with a pointed mouth. I'd always throw them back into the water as they were not good eating.

Next I'd come across a few moths, happy around the bushes. I noticed fiddlehead ferns popping up near a brook.

I also enjoyed pitching horseshoes near the railroad track where there was a lot of sand.

Arthur Foley



*Dutchman's Britches, a small white flower on a gray stem.*

## THE COURAGE TO BE DIFFERENT

One of our difficulties is to have the courage to be different,  
Different than the average person commands courage.  
For some of us the preferential is just being indifferent,  
Because being different is seen as a cause to discourage.

How does one become a champion? Being better than average,  
Better than average is the result of being different.  
Indifference really is sure and certain justifiable miscarriage,  
Choosing to be indifferent is perhaps a result of defense.

The challenge to desire to be different enlarges our steps,  
Causes us to reach for what may seem unattainable.  
Giving us reason to be cautious of any and all missteps,  
Enabling us to find our many excuses sustainable.

There is no failure like that of not challenging ourselves,  
To make a difference throughout our lives,  
To have the courage not to place us upon shelves,  
Make a difference to continuously strive.



Each ladder to success contains upward rungs to  
climb.  
One must be aware not to step on others on the  
way,  
Should there be a reason for that success to decline,  
Challenging our courage to see the cause for that  
day.

Charles R. Safford . . . February 6, 2009

## A Question By Richard Golden

*Richard served in the US Army during the Korean War, from 1953 to 1956.*

How can you sleep leaders of vain,  
When you hold in your hands a decision so  
grave.

That its awesome results are beyond our ken,  
And throw fear in the hearts of the bravest of  
brave.

Our forefathers once made a game out of war.  
'Twas easily done, for a sword or a  
bow.

Though skillfully wielded can hardly do more  
in the hand of one soldier, than murder one  
foe.

If the battles confined to the battlefield's bourne,  
And the killer and killed are both soldiers by  
choice.

Then the loss of a loved one is just cause to mourn,  
And triumphant return brings just cause to  
rejoice.

But the killers today are impersonal things  
And one cannot choose between the plow and the sword.  
When the falcons of war take again to their wings,  
There'll be no place to hide; we must trust in the  
Lord.



## *The Mcauliffe-Shephard Planetarium*

On April 12<sup>th</sup>, 2009, five residents of the Korean/Vietnam Era along with two staff members boarded the Veterans Home bus and went to Concord for a delicious meal at the American Legion Hall. We enjoyed a vegetable soup and then dinner consisted of pot roast, mashed potatoes and green beans. We enjoyed ourselves at the table until we said our good byes to the host and re-boarded the bus once again to head to the Mcauliffe-Shephard Planetarium which is located at the NH Technical School.

Upon arriving we witnessed the 92' high replica of the Mercury-Redstone Freedom 7 rocket standing in the glittering sun. Upon exiting the bus, I tried to take pictures but the sun was too bright and reflective that all I got was a white wash for a picture.

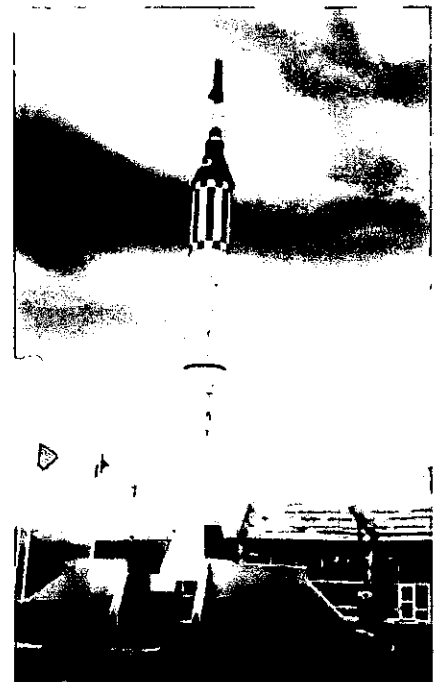
Going inside, while a staff member got our tickets, we looked around, the first thing I noticed was the new addition to the building, the gift store was larger and held a lot more items than they had the last time I went, which was back in 1997. There was a café to the left where you could sit and enjoy a meal. We plan, if we go again, we are going to eat there.

As we began our walk through we were able to read and see artifacts from both Christa McAuliffe and Alan Shepard. We then entered an area where it showed how we are planning to get to the Planet Mars. There were several questions which you had to answer to see if you qualify to go on such a trip. In answering all ten questions, I received the message to report to NASA for training.

From that point we went on to see a mock up of the space shuttle where I had my picture taken. In the next room there was an exact replica of the Capsule in which the Mercury Astronauts returned to earth in.

From there we came upon several machines in which you had to turn a handle in order to create electricity, water and wind power. I then proceeded up a glass elevator where Bob took pictures of me going upstairs where I visited all posters and pictures of the past and present space missions. As we strolled through the second floor, we were told that the show in the planetarium was about to begin. Upon entering the domed area, the lights went off and the speaker began showing on the dome what the evening sky looked like on this evening. He showed us the constellations and how they were named. After a half-hour, we merged out of the arena into the lighted building. It was a while before my eyes got accustomed to the light.

As we exited the building to board our bus I was still trying to get a picture of that rocket, but still the sun washed it out. Then I remembered how I used my sun glasses last year to take pictures. Roy Berry gave me his which I placed in front of the lens. WOW! What a picture. It really made my visit that much more enjoyable. Now it was time to arrive back at the home.



Article and photo by David Clark

*Dave Clark is a US Army  
veteran of the Vietnam War. He  
served from 1965 to 1967.*

# Residents' Art



*Dave Clark is a US Army veteran of the Vietnam War. He served from 1965 to 1967.*



*Harold Palmer is a US Army veteran of World War II. He served from 1942 to 1945.*



*Roland Guay served in the US Army during World War II from 1941 to 1945.*



*Roy Berry served in the US Navy during the Vietnam War, from 1965 to 1969.*

Remembering Bobby  
June 15, 2009

Who was Bobby? Bobby was my younger brother. He passed on June 4<sup>th</sup> at the age of 59. That's the same age, lacking three months, when our father passed. They both had a drinking habit they couldn't fight.

This dreaded disease called Alcoholism ruins not only the addict but the addict's family and loved ones that are left behind, wondering what are they going to do without his presence in this life.

Bobby was a brother, father, husband, Marine. He was easygoing, loved life to the fullest. We lived together in the orphanage and our first foster home in Pittsfield. He served in the Marines with his best friend Billy Joy, the son of Clyde and Willa May Joy of Epsom. Together they served in Vietnam and it was there he lost his best friend Billy Joy; he was never the same upon his return.

He settled down in Long Island after meeting his wife-to-be, Cathy. They married, and had two girls. They loved their father and he loved them back.

After 37 years of drinking, the two were divorced, and whenever he went to work if he so happened to see snow flakes fall from the sky or onto his windshield, he would turn around and head back home, thus he became known as "Two Flake Bob"!

My older brother, Jim, had this organ that when a special button was turned ON, no matter what keys you played, it would sound like a professional musician. When Bob tried to play a song, the button was turned OFF and it didn't sound right at all. So Jim told Bob that he had taught the girls to play the organ. Jim secretly turned the button ON and when both girls took their turns and pressed any old keys, the music was exceptional! Bob yelled out the he had two protégés in the family. This went on for about an hour before Jim finally explained to Bob—thus bursting his bubble.

Though not really living with my siblings, I remember the little things in life that kept us being a family.

My younger brother, Bob should have outlived us older ones, but his life was gradually falling apart from the loss of his best friend, Billy Joy.

I'm going to miss him...he's in God's hands.

David Clark

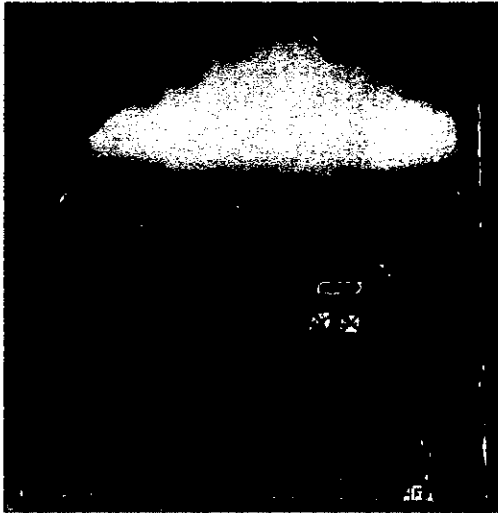
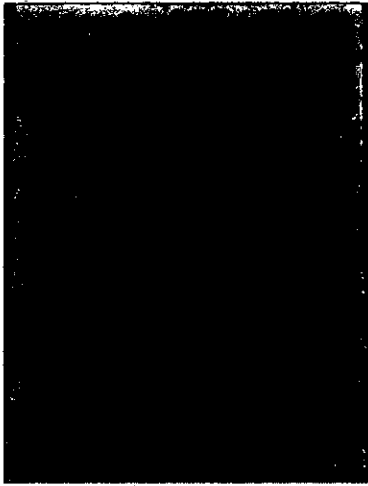


*Photo left: June 1956 - Dave (center, middle row) with (standing) foster brother Jim, foster sister Phyllis, and foster sister Doris (to the right of Dave); brothers Jim (to the left of Dave), and (front row) Johnny and Bobby.*



*Photo right: 1998 - Dave (far right) with brothers Bob (far left) and Jimmy. Jim's son, Brian, is in the background.*

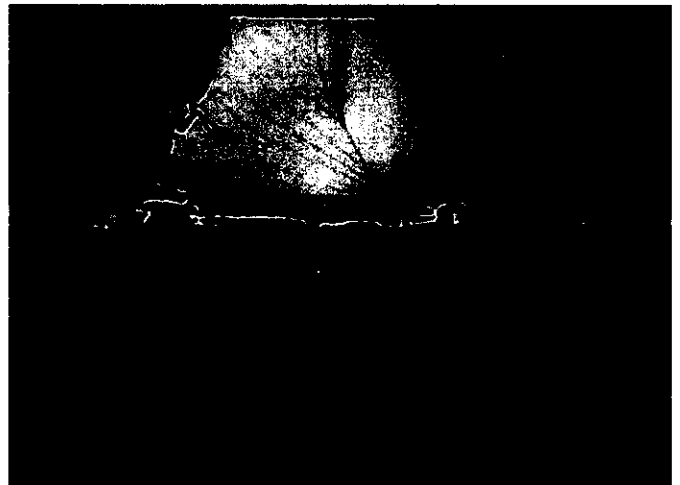
# Residents' Art



Arthur Foley is a US Army veteran of World War II. He served from 1942 to 1945.



Ray Plummer is a US Army veteran of World War II. He served from 1943 to 1945.



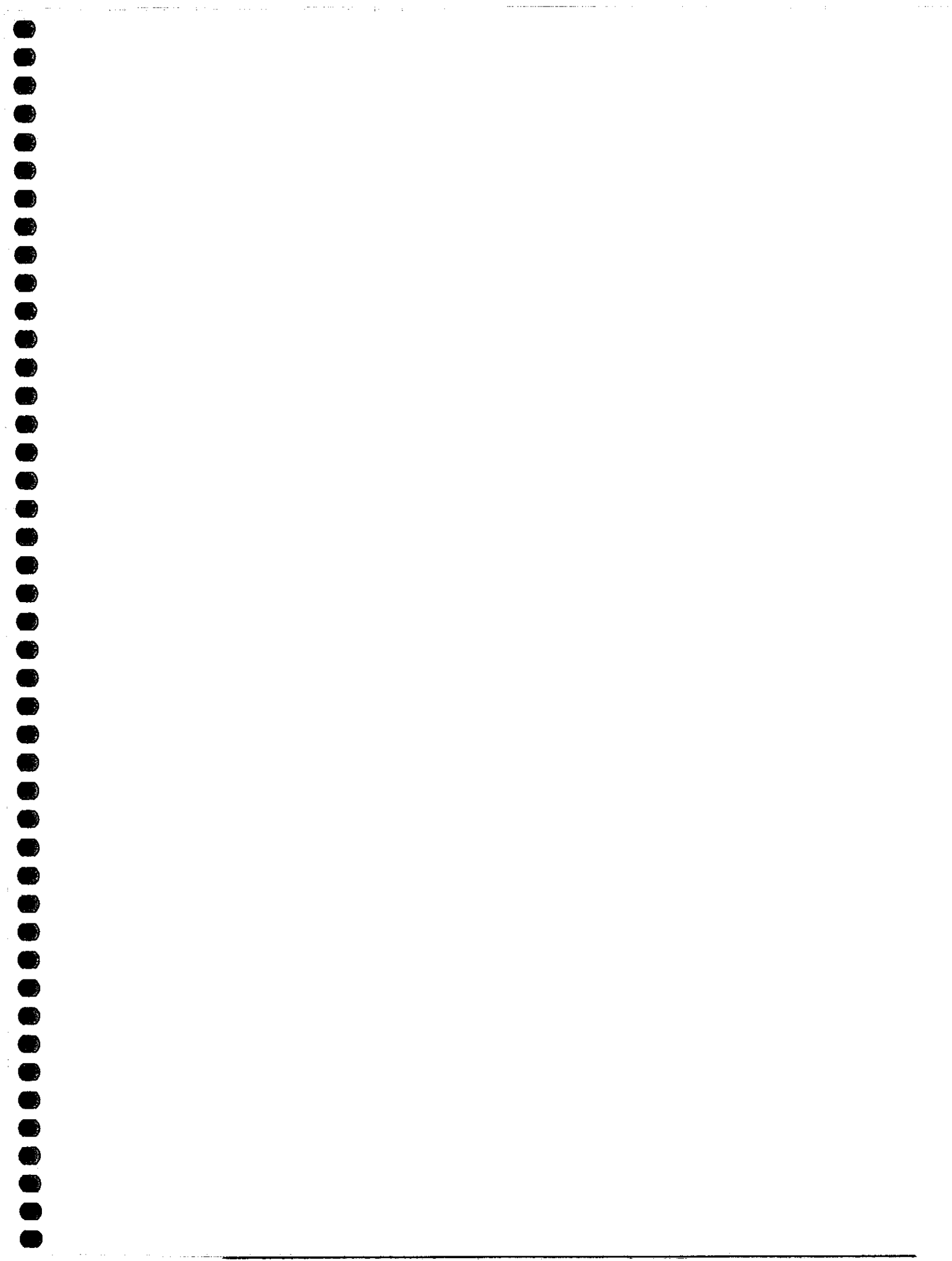
Dan MacDonald is a US Army veteran of the Vietnam War. He served from 1968 to 1970.

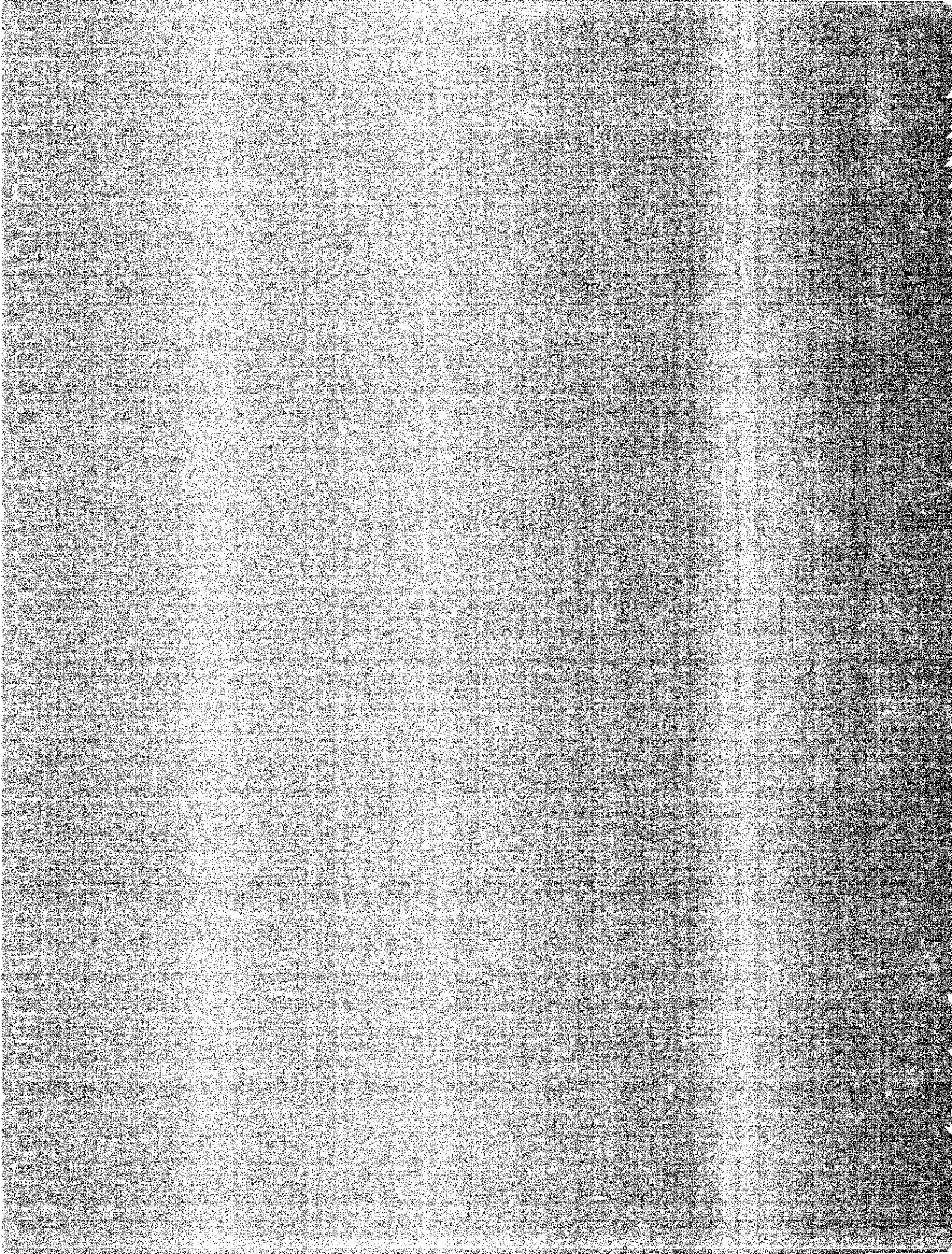


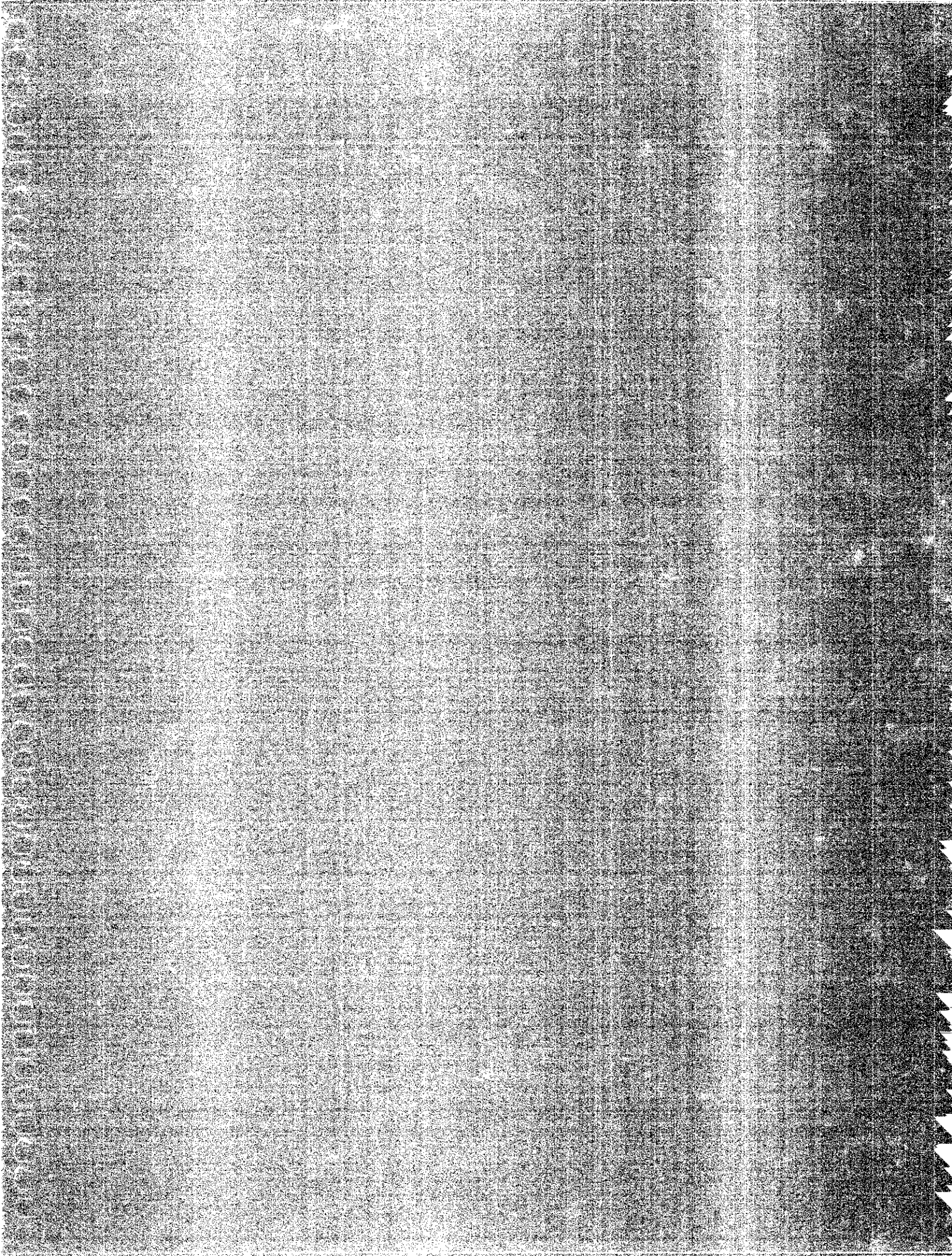
Dave Clark is a US Army veteran of the Vietnam War. He served from 1965 to 1967.

Bob Kelsey is a US Navy veteran of the Korean War. He served from 1952 to 1972.









# VETERANS' VOICES

*A Virtual Creativity Magazine by Residents of the New Hampshire Veterans Home*

139 Winter Street, Tilton, NH 03276

Volume Two, Number One, Winter 2009: Visit us on the web: [www.nh.gov/veterans](http://www.nh.gov/veterans)



*Arthur Foley*

"Sunflowers," by Arthur Foley





← Photo: David Clark (far left) with Charlie Safford

## DAVID CLARK

I am awed and amazed with gratitude for the attitude

And the sheer courage of that man  
David Clark.

Who, though paralyzed, has the tenacity  
and the capacity

To do perhaps, what I may lack, to have  
his spark.

Here is a man of men with the wondrous grit of ten,  
Who can play and act, limited though he may be,  
But always with a laugh as if with resounding of Big Ben,  
Whose musical tones toll for men and women so free.

How graced we are to witness, in our midst, such courage;  
From an example rare and beautiful, for us to admire,  
As we live out our lives in this marvelous home above average;  
Witnessing, with admiration, this man of strength, and fire.

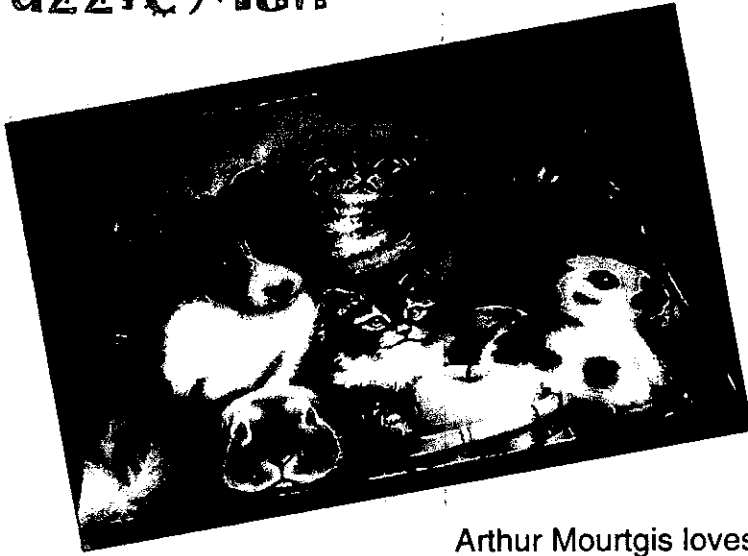
Yes David, we are very blessed to have you among us;  
To remind each of us how precious is our lives,  
And, to gift each of us the great example of that omnibus  
As a goal for all of us to reach, strive, with desire and vibes.

Thank you David for being one of us that we may never forget,  
A veteran who is teaching us the very meaning of strength,  
Courage, guts, ability, and an unforgettable man who has set  
The bar a lot higher for us to hurdle, overcome, in length.

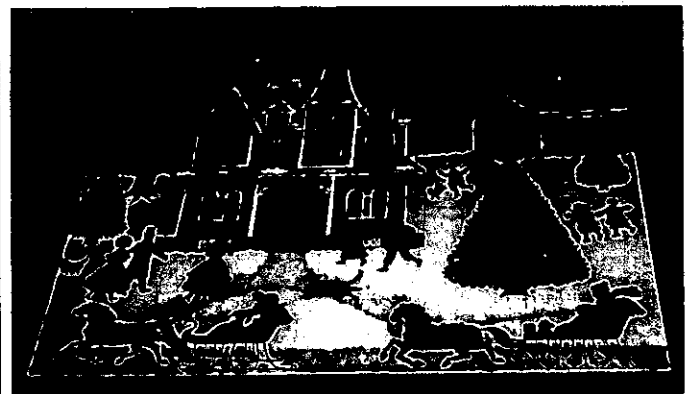
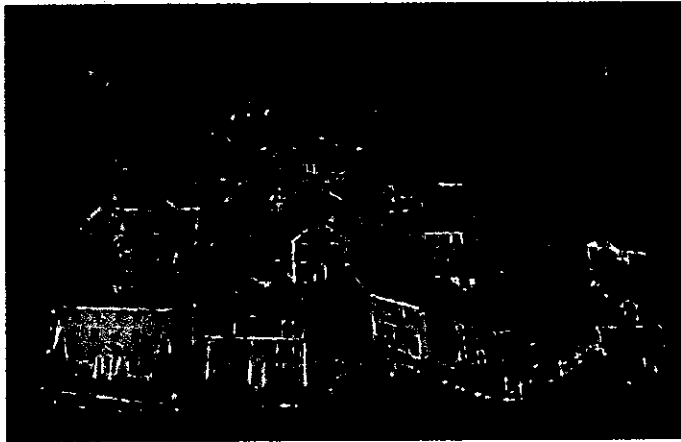
The pride of our Veterans Home; ("Groovy"), David Clark,  
Man of the hour, the very best, who has raised the bar.  
The man whose courage gives us an example; to hark,  
To David slaying his Goliath; and David, our star.

*In great admiration, Charles R. Safford . . . April 19, 2008*

# Puzzle Man



Arthur Mourtgis loves jigsaw puzzles. When he finishes one, we take a picture of it, then we laminate it for him. He keeps the photos in a portfolio and is proud to show them off. Arthur is from Manchester NH. He served in the US Army during World War II from 1943 to 1945.



## Red Barns

*From a Diary, by Arthur Foley*

I've got a mania for red barns, although I've seen yellow and white, and just plain old weather-beaten ones. Red barns are still my favorite. There was an old red barn at the end of the road that I lived off on an avenue. The children and I would often walk up to the red barn, about 1 ½ miles, from where we lived. The barn was locked up, but we could admire the outside. It was kept in good shape as it was used for a ticket office when the skiing season began. There was a rope tow nearby and it was a popular place to ski, as the hill was not too steep. My grandfather's barn was yellow, the same color as the house.

My mother and I would go to visit my grandfather and grandmother every July for two weeks. I spent most of my time in the barn. There was a hayloft upstairs, with a set of narrow steps leading up to it. I would climb up and roll around in the hay. The two cats would have fun, playing hide and seek with each other. Under the barn was a hog pen with two large hogs inside. I would go out into a large field on the north side of the house, and gather tall weeds and bring them back to feed the hogs.

The Guinea hens were half wild; they would roost up in the tall pines at night, and eat insects around the garden during the day. My grandfather called them his watchdogs, as they would carry on loudly if anyone was near the garden or the high bush blueberries at the end of the swamp. Their eggs were very small and they laid them in the soft pine needles under the pines.

*So long for now.  
Arthur Foley*



MENTORING, by Charles R. Safford . . . October 4, 2008

I have been mentoring handicapped children for three years.  
Experiencing education, laughter, and some tears.  
No name who has always had autism, has watched me,  
Quietly in the background; close enough to see.

Flitting near me at times, yet remaining out of reach,  
While watching me with others to play and to teach .  
Ever observing, very conserving, mind surely working,  
Pondering, ever closer, still clearly, silently lurking.

Yesterday as I sat at a table waiting for a child to emerge,  
He ventured close and suddenly, and with a surge,  
Walked around the table, grabbed my hand and began to yank.  
The guardian guessed he wanted me to follow; no prank.

To his room he led and indicated I was to sit and share his bed.  
First he showed me a toy, ever close, batteries dead.  
Then placed my hand upon his head, and began to giggle,  
He wanted to be tickled as he giggled and wiggled.

Never before had I heard from him a sound. This was profound.  
Nearly an hour I thrilled as silence had turned all around.  
I mentioned to the guardian that soon my driver would arrive,  
Our time together nearly over, his attitude he'd deprive.

Quiet again as the driver appeared; it was time for me to go.  
Culmination of three years of silent observance to know,  
The long desire was safe to share an hour with an old friend,  
Time and patience was rewarding and perhaps a new trend.

Will it continue I wonder? Will we become a constant, a hope?  
How long will it last? How long will I be able to cope?  
If prayers will be answered; the story will end in its proper way,  
For His wisdom always prevails at the close of the day.



## Vacation/ Bike Week

It was during bike week that my family and I would always plan our vacations away from the mass intrusion of the bikes. We would plan our vacation by going to Lake George, New York. At Lake George we would stay in the hotel and we would visit the Wax Museum. While in the museum there was a set up of the Model Aircraft Carriers that were used in the movie Tora Tora Tora. These Aircraft Carriers were behind a red velvet line and while pointing out to my kids I came close to touching one of the models and while I was explaining to the children about the models in the movie a gentleman came up and he slapped my hand in front of my kids and told me: "Can't you read...DO NOT TOUCH MODELS!" My oldest daughter, Michelle who was 12 years old at the time screamed at the gentleman and told him, "You can't hit my daddy!" The gentleman told her that adults have to read the rules as well as the children. This vacation/Bike Week was the best Father's Day I had ever had. I miss those days very much.

David Clark

## *Using Your Head*

Last Saturday, recreation put on an activity with a volleyball net and two balloons. We were all on one side of the net and Mary was on the other side, she was getting even with me. She was bouncing the balloon my way and without the use of my hands and legs I had to bounce it off my head. Occasionally I would get it to the net. She told the guys, "it's get even with Dave day" and some of them were bouncing the ball off the back of my head. Toward the end of the hour she came over and retrieved me. She took me onto the other side where I sat all by myself and she had everybody bounce the balloon off of me. Good thing it was the balloon and not the volleyball. Everyone there enjoyed the game as well as me.

It was through this activity I found myself enjoying the game of volleyball without the use of my hands and legs. I think that as long as someone retains their head and mind they can accomplish a lot. I find that between the recreation activities and the writing group therapy I am going to beat this thing. I just want to thank everybody for standing by.

David Clark

## *It's a Miracle*

It was on June 1<sup>st</sup> while Mary and I were in the Tarr South Dining Room listening to Ken Peck singing.

Mary and I were sitting there holding hands and talking when Ken began to sing "Blueberry Hill". My hands, which had been asleep from a stroke suddenly began to burn from the fingers up to the shoulder. Soon trembling began and it became uncontrollable. Mary's face froze with a worried look as I too became fearful, thinking that I was having a third stroke. The LNAs behind me noticed the look on Mary's face and my trembling so they rushed me from the Dining room to the Nurses Desk.

As it turned out, my hand had awakened from its sleep. I was able to move my fingers and my left hand once again.

After Ken Peck finished his singing, he and his wife looked me up in my room to see how I was doing. Between my belief in God, my hopes in coming back from a sleep and the love of a good woman, I am now able to write this story.

Everyone here and those that know my story of my two strokes since 2003 believe this awakening as truly a miracle.

I believe I soon will be able to obtain the use of my right side as well as my left until then I will continue with physical therapy, hope and the belief that the mind can rebuild the body.

David Clark



Photographs by  
Nick Mangini



Photographs by  
Phil Walton





*Watercolors by Residents*



*Richard Mumblo*



*Dave Whitney*



*Marshall Gorney*



*Roy Jones*

## ***When Boys Became Men***

I was among good friends some sixty years ago,  
We were in the service of our country then.  
Young and full of life, ready to go,  
Just boys, but soon to be men.

We were strong, healthy, and with a real purpose,  
To protect our families, our country's honor.  
The mud was thick, the rain in surplus,  
The thunder of guns, our hearts knew horror.

Months became years, we shed many tears,  
And for mile upon mile we grew so tired.  
We continued to carry a smile to hide our fears,  
Whenever we must, our guns we fired.

At long last it was over, we reached Berlin,  
Haggard, exhausted, our enemy finally defeated.  
Home we came, our arms was our girl in,  
To wed, raise a family, thinking all was completed.

We have grown old but our dreams are the same,  
Many still experience those vivid nightmares.  
Keeping us silent, at times, even in shame,  
Remembering yet the awful night flares.  
We are again together in the veterans home,  
Not like the fox holes we all knew back then.  
Some feeling trapped in body, as if still in Rome,  
Even in fear, just as it felt back then.

Others do well for we are treated with respect,  
We are honored, and loved by those who care.  
This is our home now. Our families, oh how we reflect,  
On the days of yesteryear we hold so rare.

Sad to say, old, ill, lonely, and very alone,  
Is many a hero, his stories untold.  
His young wife gone, his children have flown,  
Here he sits, no more strong and bold.

Some of us who were there and who hear their silent cry,  
Salute them in remembrance for who they really are.  
Heroes and men, brave, alert, willing to try,  
For country and family. Every stripe, and every star.

I stand proud to know them all,  
Those boys I recall now and then.  
They are heroes still, strong and tall,  
For I honor and love those boys who became real men.

***Charlie Safford ~ ~ ~ January 4, 2005***

*Veterans' Voices, Page 11, Volume Two, Number One*

## CUTTING WINTER ICE ON THE POND

By Arthur Foley



I remember going by Round Pond in Nashua in the winter, especially in February, after a few weeks of below-zero degree weather. They would go out to the center of the pond and cut out a large square hole, enough to get the long ice saws into the side ice of the hole. Most of the ice was two feet thick—just right for cutting and storing in the large wooden ice house. There were long open slats on the ice house side to let a small amount of air in the house after cutting the ice and storing each one on top of the other. The winter ice cutting job was done.

I forgot to mention all the sawdust that was used between the ice blocks. This prevented excess ice melting, as the ice had to last throughout the summer months.

The pond was fed by two large underground springs. There was a small dam at the end of the pond that was used for overflow in the wet months of spring. It emptied into a stream that ran by the B&M railroad tracks.

In the summer we fished for perch and other small fish. We fished from the sides of the pond as they didn't want any boats on the pond. We found that the best fishing was on the side that bordered the B&M tracks. It was all white sandy soil with plenty of algae floating around that fish liked. Well, so much for Round Pond.

*I am,*

*Arthur Foley*



## CHIMNEYS

AF



Every time I pass a house I always look to see if they have an oversized chimney, because that always means they have a nice fireplace in their home.

It is so relaxing to sit in front of a fireplace on a cold wintry night, and just chat about all the things you did all summer long. The home that I visited some time ago had about six long stem stainless steel cooking rods. You would insert the forked end into a hot dog or marshmallow and place it into the heat until done. What a wonderful way to spend the evening. We had a cup of warm cider to wet our whistle so to speak. Nice conversation and good food make for a very pleasant evening. No dirty jokes or "How many times do you have sex with your loved one in a week?" If asked I always replied, "That's private business," and that ends the question.

It's also nice to have a good card game with friends, and of course, lots of fresh popped corn with plenty of real butter poured over the top. It's always nice also to invite some friends in our home, and have our special roast pork dinner. We'd buy a chine end of pork about 10 bones (standing) and have the butcher take his cleaver and cut down each individual pork chop, but not splitting the main center bone. We then rinsed the chine end of pork off with salt and warm water, and proceeded to stuff the spaces between each chop with our special stuffing:

Two and a half cups of dry Bell's seasoning, one cup milk, one onion grated up fine. One cup of walnut halves. Mix all ingredients together in a large bowl so that everything clings together. Then fill each space with the stuffing. Bake in oven until done. Meat thermometer inserted into center roast helps to know when it's done. When you remove the roast from the oven, bathe it with some thick applesauce. Of course we had mashed potatoes and broccoli and baked stuffed apples for dessert. Stuffed baked apples with brown sugar, coffee, tea and good conversation ends the pleasant dinner.

*As always, I am*

*Arthur Foley*

Paintings by  
Don Piehl



From a Seascape  
by Alfred Bricker



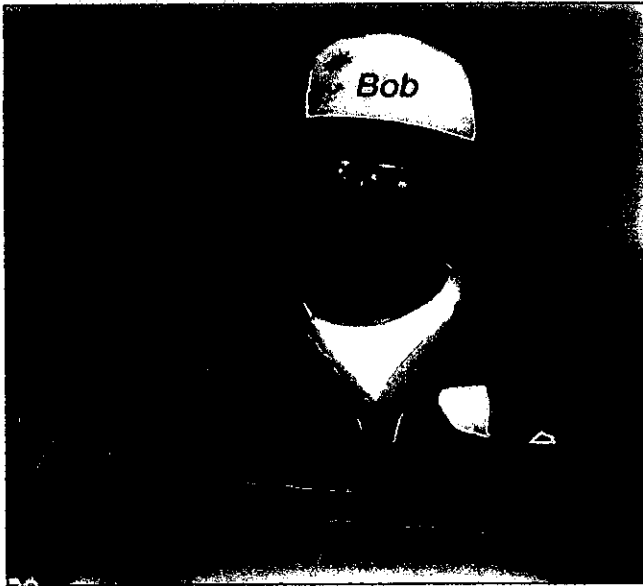
Mt. Everest Neighborhood



Windswept

## *Intergenerational Programs: Reflections*

By Bob Blanchard



This program could be entitled, "The Heart to Heart Program." We, as veterans, meet with local school children. Often, through an exchange of ideas, experience, and life, we learn from each other.

I think of the young student who told me his parents were divorced, and he felt like a piece of excess baggage. Neither of his parents was interested in knowing how he was doing in school. One veteran was—and always inquired how the boy's studies were going.

The student recalls, "When we talk one-on-one and I tell him that I want to be an astronaut, he tells me, 'Go for it,' while other older people put me down. We feel comfortable with the veterans. We are on a first-name basis, and if I use 'Mister,' I am instantly corrected and reminded that I can use first names.

"I am told that everyone in the school is here to help me become all I can be. These veterans are interested in me because of who I am; they encourage me to continue my education to higher levels. They never put me down. They have a great deal of experience and knowledge. They make me feel good about myself and I am going to 'go for it.' Thank you, guys. I'll make you proud of the time you spent with me."

Autumn Morning  
by Don Piehl

## *Evening Call*

At about 8:00, one dark, fall evening the scanner sounded the call for Harrisville. I reported to the Fire Station, opened the door and started up the ambulance.

By now, one of the other crew members showed up and we sped to Harrisville. When we got there they directed us out into a big field where the crew was waiting for us. On the ground was an older woman with her scalp peeled back. She fell on a piece of tin on the end of an old time barrel. After disinfection, we tipped it back and bandaged it in place. We loaded her into the ambulance and transported her to the hospital.

Forrest Foley

## *Yard Sale Special*

My eye was caught by a large piece of dough cloth. It turned out to be a hospital curtain. Immediately I thought of a use for it. My wife made quilts. I put it up behind her sewing machine so she could stitch the whole length of the quilt and not get it on the floor.

Forrest Foley



*"My House," by Forrest Foley*

## *Outing at Stone Pond*

Years ago we had right of way at Stone Pond. One nice 4<sup>th</sup> of July we had a family party and cook out. We all went swimming and one of the boys discovered a trout hole in the brook. All of us caught our limit, we ate all day long. Boating, eating, fishing and sun bathing, what a day!

Forrest Foley



*Forrest Foley was born on January 3, 1925 in Marlborough, NH. He served in the US Army during World War II, from July 9, 1943 to February 28, 1946. He joined the New Hampshire Veterans Home Family on July 22, 2004 and loved participating in many different activities, including the Writing Group and the Painting Group. Forrest passed away on Monday, January 5, 2009. We will miss him very much.*



## FINAL JOURNEY

Today we experienced the loss of another fellow veteran

Here at the Veterans Home as we formed a circle in salute.

The prayer was said as we stood in attention to a gentleman,

Who we knew as a comrade from a war at times repute.

As he was slowly escorted to the elevator on a gurney,  
Draped beautifully with an American flag of honor,  
Each of us felt within our hearts, God Speed, on this journey,  
To his final resting place as his memory lingers longer.

As we greet with a warm welcome each one of our buddies,  
To this home away from home, it is only perfectly correct,  
That we wish an honorable farewell to a time when feet were muddy,  
As we salute in unison, one who we know, admire and respect.

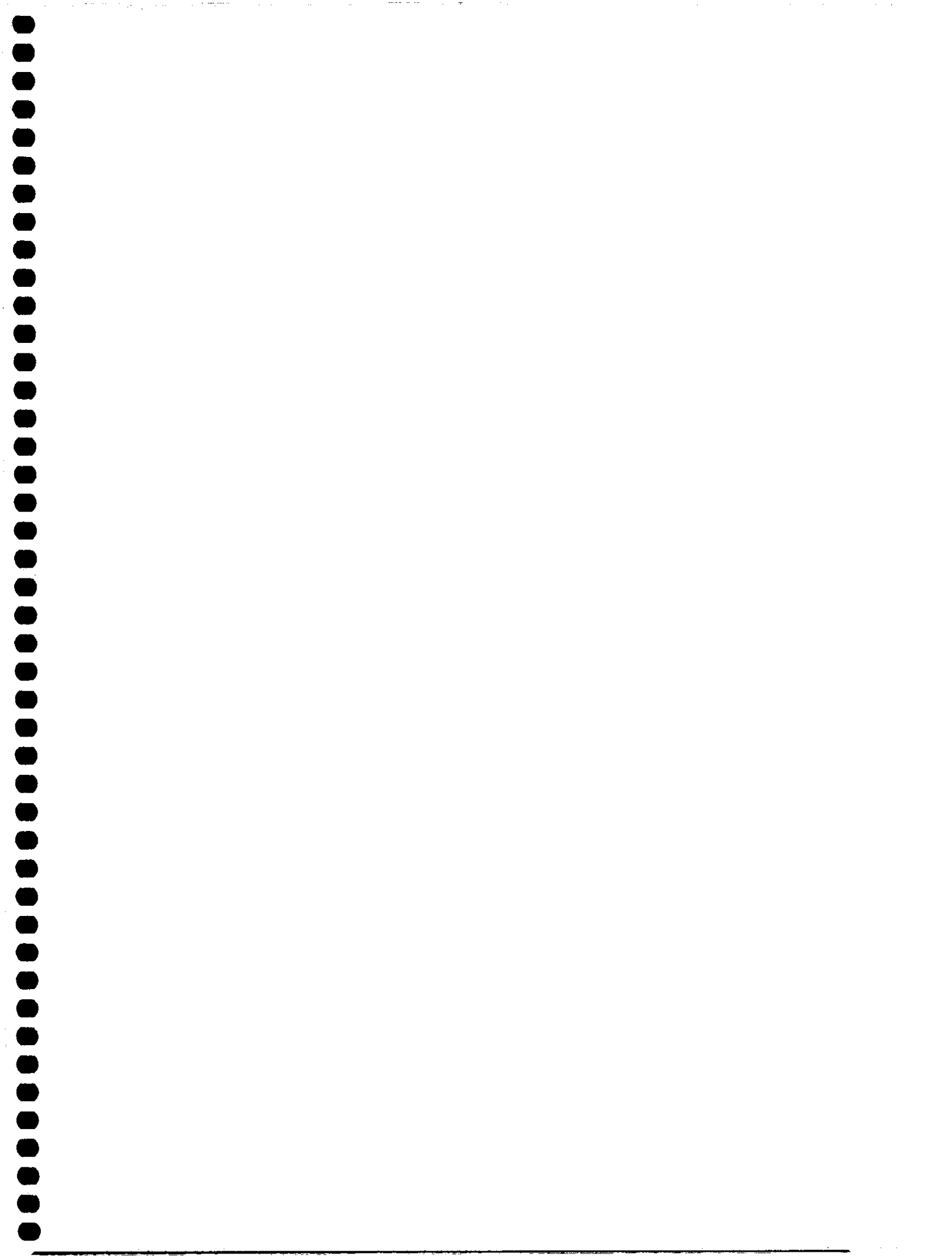
No matter his name or whence he came, he is one of us,  
One who has brought with him his character, his personality,  
His smile, his humor, the person we know and enjoy, a likeable cuss,  
A veteran to whom we pay homage at end of life . . . its finality.

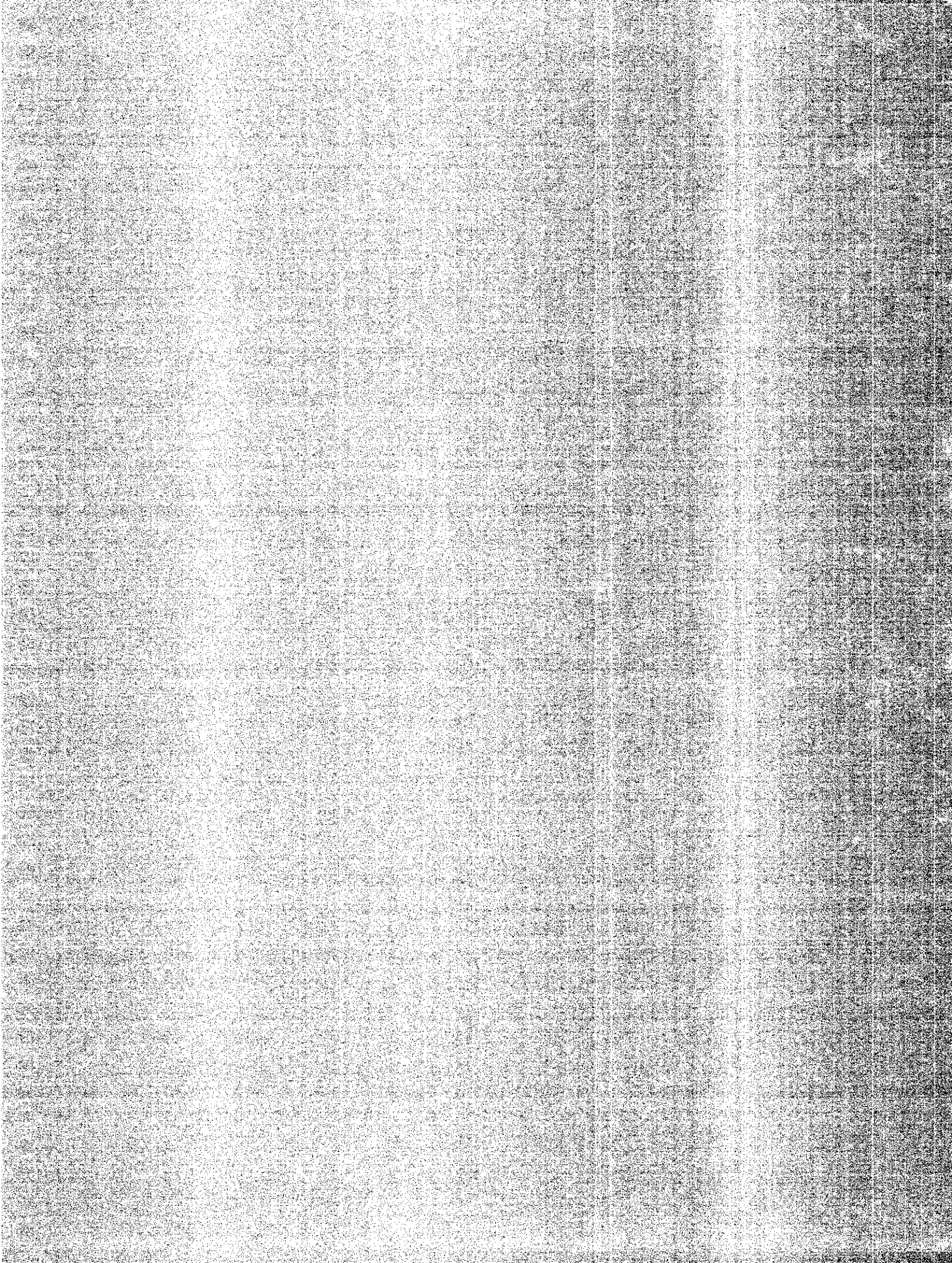
Today we welcome another, a new comrade, a lady with a smile,  
Someone new to join with us as we find pleasure together,  
In this home of homes; NHVHome of a most enchanting style,  
With a staff we adore with smiles galore, or ripple of feather.

Nothing I can say can possibly express the honor we share each day,  
As we enjoy meals, rooms, stories, experiences, pleasures,  
While we travel this road to the destiny we will all share in some way,  
To reach the Shangri-la we hope will be our future treasure.

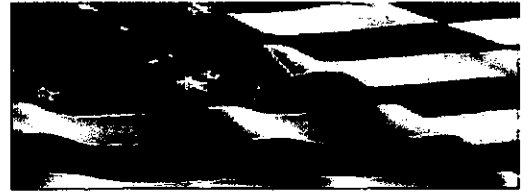
Charles R. Safford . . . October 2, 2008







# Veterans' Voices



A Virtual Creativity Magazine by Residents of the New Hampshire Veterans Home

139 Winter Street, Tilton, NH 03276

Volume Three, Number One, Winter/Spring 2011

Visit us on the web: [www.nh.gov/veterans](http://www.nh.gov/veterans)

and on [facebook](https://www.facebook.com/veterans)



## Arthur Foley: Cook's Corner



### *Fried Chicken*

First, I bought a fairly large chicken. At home, I took all of the innards out and tossed them away. I let the chicken soak in a large bowl with salt water for two hours. I then took the chicken out and cut it up into small pieces. I made a batter of flour, milk, and spices (Bell's seasoning, dried onion flakes, and a pinch of allspice). Roll the chicken pieces in the batter so that each piece is covered completely. I then place the chicken pieces into a large frying pan with oil heated to 275 degrees. The frying chicken smelled so good I could hardly wait to try one. After they were all fried I placed them on a towel to let the extra grease dry off. Great-I'm ready to eat my fried chicken with the rest of the family. I hope you can enjoy this recipe too!

### *Dill Pickles*

Fill a large crock with white vinegar and whole dill pieces cut up from a dill plant (I used the one in my garden). Add two cloves of fresh garlic, fresh red onion, black peppercorns, allspice, a pinch of sea salt, and  $\frac{1}{4}$  cup of sugar. Clean all the cucumbers under water and cut off any spikes so they are smooth. Place the cucumbers into the large crock and let them soak for 48 hours. Take them out about six at a time and place them into Ball Jars. Six seem to fit well. Cap the pickles and put them on a shelf in the pantry for future use.



*Born in Nashua, NH, Arthur Foley is a US Army veteran of World War II. He served from 1942 to 1945.*



### Ray Plummer, Hell on Wheels

I was in the Army for two years,  
17 1/2 years old,  
and I was at one time a tank driver for about nine months,  
2nd tank division,  
Hell on wheels.

I was in Africa, Tunisia, and went to other places such as  
Italy and Germany. I was a sniper for the 5th Army, 5A,  
under General Patton, nine months inside, then on the  
outside for the same man.

It's a hard job being a sniper;  
you have to watch for your person such as the Germans. We have to be very careful not to shoot  
people of the wrong kind. We sometimes stay out for a week and then are called back for rest.  
Not for long, only two or three days,  
and then still practicing shooting.

I trained three other men to help me  
and they were very good shooters.  
We used 30.06 British Enfield rifles.  
They were the only ones that could do  
the job I wanted. That's the end of my  
story!

*Born in Sandwich, NH, Ray Plummer is a  
US Army veteran of World War II. He  
served from 1943 to 1945.*



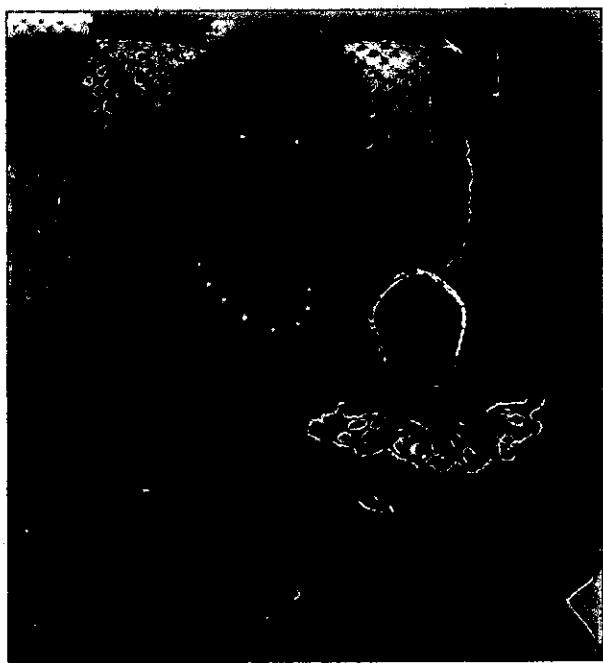
## Florence Fowler's Fabulous Fabric Creations

Born in Milo, Maine, on January 6, 1923, Florence served in the United States Navy from 1943 to 1945 during World War II as a Storekeeper Third Class File Clerk. She was a resident at the New Hampshire Veterans Home from March 19, 2009 to August 23, 2010.

Florence enjoyed knitting, crocheting, and word search puzzles; cards and cribbage, carnation flowers, eating lobster, and the smell of crushed leaves in the fall. She loved playing darts at the Veterans Home, even if she was the only woman in the game. Almost every time you came to her room, you'd find her sitting in her big chair, surrounded by different colors of yarn and craft supplies, and working diligently on one project or another.

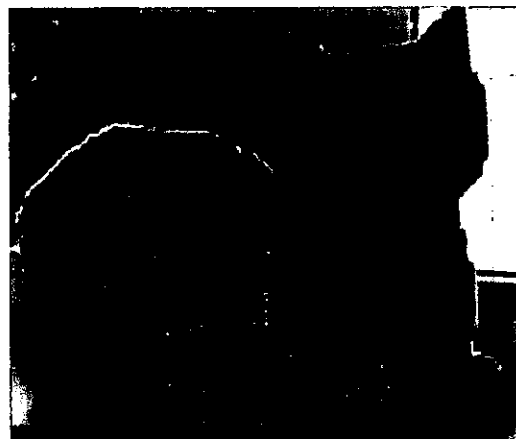
Florence found great joy and a wonderful sense of purpose in her knitting and crocheting. Her dolls, afghans, and many different kinds of fabric craft creations also brought joy to other people. It's nice to imagine that her love went into every stitch—and just think of the millions of stitches that Florence sent out into the world.

When we began exhibiting paintings by our residents in one-person art shows, we knew we needed to exhibit Florence's art too. We also knew we needed a different way to display it, since it was three-dimensional, so many months ago we asked her



advice. She told us we should build a cabinet with adjustable shelves deep enough to hold her dolls, and the result is the beautiful oak display case at the end of Cardigan Hall, just before the Ladies Lounge.

Now that it is up and contains Florence's Fabric Art creations, it will become a permanent gallery for the work of other New Hampshire Veterans Home artists. It may also be used to display a resident's special collection or photographs of our residents. It will have many purposes, and all of them began with Florence's inspiration.



*Photos by Sara Norris, Communications Intern, Summer 2010*



## *Photography by Nick Mangini*

Nick was born on October 24, 1929 in Hartford, Connecticut. He served in the US Army's Second Infantry, 582<sup>nd</sup> Salvage Reclaim Company, as a quartermaster during the Korean War from 1948 to 1952, delivering ammunition to the lines. For his service he received a United Nations Service Ribbon and a Korean Service Medal with four Bronze Stars. He remembers taking pictures of explosions "on the hill" in Korea—while driving an Army vehicle.

Before the Korean War he worked as a subcontractor for the Navy in Groton, CT., on sonar/submarine projects. After serving in the war, Nick worked for several companies, including a security company, before retiring. For four or five years his photographs were published in the Hartford Courant newspaper. He says, "That was my favorite job. I got paid for something I really liked to do."

Nick began his photography career at the New Hampshire Veterans Home when he joined our community on November 7, 2006. At that time he was using a film camera, but in 2007 he began shooting photographs with a digital camera. Since then he has purchased and taught himself how to use more complex cameras that have expanded his abilities. Nick has a unique vision and style. He looks forward to any opportunity to take photographs.



Our "Family"  
by Bob Blanchard

Some of the best people in the world are our family. The nurses' aides, recreation department staff, maintenance department, dietary staff, administrative staff—which includes the Commandant, a kind and benevolent man we all love and respect, who always has time to stop and talk; a man who manages by example—his staff follows.

They are kind, considerate, and compassionate. We are really blessed to have this wonderful "family." Having spent a little time in a local hospital recently, the staff there seemed remote and uncaring. Our people (family) are the greatest and the very best. Thank you, family for being who you are—keep pampering me.

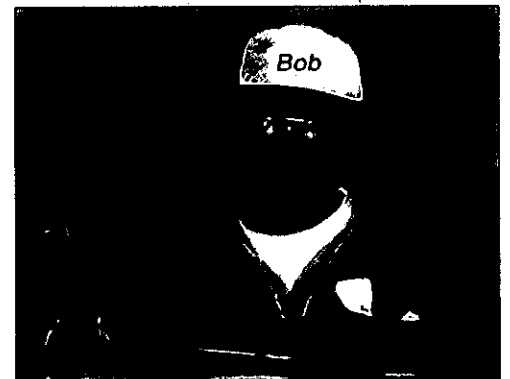
### Strange and Mysterious Ways of the US Army

*by Bob Blanchard*

My first exposure to the mysterious ways the Army operates was on the occasion I tried to enlist but was turned down due to the fact that I have only one eye that works. One week later I received notice from my draft board to report for a pre-induction physical. That night I dined in the mess hall at Fort Devens. I was in the Army. I guess since I was breathing and I could walk (march), I was instantly qualified.

My second joyous experience with the Army's strange and mysterious ways was in Germany. One day, my commanding officer called me into his office and explained, "The general's wife wants to grow mushrooms and she needs manure. Go to Vahingen and get it. Use any vehicle you can get from the motor pool. It will be done today." I followed orders and got my load of poop. On arriving at the general's house a housekeeper answered the door. In my best German I said, "Oute morge shotze Isch baein comin mit dine phede shize." Translation is: "Good morning, sweetheart. I've come with your horse s\_\_\_. " The vehicle I made this top priority delivery in was an ambulance. I was not delivering the wounded, I was delivering horse poop. This was premium stuff because it was from a Lipizzaner Stallion.

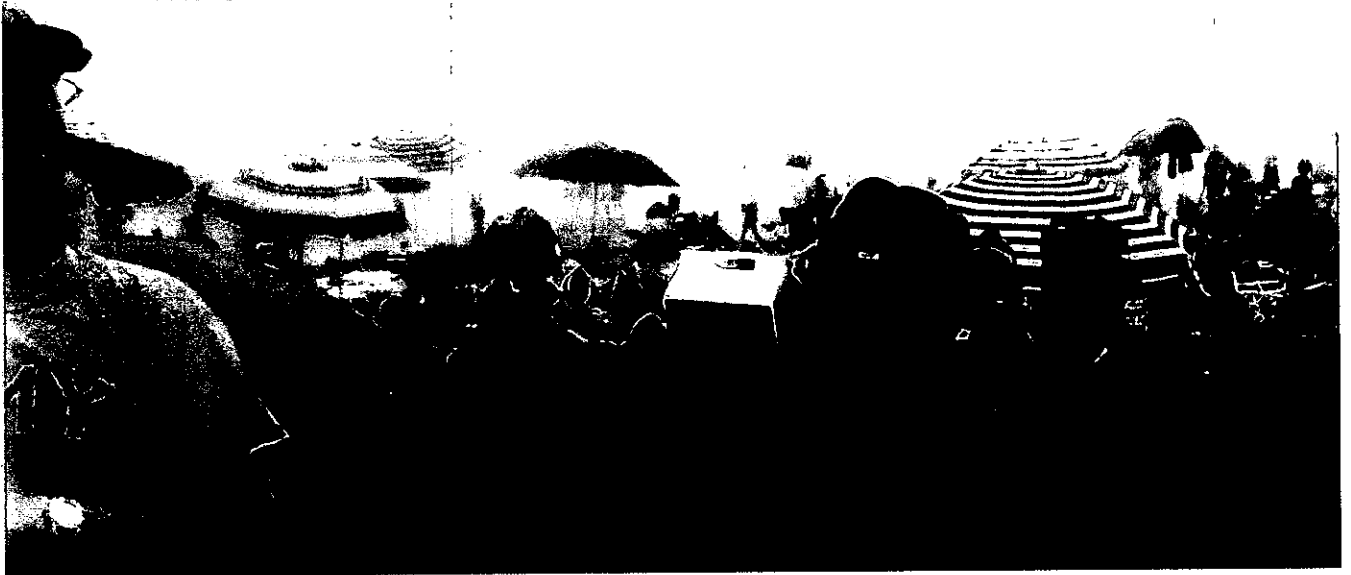
*Born in Boston, MA, Bob Blanchard served in the US Army during the Korean War from 1951 to 1953.*





# Photography by Ralph Fontaine

*Born in Laconia, NH, Ralph Fontaine is a US Air Force veteran of World War II. He served from 1946 to 1949.*



# Art Studio work/photos

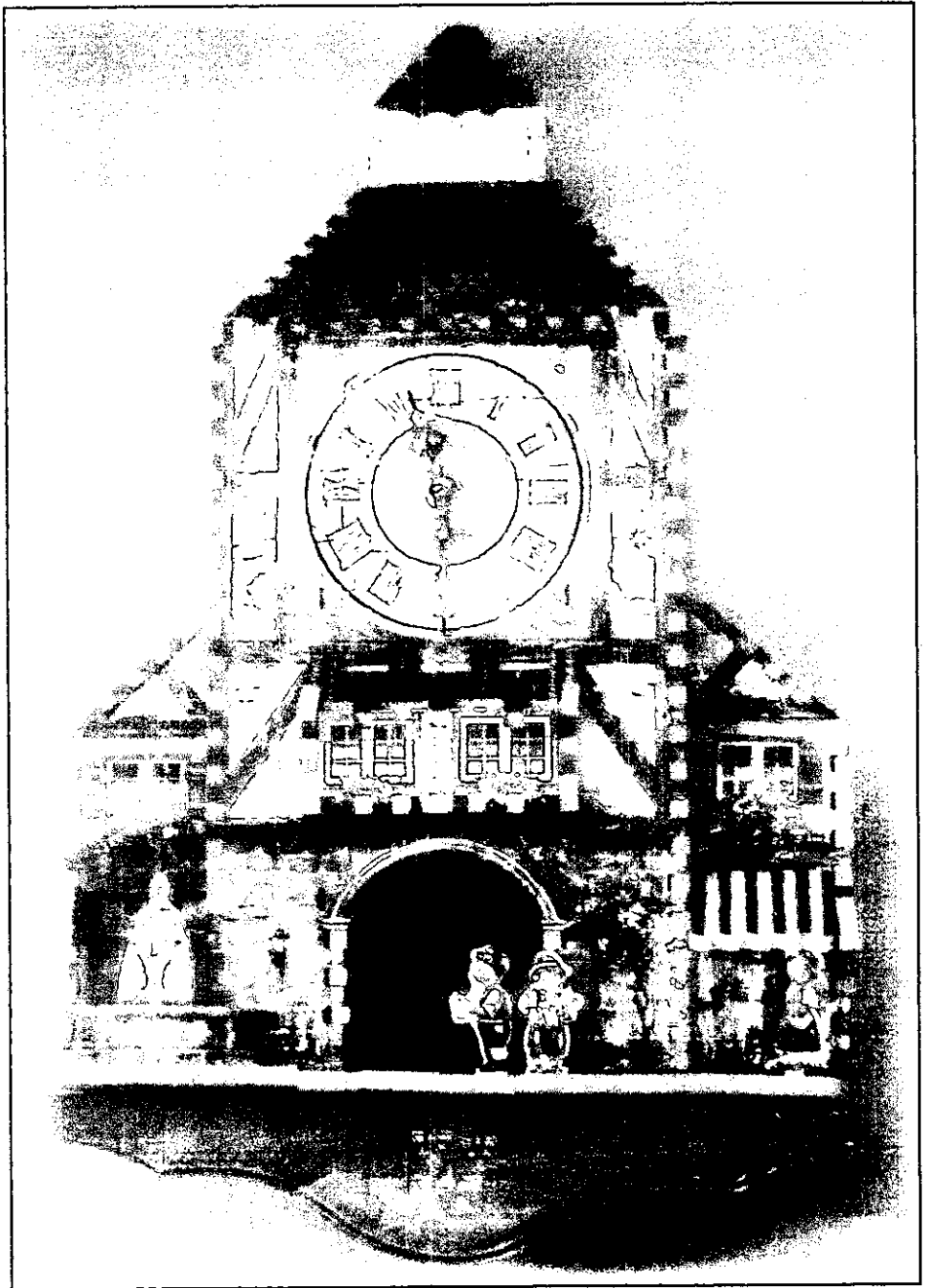
*In Memory of two special women:  
Shirley Marusa and Lenita Bofinger*



*Photos by Jackie Bonafide, Program Information Officer*

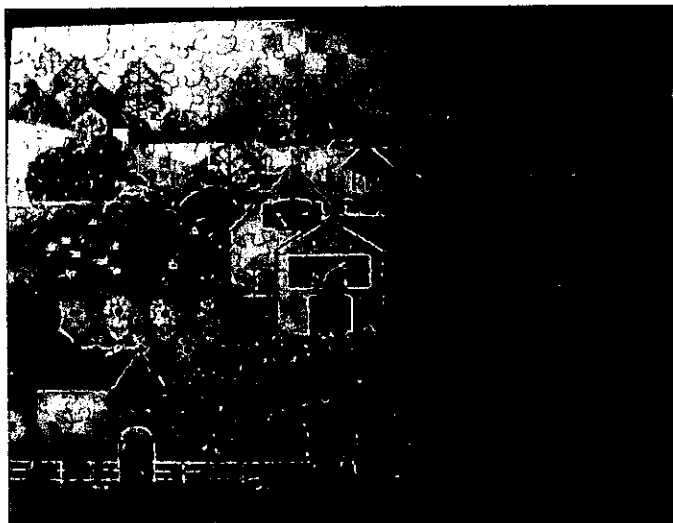
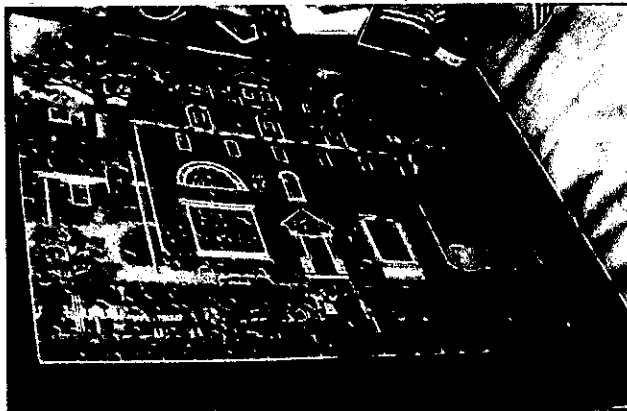


*Born in Bristol, CT,  
Joan Ryder is a US Navy  
veteran of the Korean War.  
She served from  
1951 to 1954.*



*Joan Ryder's  
3-D Puzzles*

*Arthur Mourtgis's Puzzles*



*Born in Manchester, NH, Arthur served in the US Army during World War II from 1943-45.*

I'm Graduating, by Dave Clark  
June 7, 2010



WOW! Finally, after forty-five years I'm going to get my high school diploma. I received word from James, who works as a social worker for the home, informing me that the principal of Winnisquam Regional High School had approved me graduating with the 2010 class.

I had earned my GED (General Equivalence Degree) at Fort Holabird, Baltimore, MD in 1967. I did not go back to finish my last year in school in 1965 because I was working at the Tilton leather shop and I didn't want to give up the opportunity to make money of my own.

The principal of the high school was visiting the home with the "Budding Buddies" Agricultural class, where they come and help us plant flowers, vegetables and put together floral vases for us. I gave the principal my GED and grades, she made a copy and informed me she would check on it.

I continued asking James to find out what the word was, due to the months that had passed by. On June 3<sup>rd</sup>, James came to my table at coffee social and informed me that he received word that I was to join the graduating class on June 12<sup>th</sup> at 5pm to get my High School Diploma. The words hit me like a bolt of lightning going through my body. I had to have him repeat it twice. The hopes of receiving my diploma had laid within me since getting my GED, which wasn't a diploma. I had felt bad about myself for falling just short of my expectations of myself.

Now, the anxiety and the excitement merge within me. I cannot holdback the urge to tell everyone I meet what is about to happen to me.

It is never too late in life to get what you want; you just have to go for it. Saturday, June 12<sup>th</sup>, 2010 will be one of my proudest days.

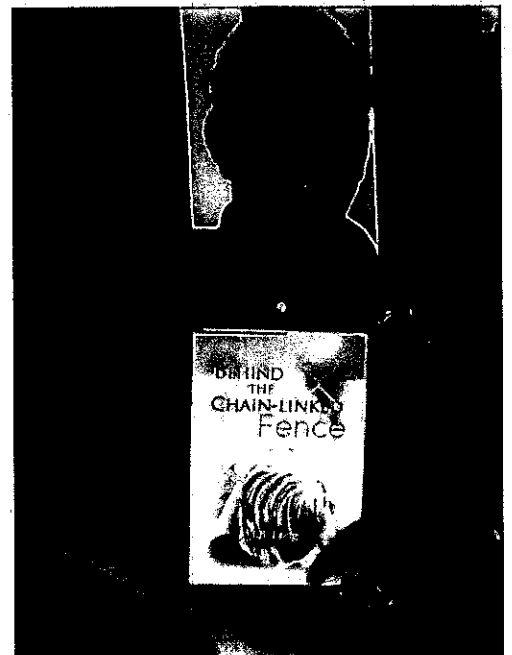
.....

*David H. Clark, a US Army Vietnam veteran (1965-67) and resident of the New Hampshire Veterans Home, has written a book, Behind the Chain-Linked Fence, under the pen name of I. B. Long.*

*The book, a work of adult fiction, takes place in the early 1950s, and is based on the life of a young boy, Howard Walker, from age six to age nine. After an investigation by State officials into the Walker home reveals squalid living conditions, the boy and his three brothers are separated from their parents and placed in a Catholic orphanage. The children are told they will be returned to their home in twelve weeks.*

*Twelve weeks stretches into three years at the orphanage, and during that time Howard is bullied by other children and physically and sexually abused by nuns. Out of desperation and loneliness, Howard runs away from the orphanage and tries to find his way home. Behind the Chain-Linked Fence is based on real events, but names and places have been changed.*

*A resident of NHVH since February 2006, Clark says "A child is never safe from abuse and neglect." More information on his book is available from Dave by e-mail at [dclarknh5@yahoo.com](mailto:dclarknh5@yahoo.com).*



August 14, 2009



Does this date bring to mind about any special goings on?

Well! To help you remember, it happened to be the day Mary and I were married out back of the home at the Pavilion.

The sun shone bright that day, the sky clear, and the weather turned out to be a really hot day. I wore a new pair of jeans with a checkered short-sleeved shirt. Upon my head was a white Western hat. This was the only time this type of hat has ever fit my head.

Mary had a blue dress on and gold, open-toed shoes. Her long hair was pinned upon her head with about one hundred plus pins. In her hands, she held a bouquet of yellow, blue and green wild flowers. She really looked as though she was a descendant from a Greek Goddess.

Because the wedding was going to be country-style, everyone came in Western garb. It was a spectacular event in the history of the NH Veterans Home. My brother, his wife and my two nieces arrived from Connecticut. My foster brother came as well. The staff in the kitchen made the cake which was both vanilla and chocolate. This was served with punch.

Just before the pastor was to say anything, a song "Amazed" by the country group "Lonestar" was played. I began singing this song to Mary as she looked down on me.

After the vows and rings were exchanged, we walked, or I should say, she walked, I was pushed in a wheelchair out to the flagpole and back.

When it was time to get up and dance, Craig Walton in Physical Therapy put this device he fit to an arm holder to a walker so that I was able to stand up and dance with my new wife.

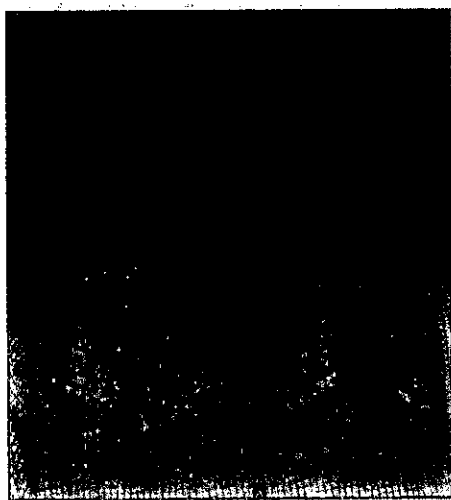
Just to let you know, our flower girl/ boy was none other than Bob Blanchard. He did a great job in spreading the white petals as Mary walked from the flagpole to the Pavilion; she was escorted by none other than "Pops" Harney.

David Clark



## A DIFFERENT WAY OF BUYING A HORSE

*by Richard Blackmar*



I worked for Mell Beckworth. He took care of horses for other people, training and racing trotters and pacers. Trotters and pacers are the same breed; some pace better and some like to trot.

One day, he took a truckload of horses to Lewiston, Maine to race. A horse ran away from another guy as he was taking it off his truck. The guy spent all afternoon trying to catch the horse. As he was returning to the track with the horse he spotted Mell B. and offered to sell the horse cheap. Mell B. bought him for \$75, loaded him in the truck, and took him home.

Mell B. turned the horse over to me to work. He wanted me to jog the horse six miles every morning. We usually went only four miles with the other horses. After two months of training, the horse went to race at Hinsdale. I went to bet on him, but didn't get to it in time. The horse won and paid \$110 on a \$2 ticket and went on to be a good race horse. After one year he was named the New England Champion Trotter. He raced right through until he was fourteen years old.

\*\*\*\*\*

### DON GALLON

*by Richard Blackmar*

I wrote about Beckworth buying the runaway horse last week. I would like to tell the story of the time I spent training him. The horse's name was Don Gallon. He was seven years old when Mr. Beckworth bought him for \$75 and he had earned under \$1,000 lifetime earnings. He went on to make over \$500,000 with Mell.

When he brought him home from Lewiston, Maine, Mell decided that I should have him to care for and train. We usually jogged a horse four miles a day, but Mell decided that I should go six miles every morning, seven days a week. The rest of the horses had Sundays off.

On Monday morning I hooked him up to a heavy cart and Mell was there to wish me well. Mell handed me the reins and I was off. The horse took off on the jump and bucked like a cow pony for the first mile and then he settled down and went a nice trot. That was the way it was every morning, it was great fun for me. Outside of the training he was a good horse to take care of.

*Born in Haverhill, MA, Richard Blackmar is a Marine Corps veteran of World War II. He served from 1943 to 1946.*

## Winter

by Okie Howe

On a bright winter day right after it snowed  
I'm off on my skis up the Old Mountain Road  
I'll rest on a log at the top of the hill  
And sit for a while-all quiet and still.

The woods are so lovely-the snow is so deep  
The whole world around me is soundly asleep  
I listen and look and there's not a sound  
Just the wonder of winter-it's here all around.

The sturdy old oaks and the birches so white  
The maples and beeches-the shadows and light  
I'm part of it all in my own quiet way  
Just looking and loving each bright winter day.

My winter wings are my cross country skis  
I'll fly or I'll light wherever I please  
How lucky I am-I'm alive and so well  
And winter's my season, I guess you can tell.

*This is a poem I wrote a long time ago:*

## Summertime

by Okie Howe

The song writers tell us in old fashioned rhyme  
That "living is easy in the old summertime"  
But I'm an earthy soul from a long Yankee line  
Who thinks you should work when the weather is fine.



So I dig and I plant, weed, water and hoe  
I prune and I edge and I mow and I mow  
My vegetable garden is almost weed free  
And my flowers and lawn are lovely to see.

If I sit on the porch for a minute or two  
I see all the things I must get up and do  
But once in a while when a tourist drives by  
I stop working and wave and wonder- WHY?

*Born in Okanogan, WA, Okie Howe served in the U.S. Army during World War II from 1943 to 1945. Before joining the New Hampshire Veterans Home community, Okie lived in Sanbornton, NH.*



## The Case of the Missing Dentures

by Okie Howe

It's a long story. First, my lower dentures never did fit very well so often I stuck them in my pocket and gave my gums a rest.

Then one day, they turned up missing! I had been out in the courtyard reading "Time" and I'm sure that since my pride wouldn't let me go out without my teeth, I must have had them then, but they had disappeared from the face of the earth.

Practically everyone at NHVH joined in the search - the bed, the bureau, the wheelchair, the area around the courtyard, and all of the territory in between.

So now, at least temporarily, I'm having to eat without lower dentures. I'm careful not to let my tablemates know of my misfortune and I'm getting smarter at ordering soft food and drinking much coffee to soften each bite.

Perhaps the "Tooth Fairy" can arrive with my teeth. They weren't perfect anyway, but then life isn't perfect.

*Editor's Note: Okie and the Veterans Home staff never found her missing dentures but eventually she replaced them. She no longer has to order soft foods.*



*Okie Howe (seated, far left) with her great-granddaughter Ashley; grandson Ben Howe and his wife, Laura; son Dick Howe (standing behind Okie), great-grandson Owen, and daughter-in law, Anne.*

Excerpts from Hank Keeler's memoir,

## *For The J.O.B. Call Recon "We Deal In Death"*

*Born in Lawrence, MA, Hank Keeler Jr. served in the US Air Force from 1965 to 1969  
and in the US Marine Corps from 1969 to 1975 during the Vietnam War.*

"My childhood friends and I would emulate our fathers by playing soldiers in the backyards of our neighborhood, armed with toy rifles and pine cones for hand grenades. No one got hurt, other than maybe a skinned knee; it was just a game...."

*[Halfway through his senior year in high school, Hank enlisted in the Air Force and served for three years at Minot AFB in North Dakota.]*

"I would talk to Airmen returning from Vietnam and they would speak of the intense heat, the monsoon rains, and the nightly mortar and rocket attacks. Despite all this bad news that was reported, I had to be part of it.

In January 1968, I would get my wish, just in time for the Tet Offensive. I was assigned to the 460<sup>th</sup> Tactical Reconnaissance Wing as an unarmed support troop, nothing more than an observer to the war. I vowed to myself that I would return as an armed participant, so that I could share in the glory of my father and uncles. It was something I had to do.

I would serve with the 1<sup>st</sup> Reconnaissance Battalion, 'the eyes and ears' of the 1<sup>st</sup> Marine Division. I was to be recon scout and later a patrol leader of a six-man team, operating deep behind enemy lines. I would encounter the enemy 'eyeball to eyeball' in gunfights resembling those of the Old Wild West. My encounters with the enemy would bring little glory, only fear and terror and a will to survive. My life would be changed forever."

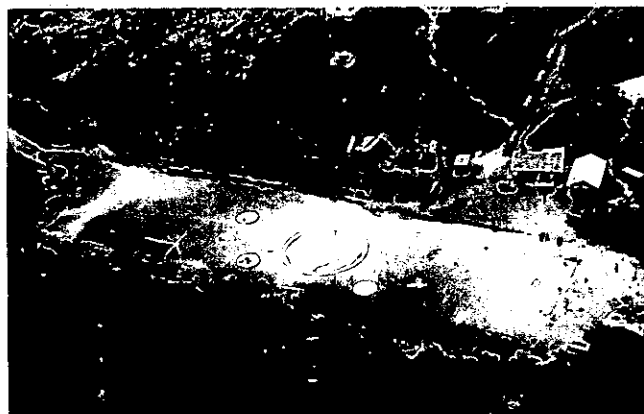
*[Hank reflects on his experiences in "the Nam."]*

"Without warning my mind drifts off to Vietnam; it has been this way for so many years. I find myself re-walking one of my twenty-seven long-range recon patrols. I remember every step.

Out of nowhere a figure appears. I recognize his face and pith helmet on his head. We first met on a narrow hard-packed trail, up on Charlie Ridge. We scared the hell out of each other. It was so long ago, and yet he hasn't changed a day. He has a tight-lipped grin on his face and he just stares at me with dead eyes.

My wife asks me if I'd like another cup of coffee and he disappears, but he'll be back. He always comes back. I put another cigarette between my lips and, picking up my Zippo, I read the inscription on it: 'The only thing I feel when I kill is recoil.'

It was so long ago and it don't mean nothin'. I will survive just like I did in that place we called Nam. It really is a beautiful day."



Photo, left: "Three Amigos." (Hank is at far left.) Photo above right: LZ (Landing Zone) 401.

## Hook Up

by Richard Blackmar

At the racetrack early every morning, we would go to the track kitchen for a cup of coffee and read the program for the evening races. It was Saturday and the feature race was on Saturday. There was a horse from New Hampshire that was the favorite, his name was Hook Up. My brother said "who can beat him?"

I said, "No one can beat him unless he does something dumb."

The second choice was a horse named Sis Bomb, so we decided to go for Sis Bomb. That night at the races Hook Up took the early lead. At the halfway he was still ahead; in the straight, he was ahead. My brother said "Where is the mistake?" Just before the finish, Hook Up jumped the infield fence and Sis Bomb won the race!

## Margo's Cargo

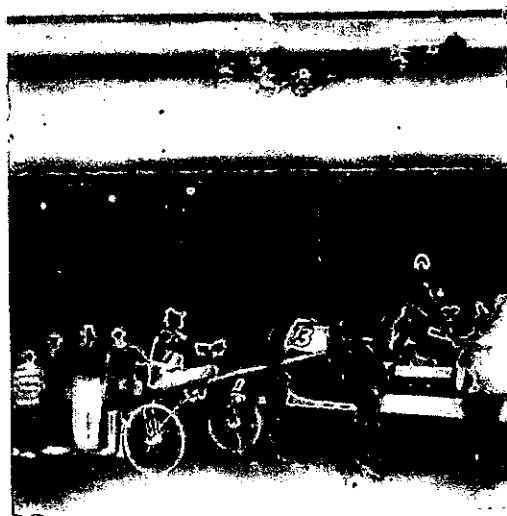
I bought a trotter named Margo's Cargo at an auction at Rockingham Park. They sold about 80 horses on a Saturday. When I went most of the horses sold for more than I had. Finally, late in the day, one horse, a two year-old was getting sold. I bid \$200 and someone bid \$210, then I bid \$225 and got the horse. Then I was flat broke and I started to wonder, how was I to get Margo's Cargo home?

I approached a guy that was taking a horse near my place. I asked him if he could take my horse, I told him the address and he said, "Sure." He unloaded Margo's Cargo at my place and I went to my neighbor's and borrowed \$10 and gave it to the driver. "Okay," he said.

I had a horse, but I needed lots of equipment: a harness, a jog cart, and several other items. I got the items one at a time over a long period of time.

Finally I was ready. I needed to take her to a training track. I took her to Pepperell, Massachusetts where there was a ½ mile track and barn area. A race driver and trainer named William Pillsbury took an interest in Margo's Cargo, so he and I took turns working her. She worked out very well. He took her to a small fair one Saturday; she did well and won her race. It was a great day. The winning wasn't much, just \$15, but it was great.

The next stop was the Hopkinton Fair. They no longer do horse racing there. However, it was a big thing years ago. A very well-known race driver named Bucky Day was there. He won the race but Margo's Cargo was second! Bucky won only by inches, so we were very happy.



1st Race Hinsdale Racenay, September, 1, 1964 .... 1 Mile: 2:10.3  
MARGO'S CARGO

The next race was at Hinsdale. Anderson did the driving at Hinsdale. We were 4<sup>th</sup> in the first start, 3<sup>rd</sup> in the second and 2<sup>nd</sup> in the next. We wanted a win with the children in the picture. Anderson said he thought there was a horse in the next race that we could not beat, so we decided to try and finish 2<sup>nd</sup>. That was a mistake. He had a hard time to keep from winning; it was a close 2<sup>nd</sup>. So, now was the time to go for a win with the children in the picture.

Sure enough, the horse won by two lengths. I still have the picture. My youngest child is 50 years old now, and all of the children still enjoy the picture.

## *My Time in Paradise*

by *Ralph Fontaine*

6/7/10



My time was spent living as a "tourist." I was stationed on Oahu for a home base. I traveled to Kawia, Hawaii, the big island, Molokoi, Maui, Lanai, and the French Frigate Shoals. My favorite island is Hawaii, the fire put your Kilawii Leky. There were volcanoes, Mona Lea and Mona Kea. It is home of the Macademia nut, Kona coffee, and Parker Ranch, which is the largest ranch in the world. There are flowers that grow wild, such as ginger, cinnamon, and orchids, plus many more. Molikie was a sugar refinery. Now the refinery has been taken out and the area is for tourists. Maui used to have pineapples.

Picture if you will, New Years' Day: swimming in the Hilo Bay with green grass blending into palm trees, blending into tropical growth, snow-capped mountains for a background. Poinsettias were scattered around the shoreline.

Black sand is really volcanic lava that went into the ocean. When it was still hot the sudden change caused it to be changed from lava to sand. Over the years it has become fine-grained sand. With the blue ocean, green palm trees and black beaches it is truly beautiful. It truly was a paradise.

# Never Look Back

By Richard Golden

When you find rocks in life's pathway  
And things look exceedingly black,  
Just take this advice and remember,  
Look forward and never look back.

For the road up ahead is a mystery,  
An uncharted trail, so to speak.  
And you may find success in the future,  
When into its darkness you peek.

The road that's behind you is lighted,  
And to go back downhill would be ease.  
But there's a dark doorway before you,  
And only yourself holds the keys.

So as you climb upward and onward,  
Over life's narrow, treacherous track,  
Just follow these small words of wisdom,  
Look forward and never look back.

Born in Sanford, Maine, Richard Golden is a US Army veteran of the Korean War.  
He served from 1953 to 1956.



# The Royal Season

By Richard Golden

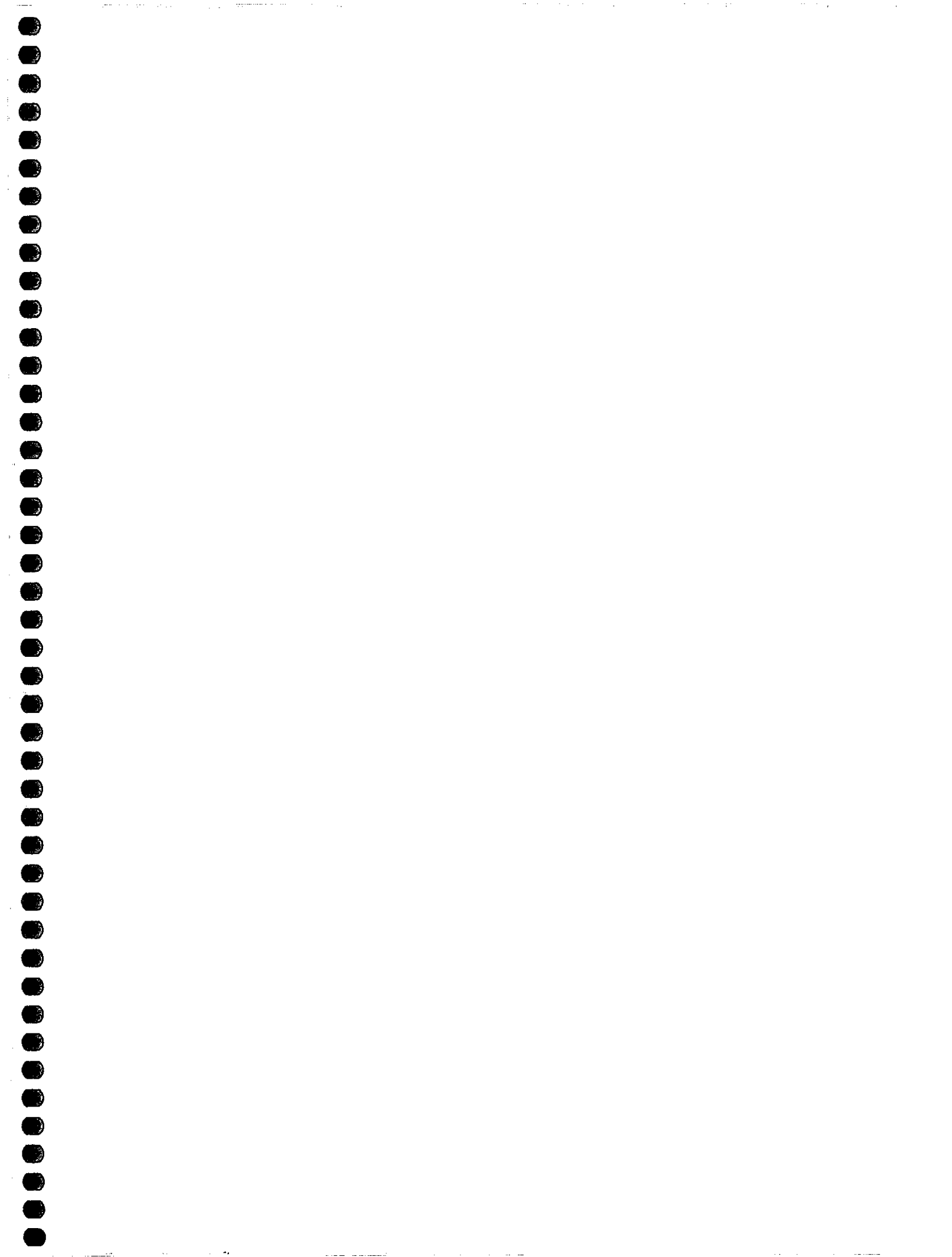
Winter is beautiful, crystal and cold.  
Summer is warm and damp, flowers unfold.  
Spring is the birth-time, beginning of things,  
When the flower first opens, the robin first sings.

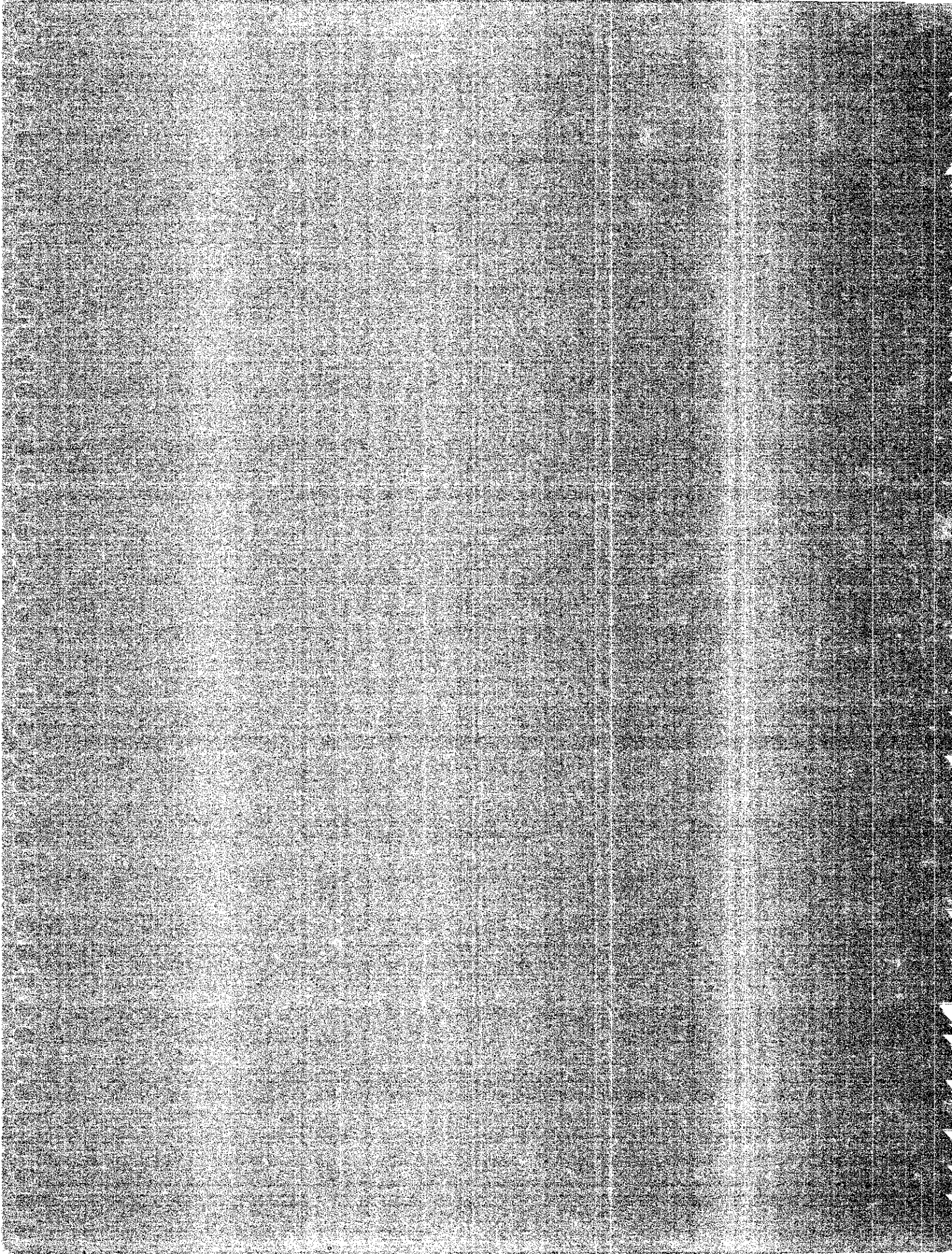


But Autumn is royal, of harlequin hue,  
Though birds may be leaving, and flowers are few.  
Autumn's the time when the weatherman's wrong,  
And we'll see the first snowflake before very long.

Autumn's a contrast to Winter's white shroud,  
When Nature to Winter's cold harshness is bowed.  
In Autumn Dame Nature is flaunting her power  
To hold off King Winter, to the last sunlit hour.

Oh, some will praise Winter, when Christmas is nigh,  
And some will praise Spring, as blue touches the sky.  
There's more that love Summer, with its coppery sheen,  
But I bow to Autumn, for Autumn is queen.









*not adopted*

Amendment to HB 1274-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT transferring the McAuliffe-Shepard discovery center to a private operator and  
4 making a supplemental appropriation therefor.  
5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Transfer of McAuliffe-Shepard Discovery Center to Private Operator. Pursuant to 2011,  
9 224:88, II and as further provided in sections 2-8 of this act, all of the functions, positions, powers,  
10 duties, responsibilities, and funding of the McAuliffe-Shepard discovery center shall be transferred  
11 from the commission established in RSA 12-L:3 to a private operator on January 1, 2013. The  
12 transfer provided in this section shall include all of the equipment, software, books, papers, and  
13 records of the discovery center, except for the buildings and grounds of the discovery center which  
14 shall be transferred to the department of administrative services as provided in sections 5 and 6 of  
15 this act.

16 2 New Paragraph; McAuliffe-Shepard Discovery Center; Definition of Private Operator. Amend  
17 RSA 12-L:1 by inserting after paragraph IV the following new paragraph:

18 V. "Private operator" means an independent, private entity responsible for the management  
19 and operation of the discovery center beginning January 1, 2013.

20 3 New Subparagraph; Duties of the McAuliffe-Shepard Discovery Center Commission;  
21 Coordination with Private Operator. Amend RSA 12-L:7, I by inserting after subparagraph (f) the  
22 following new subparagraph:

23 (g) Coordinate with the private operator to achieve an orderly transition from operation  
24 of the discovery center by a state agency to operation of the discovery center by the private operator.

25 4 Status of Employees Pending Transition; Discovery Center Transition Fund Established;  
26 Transfer of Property and Funds. Amend RSA 12-L:8-11 to read as follows:

27 12-L:8 Director; Staff.

28 I. The commission shall employ a discovery center director and such staff as may be  
29 necessary to perform the duties assigned by the commission. The director shall be nominated by the  
30 commission and confirmed by the governor and council, and shall serve at the pleasure of the  
31 commission. The director shall be an unclassified employee whose salary shall be established under  
32 RSA 94:1-a. All other employees under this section shall be classified employees.



1           **II. All employees of the discovery center shall remain state employees through**  
2 **midnight on December 31, 2012, allowing for any resignations, terminations, retirements,**  
3 **and new hires between the effective date of this paragraph and December 31, 2012. The**  
4 **state shall assume all applicable state post-retirement and payout costs for these**  
5 **employees. All state employees laid off from the discovery center on or before January 1,**  
6 **2013 shall be eligible for inclusion in the state reduction-in-force list.**

7           12-L:9 Gifts; Grants; Donations. Notwithstanding any other provision of law, the commission is  
8 authorized to institute promotional programs to solicit and receive gifts, grants, or donations, of any  
9 kind, made for the development or operation of the discovery center. The commission may accept  
10 gifts, grants, and donations of money and property, other than real property, for use in institutional  
11 programs without the approval of the governor and council. All monetary grants, gifts, or donations  
12 **intended for operations through December 31, 2012,** shall be deposited in the McAuliffe-  
13 Shepard discovery center fund. [~~Authority of the commission granted by this paragraph may be~~  
14 ~~delegated to Touch the Future as the commission deems appropriate. Such delegation shall be~~  
15 ~~reviewed from time to time and the commission shall have the authority to revoke or limit any such~~  
16 ~~delegation.] **All monetary grants, gifts, or donations for operations or endowments for use**  
17 **on or after January 1, 2013 shall be deposited in the McAuliffe-Shepard discovery center**  
18 **transition fund established in RSA 12-L:10, II.**~~

19           12-L:10 McAuliffe-Shepard Discovery Center Fund **and Transition Fund.**

20           I. There is hereby established in the office of the state treasurer a fund to be known as the  
21 McAuliffe-Shepard discovery center fund which shall be kept separate and distinct from all other  
22 funds. All fees received by the commission pursuant to RSA 12-L:7 and all monetary gifts, grants,  
23 and donations pursuant to RSA 12-L:9 **intended for operations through December 31, 2012** shall  
24 be deposited in such fund. The fund is established to pay for the operational expenses of the  
25 discovery center and the commission **incurred through December 31, 2012.** The moneys in this  
26 fund shall be nonlapsing and shall be continually appropriated to the commission.

27           II. [~~Nothing in this section shall be construed to prohibit the commission from establishing~~  
28 ~~an endowment fund.] **There is hereby established in the office of the state treasurer a fund to**  
29 **be known as the McAuliffe-Shepard discovery center transition fund which shall be kept**  
30 **separate and distinct from all other funds. All monetary gifts, grants, and donations**  
31 **pursuant to RSA 12-L:9 intended for operations on or after January 1, 2013 shall be**  
32 **deposited in such fund and shall be used to assist the private operator in funding its**  
33 **operations on or after January 1, 2013.**~~

34           12-L:11 Transfer of Funds. The commission may transfer funds between and among line items  
35 within the discovery center budget regardless of funding source or funding mix, except that such  
36 authority shall not apply to the use of donor designated funds **or to the discovery center**  
37 **transition fund. On December 31, 2012, all property and assets of the discovery center,**



1 *including the planetarium located in Concord, and the buildings and grounds related*  
2 *thereto, shall be transferred to the department of administrative services. Also on*  
3 *December 31, 2012, all funds in the McAuliffe-Shepard discovery center fund and all funds*  
4 *in the McAuliffe-Shepard discovery center transition fund shall be transferred to the*  
5 *private operator.*

6 5 New Sections; Transfer of Discovery Center Grounds and Equipment. Amend RSA 12-L by  
7 inserting after section 12 the following new sections:

8 12-L:13 Discovery Center Buildings and Grounds.

9 I. Ownership of the discovery center buildings and grounds shall be retained by the state.

10 II. The state shall retain responsibility for all debt service incurred by the discovery center  
11 prior to January 1, 2013.

12 III. The state shall assume all buildings and grounds routine maintenance and repair costs.

13 IV. The state shall enter into a 10-year, renewable lease with the private operator to occupy  
14 and operate the discovery center building and grounds beginning on January 1, 2013, at a charge of  
15 \$1 per year. Either party may terminate this lease with 90 days notice if the other party fails to  
16 make a good faith effort to meet all of its obligations under RSA 12-L.

17 12-L:14 Discovery Center Exhibits, Equipment, Software Licenses, and Supplies.

18 I. The commission shall compile a comprehensive inventory of all equipment, including  
19 exhibits and software owned by the discovery center, on June 30, 2012, which shall be updated  
20 through December 31, 2012.

21 II. The annual lease to the private operator shall include the use of all exhibits and  
22 equipment owned by the discovery center on December 31, 2012. The state shall allow the private  
23 operator to make any upgrades to the equipment and exhibits the private operator deems necessary.

24 III. All equipment and exhibits on loan to the discovery center on June 30, 2012, shall be  
25 identified and updated in a timely manner through December 31, 2012.

26 IV. The discovery center director shall work with the private operator to contact the loaners  
27 and arrange for transfer of the loans to the private operator, for those loans that the private operator  
28 wishes to continue.

29 V. For all software licensed to the discovery center for which the license period extends past  
30 December 31, 2012, the state shall work with the vendors to transfer the licenses to the private  
31 operator, where possible and legal to do so.

32 VI. The state shall transfer at no cost all supplies belonging to the discovery center on  
33 December 31, 2012, to the private operator.

34 12-L:15 Discovery Center Visitor, Donor, Program Records and Archives. All publicly available  
35 donor, visitor, and program records and archival materials owned by the discovery center on  
36 December 31, 2012, shall continue to be available to the public and to the private operator.

37 12-L:16 State Funds.



1 I. All funds appropriated to the McAuliffe-Shepard discovery center in 2011, 224:88 shall be  
2 transferred to the private operator on December 31, 2012.

3 II. All funds in the discovery center transition fund established in RSA 12-L:10, II shall be  
4 transferred to the private operator on December 31, 2012.

5 III. The private operator may apply for state grants for which it is eligible and shall receive  
6 due consideration in the state's selection of grant recipients.

7 6 Department of Administrative Services; Division of Plant and Property Management. Amend  
8 RSA 21-I:11, X to read as follows:

9 X. Subject to the direction and supervision of the commissioner of administrative services,  
10 act as custodian of the state house, legislative office building, state house annex, state library, *the*  
11 *McAuliffe-Shepard discovery center, including the planetarium and all buildings and*  
12 *grounds related thereto*, and, with the exception of interior maintenance of the acute psychiatric  
13 services building, the Anna Philbrook center, the Tobey School building, and all transitional housing  
14 buildings including the Howard recreation building, all state-owned buildings located on the campus  
15 of the New Hampshire hospital as described in RSA 4:39-a, as well as the grounds connected with  
16 each of the foregoing properties, and have charge of all matters relating to the care, maintenance and  
17 repair of said property.

18 7 Supplemental Appropriation to McAuliffe-Shepard Discovery Center. In order to facilitate the  
19 transition of the McAuliffe-Shepard discovery center to a private operator, the following sums are  
20 hereby appropriated to the McAuliffe-Shepard discovery center for the fiscal year ending June 30,  
21 2013. Funds appropriated pursuant to this section shall be in addition to any other funds  
22 appropriated to the discovery center for this or any other purpose. The governor is authorized to  
23 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

24 06 EDUCATION

25 61 MCAULIFFE-SHEPARD DISCOVERY CENTER

26 61 MCAULIFFE-SHEPARD DISCOVERY CENTER

27 610010 McAuliffe-Shepard Discovery Center

28 3172 REVENUE CENTERS

FY 2013

29 010 Personal Services-Perm. Classi	54,757
30 019 Holiday Pay	3,210
31 020 Current Expenses	55,684
32 022 Rents-Leases Other Than State	1,448
33 024 Maint. Other Than Build.- Grnds	2,941
34 026 Organizational Dues	900
35 030 Equipment New/Replacement	9,000
36 040 Indirect Costs	14,258
37 042 Additional Fringe Benefits	2,574



1	046 Consultants	2,000
2	047 Own Forces Maint.-Build.-Grnds	764
3	048 Contractual Maint.-Build-Grnds	26,258
4	050 Personal Service-Temp/Appointe	87,962
5	060 Benefits	39,567
6	065 Board Expenses	100
7	070 In-State Travel Reimbursement	1,950
8	080 Out-Of State Travel	1,703
9	TOTAL	303,373
10	ESTIMATED SOURCE OF FUNDS FOR	
11	REVENUE CENTERS	
12	009 Agency Income	303,373
13	TOTAL SOURCE OF FUNDS	303,373
14	06 EDUCATION	
15	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
16	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
17	610010 McAuliffe-Shepard Discovery Center	
18	3432 ADMINISTRATION	FY 2013
19	010 Personal Services-Perm. Classi	157,327
20	011 Personal Services-Unclassified	46,289
21	018 Overtime	204
22	023 Heat- Electricity - Water	60,908
23	048 Contractual Maint.-Build-Grnds	11,600
24	060 Benefits	109,412
25	TOTAL	385,740
26	ESTIMATED SOURCE OF FUNDS FOR	
27	ADMINISTRATION	
28	General Fund	385,740
29	TOTAL SOURCE OF FUNDS	385,740
30	06 EDUCATION	
31	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
32	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
33	610010 McAuliffe-Shepard Discovery Center	
34	3480 SCIENCE STORE	FY 2013
35	010 Personal Services-Perm. Classi	19,417
36	019 Holiday Pay	417
37	020 Current Expenses	12



1	040 Indirect Costs	2,466
2	042 Additional Fringe Benefits	913
3	050 Personal Service-Temp/Appointe	3,524
4	060 Benefits	14,439
5	106 Goods For Resale	11,273
6	TOTAL	52,461
7	ESTIMATED SOURCE OF FUNDS FOR	
8	SCIENCE STORE	
9	009 Agency Income	52,461
10	TOTAL SOURCE OF FUNDS	52,461
11	06 EDUCATION	
12	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
13	61 MCAULIFFE-SHEPARD DISCOVERY CENTER	
14	610010 McAuliffe-Shepard Discovery Center	
15	3481 DONATIONS	FY 2013
16	020 Current Expenses	2
17	024 Maint. Other Than Build.- Grnds	2
18	030 Equipment New/Replacement	2
19	041 Audit Fund Set Aside	2
20	043 Debt Service	77,952
21	046 Consultants	2
22	066 Employee Training	2
23	070 In-State Travel Reimbursement	2
24	080 Out-Of State Travel	2
25	TOTAL	77,968
26	ESTIMATED SOURCE OF FUNDS FOR	
27	DONATIONS	
28	005 Private Local Funds	77,960
29	FEDERAL FUNDS	8
30	TOTAL SOURCE OF FUNDS	77,968
31	EXPENDITURE TOTAL FOR MCAULIFFE-SHEPARD	
32	DISCOVERY CENTER	819,542
33	FEDERAL FUNDS	8
34	GENERAL FUND	385,740
35	OTHER FUNDS	433,794
36	TOTAL ESTIMATED SOURCE OF FUNDS FOR	
37	MCAULIFFE-SHEPARD DISCOVERY CENTER	819,542



- 1       8 Repeal. The following are repealed:
- 2           I. RSA 12-L:3-6, relative to the discovery center commission.
- 3           II. RSA 12-L:8, relative to discovery center staff.
- 4           III. RSA 12-L:9-11, relative to discovery center funds.
- 5           IV. RSA 6:12, I(b)(172), relative to discovery center funds.
- 6       9 Effective Date.
- 7           I. Section 8, paragraph I of this act shall take effect March 31, 2013.
- 8           II. Section 8, paragraphs II, III, and IV of this act shall take effect January 1, 2013.
- 9           III. The remainder of this act shall take effect upon its passage.



2012-0376h

AMENDED ANALYSIS

This bill transfers the operations of the McAuliffe-Shepard discovery center from the state to a private operator and includes a supplemental appropriation to the discovery center for this purpose.



## Testimony against HB 1285

### ***“An Act repealing the state art fund”***

Rep. Timothy Horrigan (Strafford 7); February 21, 2012

I urge the House Finance Committee to kill HB 1285-FN, “an act repealing the state art fund.” The amount of money saved by this bill would be miniscule: in Fiscal Years 2007 through 2011, the fund spent less than \$250,000 total. Given the way budgets are arrived at, it is probable that the cost of the art fund is literally zero: the money which goes into the art fund would, in the absence of such a fund, simply end up being spent on something else. Instead of putting up to \$75,000 per project into the art fund, state agencies would use that money on other decorative elements (e.g., furnishing, carpeting, etc.)

There are some who believe that government is a sordid business which should only be carried out in strictly functional surroundings with no artwork— but those people are shortsighted. Government, like any other institution, functions best in beautiful surroundings, and artwork is an integral part of a beautiful and functional building. Also, art is an asset which keeps its value forever when chosen wisely and curated appropriately: an artwork is fundamentally different from a paperclip or an automobile.

The art fund serves a larger purpose beyond merely buying the art: it also maintains, catalogs and repairs the art. No one would be responsible for these curatorial duties if HB 1285-FN is passed, since RSA 190A:11 is one of the paragraphs this bill would delete from the lawbooks. This currently reads:

**19-A:11 Repairs to Works of Art.** – Except in the buildings or facilities covered under RSA 14:14-b [*i.e., except for legislative facilities*], no conservation, restoration, repair, or removal of any work of art purchased under the provisions of this subdivision shall be undertaken without the approval of the commissioner, who shall seek the advice of the New Hampshire state council on the arts on any such matter.

Another unintended consequence of the bill as written is that it would cripple the state library. The way I read it, the bill would delete out all eight subparagraphs of RSA 21-K:8, which deals with the commissioner of cultural resources' rulemaking authority. Only subparagraph 21-K:8V deals with the state art fund.

---

Rep. Timothy Horrigan  
7A Faculty Road; Durham, NH 03824  
ph: 603-868-3342  
email: [timothy.horrigan@leg.state.nh.us](mailto:timothy.horrigan@leg.state.nh.us)

# State Culture & Art Collections Factsheet

HB1285 Eliminates the Percent for Art Program (State Art Fund)  
& places the future stewardship of existing State Arts Collections in jeopardy

## New Hampshire State Arts Collections

Percent for Art & Arts Bank & Living Treasures & Traditional Arts  
Administered by the NH State Council on the Arts

Since 1982, artworks have been acquired through the State Arts Fund for the public's benefit. They are located in public areas of state buildings throughout New Hampshire.

The NH State Council on the Arts oversees the acquisition and commissioning of artworks purchased through the State Arts Fund using an inclusive process. The State Arts Council, in partnership with the DCR Curatorial Services, provides professional museum-quality stewardship of the artwork, including a collections management database, labeling, site visits, conservation and repairs.

Total number of artworks: **606**  
Acquisition Dates: 1982 through 2011

New Hampshire  
State Council on the



Arts



▪ Indicates State buildings that display artwork from the State Arts Collections at 54 sites in 22 different towns.



Portrait of General John Stark, NH State House

The State Arts Collections are part of the larger collection of historical furniture, objects and artwork that are located in public buildings around the state including the New Hampshire State House and overseen by Curatorial Services of the Department of Cultural Resources.

Total number of objects: **2,455**  
This includes 223 items, primarily historic portraits, located in the New Hampshire State House.



## The State Art Fund: Frequently Asked Questions

### What is the purpose of the State Art Fund?

The State Art Fund, known as the Percent for Art Program, is dedicated to enhancing our state-funded buildings, illustrating and supporting the services provided in those buildings through the art displayed, and making art more accessible for our citizens. All artwork acquired through the State Art Fund is intended for public view.

### Why is the State Art Fund important?

The program was set up to safeguard a modest public investment in the arts and to establish an **on-going, cost-effective process** by which original art is selected for our public buildings. It provides:

- **Fairness:** All buildings receive art reflective of New Hampshire's history and heritage.
- **Clear process:** There is an open, inclusive, deliberative process for selection of artwork.
- **Professional standards:** There is professional oversight and stewardship of our public art.
- **Integration of artwork:** the selection of artwork aligns with the timing of capital projects, which allows for full integration, efficiency and cost savings throughout the project.

### How is the program funded?

The State Art Fund was enacted by the NH State Legislature in 1979 through RSA 19-A:9-A:10. It authorizes  $\frac{1}{2}$  of one percent of the capital budget appropriation for a new building or significant renovation to be set aside in a non-lapsing account for acquiring or commissioning artwork for that building. The funding mechanism "**applies to the first \$15,000,000 of the bid contract price of each new building or major addition authorized by the capital budget to be paid from the general fund.**" Several types of projects are excluded, including the University system and those paid for by the highway fund, fish and game fund, or federal funds.

**The maximum that can be generated by the Art Fund for any given project is \$75,000.** Funds are generated only from the initial bid contract price and cannot be increased by any subsequent adjustment or cost overrun.

**Program guidelines specify that up to 80% of the funds available are spent on original artwork for the building generating those funds;** the remainder is reserved for administrative expenses pertaining to the Site Selection process, for labeling, and for future curatorial care of the artwork.

Stewardship of the State Arts Collections is the responsibility of the Department of Cultural Resources (DCR) and the NH State Council on the Arts (NHSCA), meeting professional standards of collection management. Repairs to artwork in the Arts Council's collections are also funded through the State Arts Fund and through the DCR's allocated Cultural Conservation funds.

### How is the art selected?

In accordance with RSA 19-A:10, the NHSCA oversees the process for selection of artwork. It convenes a **Site Selection Committee for each project** made up of site and art advisors. Site advisors include representatives from the agency housed in the building; a project architect or builder; a representative from the Bureau of Public Works' Division of Design & Construction; users of the building; and sometimes a state legislator from the district where the building is located. Art advisors include up to three people who may be professional artists, craftsmen, art

educators, or gallery directors. Site Selection Committee meetings are facilitated by staff members from the NHSCA.

**Each Site Selection Committee identifies the themes for the artwork to address and primary locations where the public will have the greatest access to the artwork.** The NHSCA issues Requests for Proposals (RFPs) to artists for that specific project. Rules call for preference to be given to artists residing in New Hampshire and the Northeast. (Over the last 7 years, 74% of the selected artists were from New Hampshire.)

The Site Selection Committee then reviews proposals submitted by artists and makes recommendations to the Arts Council for selection of artwork based on the following criteria:

- Quality, appropriateness, and suitability of the proposed artwork in relation to the RFP.
- Suitability of the proposed artwork to the location.
- Suitability to the stated themes of the proposed medium, form, and artistic concept.
- Design considerations: artworks must be durable, require minimal maintenance, meet safety standards, and adhere to building codes and other state regulations.
- The artist's ability to carry out the commission, to keep the project within budget, and to complete and install the work on schedule. Assessment is based on evidence of successful projects undertaken and completed as presented in the artist's resume and work samples. All work selected must be original.

#### **What type of artwork is purchased through the program?**

All forms of art are commissioned and acquired through the program, including two-dimensional works (paintings, watercolors, photographs, tile murals, stained glass, mixed media pieces, etc.) and three-dimensional works (sculptures, mobiles, free-standing ceramics, etc.).

#### **How much is spent in a typical year?**

There is no "typical" year. The amount spent each year varies with the funding generated for state building projects through the capital budget and the speed with which projects advance. (In FY2010 and FY2011, several building projects came to fruition at once, resulting in an overall increase of expenditure in those two years.)

#### **Expenditures for the past five fiscal years:**

FY2007 - \$39,180  
FY 2008 - \$8,580  
FY2009 - \$27,210  
FY2010 - \$92,220  
FY2011 - \$81,513

#### **Projected Expenditures:**

FY2012 - \$67,190  
FY2013 - \$44,268

#### **Addendum: What is the State Arts Bank?**

As part of the State Arts Collections, the Arts Council maintains an Arts Bank, established in the 1980s, that consists mainly of two-dimensional artwork; artwork in this collection is available on loan to state agencies for display in public spaces of state buildings for the benefit of NH citizens.

For more information on the Percent for Art program, please visit:  
<http://www.nh.gov/nharts/programs/services/percentforart.htm>

**Testimony Against HB 1285**  
**by Ward D'Elia, Partner, Samyn-D'Elia Architects**

Thank you for the opportunity to speak against HB 1285 and in support for the Percent for Art program.

My name is Ward D'Elia, partner of Samyn-D'Elia Architects in Ashland NH. We have provided architectural service in New Hampshire for thirty-two years.

Over the years, we have worked on four state funded projects that had the Percent for Art program as part of the project budget; the District Courthouses in Plymouth, Dover and Jaffrey and recently Hampton Beach State Park Redevelopment. In each case, we were involved in the process with New Hampshire State Council on the Arts' selection of the artist and artwork.

My main points as to why this is an important program and needs to be retained are:

1. These buildings are the people of New Hampshire's buildings and reflect the character of our state and its people. I can tell you that the projects we worked on were economical in cost, efficient in design and attentive to the quality standards of the community. Taxpayers, when they use a state building expect quality at every level and the Percent for Art program is part of that.
2. Integration of some art is as important to properly designed state buildings as good working space, proper lighting, energy efficiency and all the other features that go into a successful building. The Percent for Art program shows that the building is special, that it's well thought out and displays the polished and refined character the taxpayers expect.
3. The Percent for Art program is an inexpensive investment for the value of the many pieces of artwork that continue to appreciate in value. The small cost of 1/2 of 1% allows the whole spirit of the building's space and the activity and work taking place there to be greatly enhanced.

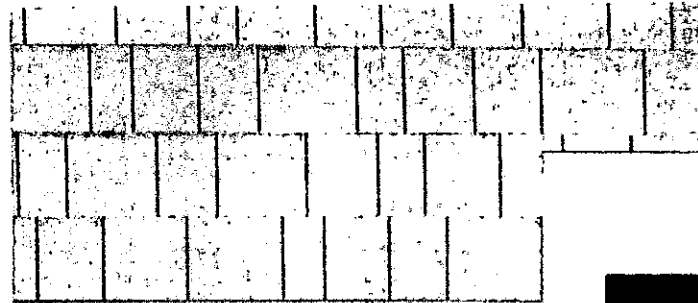
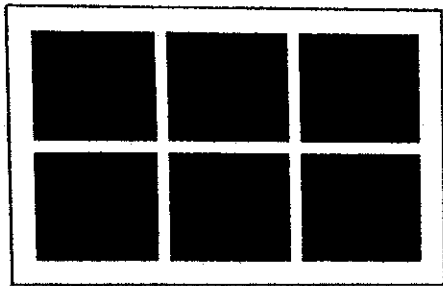
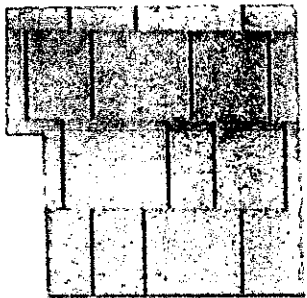
I hope you will take the time to look at the many examples of artwork found in state buildings and agree that there would be a significant void for the visitors, workers and the public image of the State of New Hampshire if this program is not funded in future projects.

Thank you for your time.

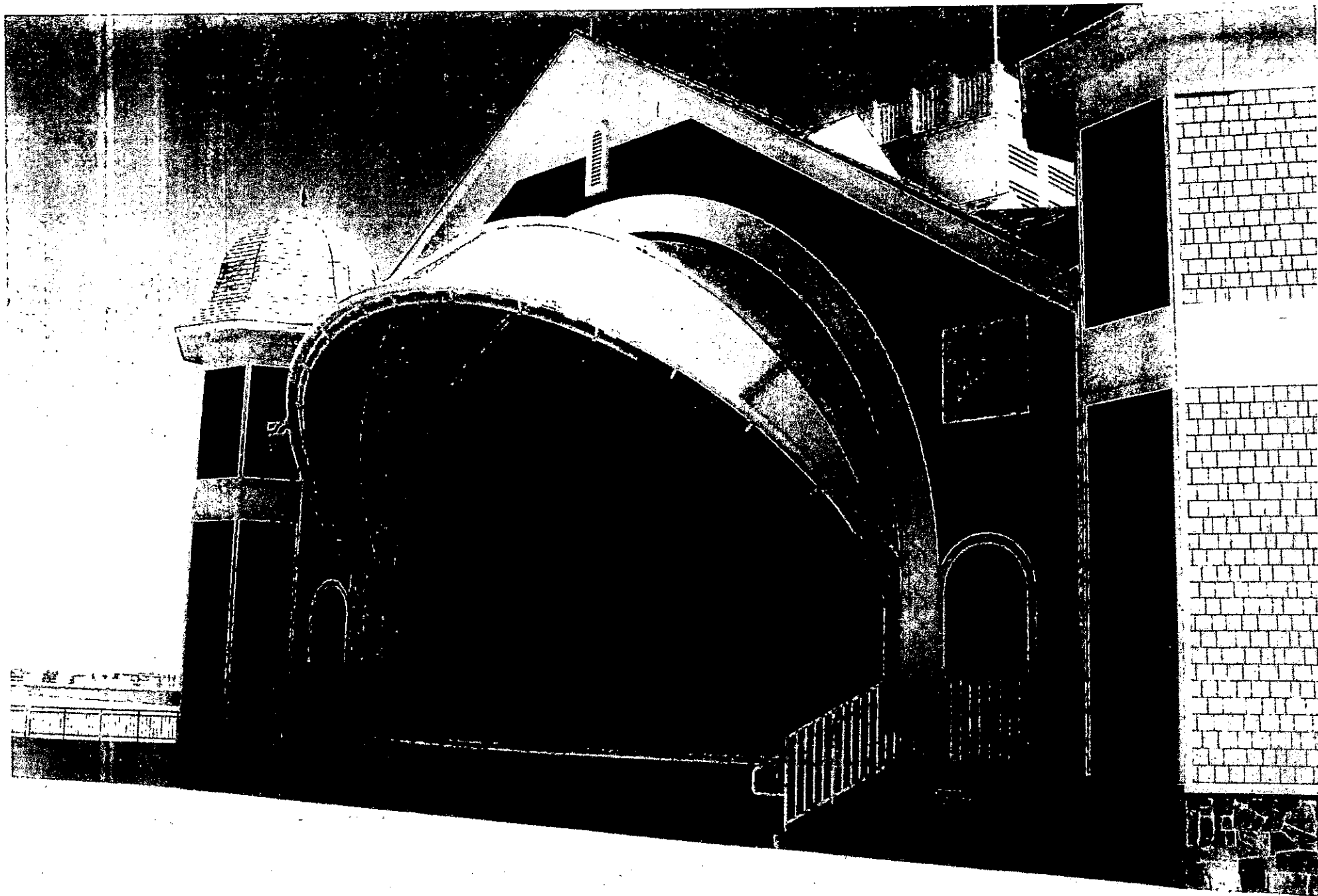


Ward D'Elia, AIA



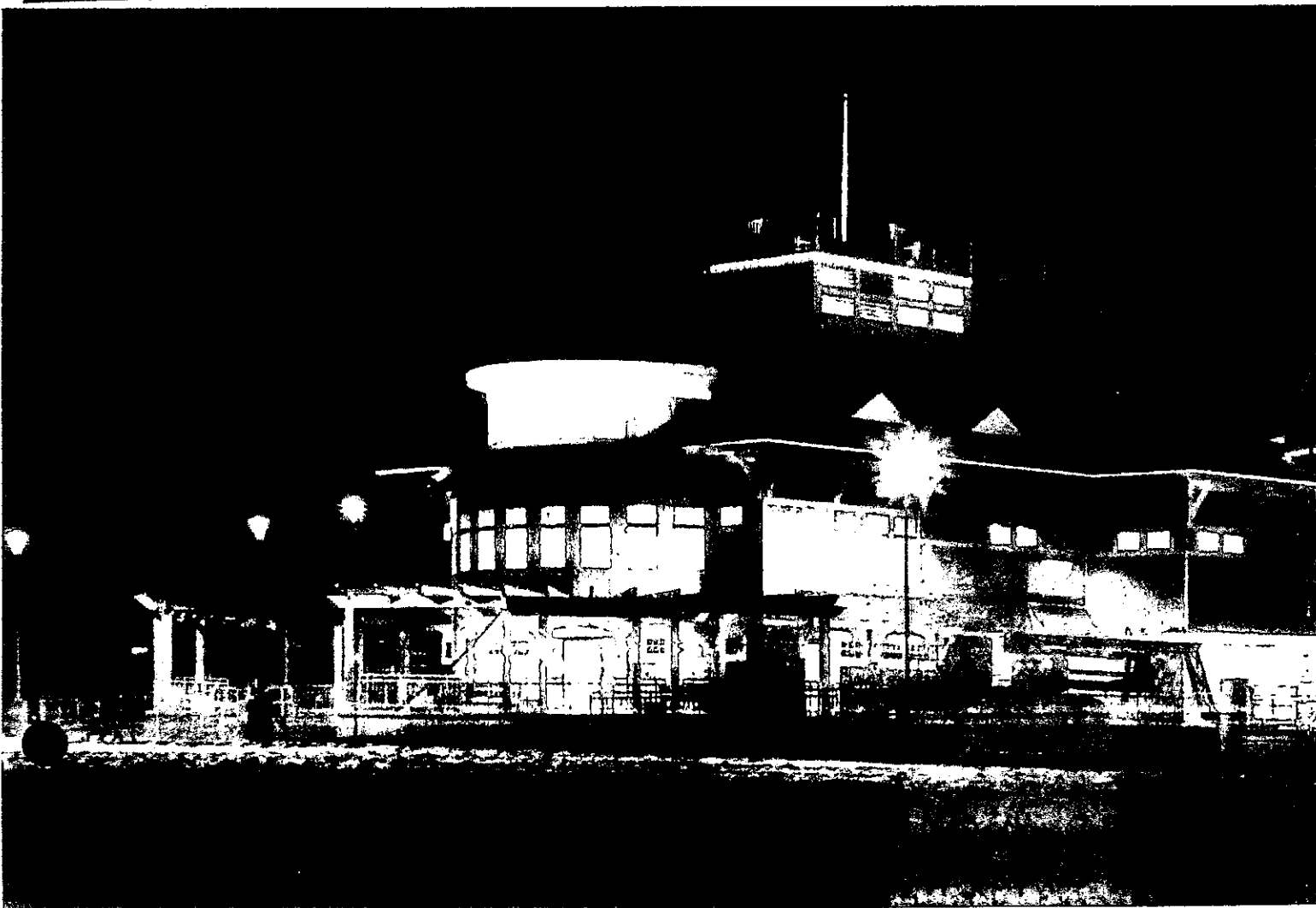


01





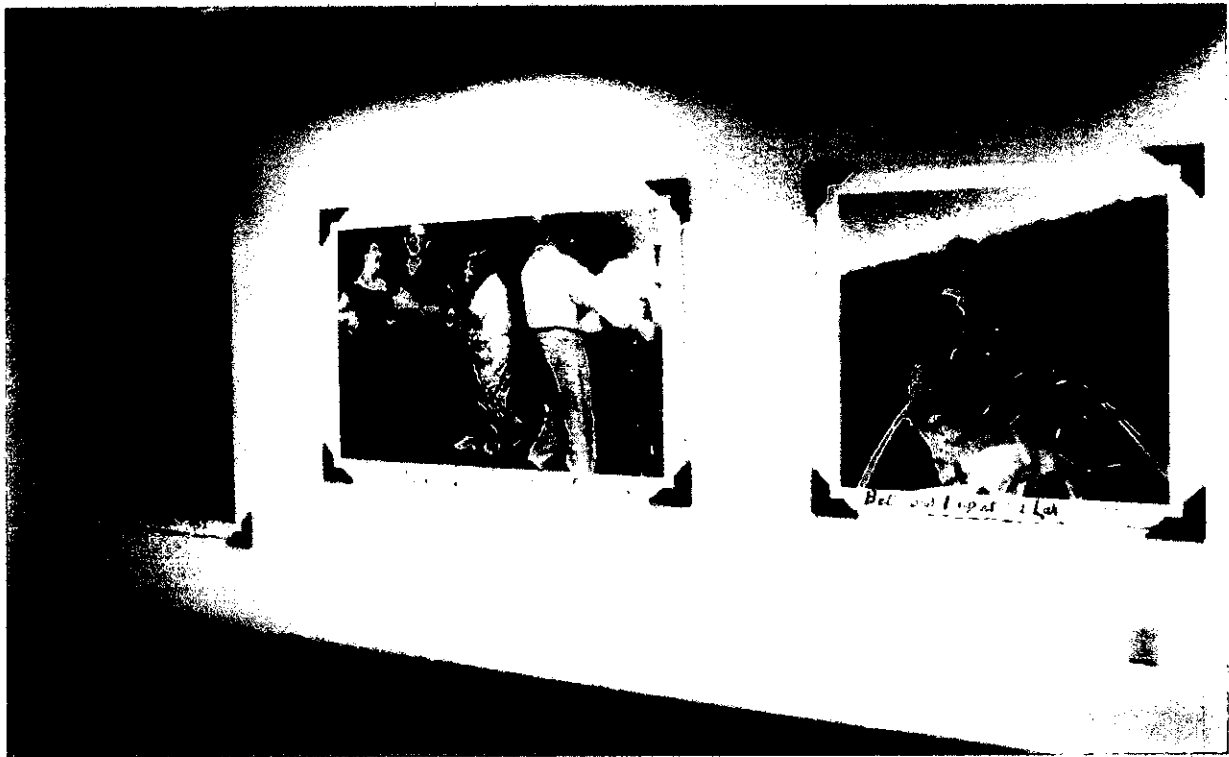






# Selections of Percent for Art

Projects commissioned for State Buildings  
through the State Art Fund.



*Memory Lane* by Gordon Carlisle, 1997  
Located in the dementia wing to help patients recall memories.

**New Hampshire State Hospital**

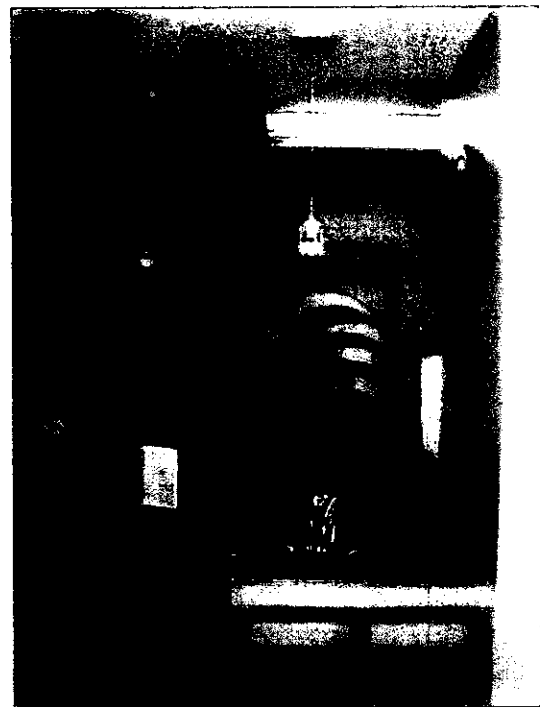
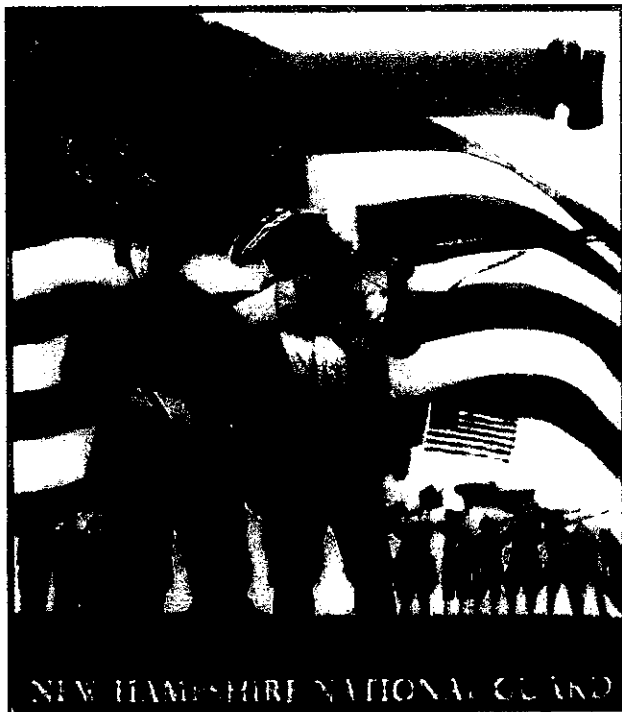


New Hampshire  
State Council on the

*Arts*

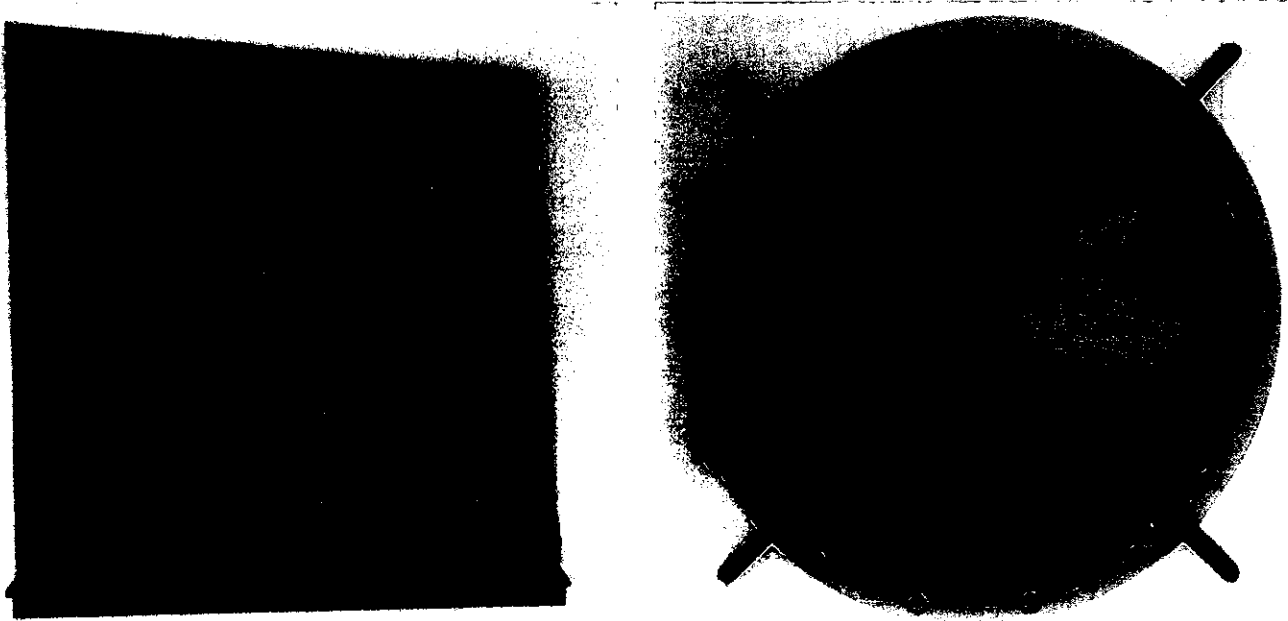


*National Guard Relief* by Kathleen Ann Brennan, 2011  
Located in the reception area to illustrate the services provided by the  
New Hampshire Army & National Guard.



*Always Ready Always There* by Matt Patterson, 2011  
Located in the reception area to convey the mission of the National Guard.

**New Hampshire National Guard: Building F, Concord**

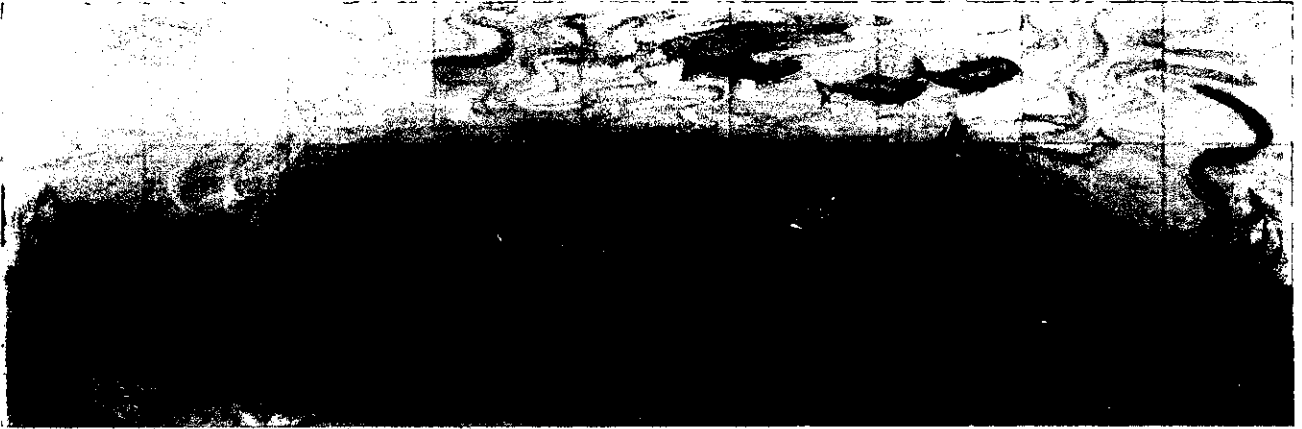


***Windows Coming Home* by Gordon Carlisle, 2003**  
Located in hallway to help residents to recall memories



***Atop Mt. Kearsarge* by Sheldon Cassady, 2003**  
Located in the atrium of recreation area to provide residents  
a virtual experience of being outdoors.

**New Hampshire Veterans Home, Tilton**



**Painted clay tile murals by Sheryl Chatterton, 2011  
Located in the breezeways of the North & South Bath Houses  
to engage families in learning about marine life of the area.**



**Hampton Beach State Park Bath Houses, Hampton**

Emile Birch

157 Talbert Hill Road, Canaan, New Hampshire 03741

1 603 523 7289

### **Testimony HB1285**

My name is Emile Birch, I am a sculptor, and New Hampshire has been my home for more than thirty-seven years. There are many sculptors and artists who call this beautiful state home. I, for one, would not have been able to live and work here if it weren't for the creation of the New Hampshire State Council on the Arts. This important agency and its many supportive programs kindle creative thought and provide a considered definition for us to better understand our culture and its heritage. It is a beacon in our state that sings out an indelible truth, and that is, the arts are important and make a difference in all of our lives.

Much of the sculpture that I have created is public art. Simply stated it is the art of the people. The artwork commissioned through our Percent for the Arts Program is public art. They are sited in state buildings where our people come together, such as the Laconia Courthouse, where a beautiful mosaic mural depicting Lake Winnepesaukee greets you. A painted mural of the view from the summit of Mount Kearsarge brightens every day in the community area at the New Hampshire State Veterans Home. A flock of purple finches and other indigenous birds fly through the air as part of the kinetic mobile, which was especially designed for the rotunda of the Sununu Youth Services Center. These are places where color, light and a touch of whimsy help to comfort the mind and the spirit.

All of these works of art reflect the natural gifts of our unique and beautiful state. New Hampshire artists created them for New Hampshire's people and their communities. To do away with our State Council on the Arts and in particular the Percent for the Arts Program is a short sighted, terrible mistake for our state, its people and our future. Our state! Its people! Our future!



February 20, 2012

Dear Members of the House Finance Committee:

I come before you today as a citizen of Amherst, NH and Vice Chair of the NH Citizens for the Arts, a group of concerned individuals that care deeply about the cultural landscape of this great State.

I urge you to vote against House Bill 1285 as it dismantles a 30 year old program and dooms our State funded public buildings to be utilitarian, functional, and uninteresting, sending a message that we do not care about the civic lives of the people who work in and make use of these buildings and the important services of State government.

Many of us in this room believe that the New Hampshire State Capitol would not be complete or as striking if it was missing the beautiful eagle that adorns the very top of that building. Placed there in 1819, it sends a symbolic message that we in NH value strength and freedom. What you may not know is that eagle was the first work of public art commissioned in New Hampshire.

State Buildings are the peoples' buildings, they belong to all of us, and they are where citizens of the state conduct their business and provide important and needed services. For the last 30 years the State Arts Fund known as Percent for Art Program has funded the investment of art and elements of design that put the finishing touches on new State construction projects, giving each new building a specific artistic identity. Each site-specific installation of art selected with input from the people who will work or be served in that building makes a unique statement and tells everyone entering that space, "what happens here is important." The elimination of the State Arts Fund will mean that, unlike state building construction projects of the past, major new construction and significant renovations to existing state buildings will be devoid of the aesthetic elements that create an identity to that particular built environment.

I am proud of the fact that the residents of the Veterans Home in Tilton may not be able to venture out into nature given their frail health, but can still enjoy the beauty of the White Mountains through the magnificent mural by Sheldon Cassady in the recreation area of that care facility.

I am uplifted by the fact that we celebrate the contributions made by our dedicated National Guard men and women in a relief sculpture by Kathleen Brennan that welcomes all who enter the NH National Guard Building F in Concord.

I am touched that that we care enough about people with dementia who are residents in the NH State Hospital that we would commission artwork by Gordon Carlisle that helped patients recall memories that comfort them

I know that the decision to take on the development and construction of new state facilities is not done hastily or without great consideration. So when it is time in the judgment of the legislature to make a significant investment to construct a new building or significantly renovate an existing building, let's do it right and complete the job by giving the inhabitants and users an artistic treatment that tells a NH story, expresses NH values, and honors our NH heroes.

The State Art Fund is run with efficiency and a transparent process of which we can all be proud. Unlike other states that fund percent for art programs at a full one percent, the frugal minded legislature in 1979 allowed only one-half of one percent of the total construction project to be allocated to the incorporation of integrated design and art objects and treatments. Funding also only applies to the first 15 million of a bid contract thus limiting any project to \$75,000.

The responsibility to make quality buildings for state programs and services is a state responsibility and it is not appropriate to think that this is a job for the private sector. People who work in and use these buildings should be proud of them and we as taxpayers should take pride in our investments.

This small investment speaks volumes about who we are and how we conduct our business with each other in the public sector. Please let the citizens of today make their contribution to the legacy of the state by incorporating purposeful site specific artwork into state government buildings and allow the State Art Fund (Percent for Art Program) to continue. Please vote no on House Bill 1285.

Thank you.

*Nicolette B. Clarke*

Nicolette B. Clarke  
135 Amherst St. Unit #3  
Amherst, NH 03301

# Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1285-FN

**BILL TITLE:** repealing the state art fund.

**DATE:** 1/25/2012

**LOB ROOM:** 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions:  OTP,  OTP/A,  ITL, Interim Study (Please circle one.)

Moved by Rep. Rep. Bowers

Seconded by Rep. Rep. Jeudy

Vote: 8-7 (Please attach record of roll call vote.)

Motions:  OTP,  OTP/A,  ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1285-FN

BILL TITLE: repealing the state art fund.

DATE:

1-25-12

LOB ROOM: 306

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

OTP OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

BOWERS

Seconded by Rep.

SEUDY

Vote:

(Please attach record of roll call vote.)

Motions:

OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

(Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent:

Refer to Committee Report

Respectfully submitted,

*Rep. Carol Vita*  
Rep. Carol Vita, Clerk

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB 1285 FN Title: REPEALING STATE ART FUNDSPH Date: 1/19/12Exec Session Date: 1/25/12Motion: OFR

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	X	
Hawkins, Kenneth, V Chairman		X
Sytek, John	X	
Day, Russell C		X
Pratt, Calvin D	X	
Vita, Carol M, Clerk	X	
Perkins, Lawrence B		
Winter, Steven J	X	
Bowers, Spec	X	
Brown, Paul E		
Hansen, Peter T	X	
Proulx, Mark L		X
Whitehead, Randall A		X
Schmidt, Peter B		X
Pilotte, Maurice L		X
Jeudy, Jean L	X	
Sullivan, Daniel J		X
TOTAL VOTE:	8	7

# Committee Report

---

**REGULAR CALENDAR**

**January 25, 2012**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Majority of the Committee on EXECUTIVE  
DEPARTMENTS AND ADMINISTRATION to which was  
referred HB1285-FN,

AN ACT repealing the state art fund. Having  
considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.

Rep. Spec Bowers

**FOR THE MAJORITY OF THE COMMITTEE**



**MAJORITY  
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND  
ADMINISTRATION**  
Bill Number: **HB1285-FN**  
Title: **repealing the state art fund.**  
Date: **January 25, 2012**  
Consent Calendar: **NO**  
Recommendation: **OUGHT TO PASS**

**STATEMENT OF INTENT**

Majority of ED&A: HB 1285 is about accountability and transparency in government. It would delete a dedicated fund which is funded on autopilot, and replace it with appropriations from the general fund. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. Opponents will claim that this bill is anti-art; that without an art fund we will no longer buy any artworks for our buildings. But history belies that claim. The art fund has existed only since 1979. For most of 200 years prior to that date, legislatures continually appropriated funds to buy the many great artworks that grace our capitol. The public hearing mentioned the eagle atop our dome as an example of artwork purchased by one generation for the benefit of later generations. But that eagle was purchased long before there was a state art fund. Future legislatures will always be able to appropriate moneys for art even without a dedicated art fund. Vote 8-7.

Vote 8-7

Rep. Spec Bowers  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB1285-FN**, repealing the state art fund. **OUGHT TO PASS.**

Rep. Spec Bowers for the **Majority of EXECUTIVE DEPARTMENTS AND ADMINISTRATION.**  
Majority of ED&A: HB 1285 is about accountability and transparency in government. It would delete a dedicated fund which is funded on autopilot, and replace it with appropriations from the general fund. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. Opponents will claim that this bill is anti-art; that without an art fund we will no longer buy any artworks for our buildings. But history belies that claim. The art fund has existed only since 1979. For most of 200 years prior to that date, legislatures continually appropriated funds to buy the many great artworks that grace our capitol. The public hearing mentioned the eagle atop our dome as an example of artwork purchased by one generation for the benefit of later generations. But that eagle was purchased long before there was a state art fund. Future legislatures will always be able to appropriate moneys for art even without a dedicated art fund. **Vote 8-7. Vote 8-7.**

Original: House Clerk

Cc: Committee Bill File

**Karwocki, Karen**

**From:** Carol McGuire [mcguire4house@gmail.com]  
**Sent:** Thursday, January 26, 2012 10:00 AM  
**To:** Karwocki, Karen  
**Subject:** blurbs

**Karen, here's these three. I'm holding on to HB1544 because I think we may want to change it, but you should have all the rest. HB1285 has both a majority and minority blurb. Call me if there are any issues - I'll be here at least until noon.**

**Carol**

**HB 1710**, establishing a commission to identify issues for legislation related to strengthening the role of fathers in families with divorced or unmarried parents. **OUGHT TO PASS**

Rep. Steve Winter for Executive Departments and Administration. The majority of the committee considers the issue of fatherless homes to be a significant factor in delinquency, truancy, and other child anti-social behavior. This commission is created to study what issues might be addressed by the New Hampshire legislature to blunt these problems and to recommend legislation that might help rectify the increasingly detrimental effects of the absence of a father-figure in many of our state's households. The commission will have legislators assigned in order to facilitate legislative follow up and will make its first report on or before the fall of 2013.

**HB 1521-FN**, relative to retired state employees group insurance participation. **OUGHT TO PASS WITH AMENDMENT**

Rep. Steve Winter for Executive Departments and Administration. This bill resulted from a Department of Administrative Services performance audit. The audit cited ten observations, the final three of which required legislation. Direction of this program for retiree health benefits was transferred from the NHRS to the DAS. The department continued the practices that were put in place by the NHRS but the audit discovered that a number of these practices were not specifically authorized to DAS by statute. This bill sets out authorization for these ongoing practices in a revision to RSA 21-I:30 and re-writes that statute in a more logical format.

**HB 1285**, repealing the state art fund. **OUGHT TO PASS.**

Rep. Spec Bowers for the Majority of ED&A: HB 1285 is about accountability and transparency in government. It would delete a dedicated fund which is funded on

autopilot, and replace it with appropriations from the general fund. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. Opponents will claim that this bill is anti-art; that without an art fund we will no longer buy any artworks for our buildings. But history belies that claim. The art fund has existed only since 1979. For most of 200 years prior to that date, legislatures continually appropriated funds to buy the many great artworks that grace our capitol. The public hearing mentioned the eagle atop our dome as an example of artwork purchased by one generation for the benefit of later generations. But that eagle was purchased long before there was a state art fund. Future legislatures will always be able to appropriate moneys for art even without a dedicated art fund. Vote 8-7.

**REGULAR CALENDAR**

**January 25, 2012**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on EXECUTIVE  
DEPARTMENTS AND ADMINISTRATION to which was  
referred HB1285-FN,**

**AN ACT repealing the state art fund. Having  
considered the same, and being unable to agree with  
the Majority, report with the following Resolution:  
RESOLVED, That it is INEXPEDIENT TO LEGISLATE.**

**Rep. Randall A Whitehead**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND  
ADMINISTRATION**  
Bill Number: **HB1285-FN**  
Title: **repealing the state art fund.**  
Date: **January 25, 2012**  
Consent Calendar: **NO**  
Recommendation: **INEXPEDIENT TO LEGISLATE**

**STATEMENT OF INTENT**

The minority argues that this is a flawed bill because of several factors.

The NH Constitution (Art 83) clearly states that the State shall "cherish" and "encourage" the arts.

The small amount of funding required by the state art fund enhances NH's image, boosts the pride of our citizens, attracts tourism, generates financial dividends, and supports NH artists, thus serving the interests of our state on many planes.

Rep. Randall A Whitehead  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB1285-FN, repealing the state art fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Randall A Whitehead for the **Minority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION. The minority argues that this is a flawed bill because of several factors.

The NH Constitution (Art 83) clearly states that the State shall “cherish” and “encourage” the arts.

The small amount of funding required by the state art fund enhances NH’s image, boosts the pride of our citizens, attracts tourism, generates financial dividends, and supports NH artists, thus serving the interests of our state on many planes.

Original: House Clerk  
Cc: Committee Bill File

1/25

Minority BLURB - HB 1285

The minority argues that this is a flawed bill because of several factors.

The NH Constitution (Art. 83) clearly states that the State shall "cherish" and "encourage" the arts.

The small amount of ~~state~~ funding required by the state art fund enhances NH's image, boosts ~~the~~ the pride of our citizens, attracts tourism, generates financial ~~income~~ dividends, and ~~also~~ supports NH artists ~~and~~ etc, thus serving the interests of c in many planes.

Rightly  
said

Line

Carol  
M. Quinn

8/4/8



REGULAR CALENDAR

March 22, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on FINANCE to which was referred HB1285-FN,

AN ACT repealing the state art fund. Having considered the same, report the same with the recommendation that the bill be REFERRED FOR INTERIM STUDY.

Rep. William S Belvin

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY  
COMMITTEE REPORT**

Committee: FINANCE  
Bill Number: HB1285-FN  
Title: repealing the state art fund.  
Date: March 22, 2012  
Consent Calendar: NO  
Recommendation: REFER TO COMMITTEE FOR INTERIM STUDY

STATEMENT OF INTENT

HB 1285 originated in ED&A, passed the house and came to the house finance committee for second committee review. The bill would repeal the existing state art fund. House finance deals with the financial aspects of the bill and recommends Interim Study for financial reasons. At present, there are over 600 individual works of art and historic items the state has bought and paid for, constituting a valuable state asset in need of curating, maintenance, and as needed, repair. These necessary functions currently receive funds that are to be abolished, leaving it up to the division of cultural resources to seek new funding in future state budgets, for those responsibilities and to maintain the value of the collection. Once HB 1285 becomes law there would be no art spending cap as now exists; and the current prohibition of using funds from building repairs, transportation, fish and game, university system of New Hampshire and federal money for the calculation of art fund revenue would be eliminated opening the general fund to unknown future art expenditures. It is because of these financial concerns, and with the intent of resolving these concerns, to include alternate funding sources other than as a percent of capital budget projects in HB 25, that the house finance committee recommends Interim Study.

Vote 15-9

Rep. William S Belvin  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

### FINANCE

**HB1285-FN**, repealing the state art fund. **REFER TO COMMITTEE FOR INTERIM STUDY.**  
Rep. William S Belvin for the **Majority of FINANCE.** HB 1285 originated in ED&A, passed the house and came to the house finance committee for second committee review. The bill would repeal the existing state art fund. House finance deals with the financial aspects of the bill and recommends Interim Study for financial reasons. At present, there are over 600 individual works of art and historic items the state has bought and paid for, constituting a valuable state asset in need of curating, maintenance, and as needed, repair. These necessary functions currently receive funds that are to be abolished, leaving it up to the division of cultural resources to seek new funding in future state budgets, for those responsibilities and to maintain the value of the collection. Once HB 1285 becomes law there would be no art spending cap as now exists; and the current prohibition of using funds from building repairs, transportation, fish and game, university system of New Hampshire and federal money for the calculation of art fund revenue would be eliminated opening the general fund to unknown future art expenditures. It is because of these financial concerns, and with the intent of resolving these concerns, to include alternate funding sources other than as a percent of capital budget projects in HB 25, that the house finance committee recommends Interim Study. **Vote 15-9.**

Original: House Clerk

Cc: Committee Bill File

bcbelvin@AOL.COM

673-5385

1285 BLVD.

HB-1285 originated in EDPA, passed the House, and came to House Finance for second committee review. The bill would repeal the existing State Art Fund. House Finance deals with the financial aspects of the bill and recommends an interim study for financial reasons.

At present there are over 600 individual works of art and historic items the State has bought and paid for, constituting a valuable State asset in need of curatorial maintenance, and as needed, repair. These <sup>collections</sup> currently receive funds that are to be abolished, leaving it up to the Division of Cultural Resources to seek new funding in future State Budgets, for these responsibilities and to maintain the value of the collection. Once HB-1285 becomes law there would be no <sup>art</sup> spending cap as now exists; and the current prohibitions of using funds from building repairs, transportation, Fish & Game, USNH and Federal ~~money~~ money for the calculation of Art Fund revenue would be eliminated opening the General Fund to unknown future art expenditures. It is because of these financial concerns, ~~that~~ and with the intent of resolving

they concerns, to include alternate  
funding sources other than as a  
percent of Capital Budget <sup>projects</sup> projects  
HB-25 that the House Finance committee  
recommends Interim Study

W.B. ELWIN

NOTE 15-9 INTERIM STUDY

K.L.W.

REGULAR CALENDAR

March 22, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on FINANCE to which was referred HB1285-FN,

AN ACT repealing the state art fund. Having considered the same, and being unable to agree with the Majority, report with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Dan McGuire

FOR THE MINORITY OF THE COMMITTEE

**MINORITY  
COMMITTEE REPORT**

Committee: FINANCE  
Bill Number: HB1285-FN  
Title: repealing the state art fund.  
Date: March 22, 2012  
Consent Calendar: NO  
Recommendation: OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

When HB 1285 was passed by the house 214-108, we set the policy that art should not be purchased on autopilot. Rather, we should fund it through the normal budget process as we did for nearly 200 years. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. As the member from public works testified their committee would budget art for each new building project as needed on a case-by-case basis. There are no complex issues here that need more study. The proposed amendment simply deletes the automatic spending, continues the fund until ongoing projects are completed, and maintains the system used by the department of cultural affairs to purchase art when monies are allocated.

Rep. Dan McGuire  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File



REGULAR CALENDAR

FINANCE

**HB1285-FN**, repealing the state art fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dan McGuire for the **Minority of FINANCE**. When HB 1285 was passed by the house 214-108, we set the policy that art should not be purchased on autopilot. Rather, we should fund it through the normal budget process as we did for nearly 200 years. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. As the member from public works testified their committee would budget art for each new building project as needed on a case-by-case basis. There are no complex issues here that need more study. The proposed amendment simply deletes the automatic spending, continues the fund until ongoing projects are completed, and maintains the system used by the department of cultural affairs to purchase art when monies are allocated.

Original: House Clerk  
Cc: Committee Bill File

**Clayman, Janet**

**From:** Dan McGuire [danmcguire@gmail.com]

**Sent:** Thursday, March 22, 2012 8:10 AM

**To:** Clayman, Janet; Weyler, Ken

**Subject:** Minority blurb for HB 1285

Here's my minority blurb for HB 1285 (art fund). It should be listed as Ought to Pass with Amendment, the amendment being 2012-1330h. That currently has my name on it, but maybe it should be from the Minority of House Finance?

If you need to reach me this morning, I'm at

Thanks,  
Dan

When HB 1285 was passed by the House 214-108, we set the policy that art should not be purchased on autopilot. Rather, we should fund it through the normal budget process as we did for nearly 200 years. This bill has very little to do with art and everything to do with legislators taking responsibility for state expenditures. As the member from Public Works testified their committee would budget art for each new building project as needed on a case-by-case basis. There are no complex issues here that need more study. The proposed amendment simply deletes the automatic spending, continues the fund until ongoing projects are completed, and maintains the system used by the Department of Cultural Affairs to purchase art when monies are allocated.

*Ken L. Weyler / jhc*

3/22/2012

INTERIM STUDY  
COMMITTEE REPORT

COMMITTEE: FINANCE  
BILL NUMBER: HB 1285-FN  
TITLE: Repealing the state art fund.  
  
DATE: October 12, 2012

---

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

---

STATEMENT OF INTENT: (May be handwritten)

HB 1285-FN repeal of the state art fund intent, within 60 days of passage, left a series of consequences without adequate remedy: no provision was made for curation of the approximate 600 state art works; potential breach of contract by the State for art work in progress; no spending cap and which agency capital payments qualify; and no process in place for authority or responsibility for present or future art purchases.

After considering these concerns the Finance Committee believes that the current RSA 19-A:9, and its associated dedicated fund serve the best interests of the citizens and State of New Hampshire, and should remain in place without change.

---

COMMITTEE VOTE: 13-2

(Attach Committee Voting Sheet)

---

Rep. William S. Belvin  
For the Committee

INTERIM STUDY  
COMMITTEE REPORT

COMMITTEE: Finance  
BILL NUMBER: HB 1285  
TITLE: repealing the state art fund  
DATE: 10/11/12

RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_

(If legislation is already  
filed, please list LSR no.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMITTEE VOTE: 13/2 (Attach Committee Voting Sheet)

Rep. W. S. Belvin  
For the Committee

FINANCE

HB-1285-FN repeal of the State Art Fund intent, within 60 days of passage, left a series of consequences without adequate remedy: no provision was made for curators of the approximate 600 state art works; potential breach of contract by the state for art work in progress; no spending cap and which agency capital projects qualify, and no process in place for authority or responsibility for present or future art purchases.

after considering these concerns the Finance Committee believes that the current RSA 19-A:9, and its associated Dedicated Fund serve the best interests of the citizens and state of New Hampshire, and should remain in place without change.

INTERIM STUDY  
COMMITTEE REPORT

MINORITY REPORT

COMMITTEE: FINANCE  
BILL NUMBER: HB 1285-FN  
TITLE: Repealing the state art fund.  
DATE: October 12, 2012

---

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

---

STATEMENT OF INTENT: (May be handwritten)

The minority sees the majority's arguments as minor details that are easily accommodated. For example, art maintenance can be funded through the normal budget process. The art fund mechanism needs to be eliminated in favor of deliberate budgeting for art. All other aspects of construction projects are deliberated by the Public Works Committee. They are more than capable of budgeting for art on a project-by-project basis as well.

---

COMMITTEE VOTE: 13-2

(Attach Committee Voting Sheet)

---

Rep. Dan McGuire  
For the Minority

# Minority

## INTERIM STUDY COMMITTEE REPORT

COMMITTEE: <sup>House</sup> Finance  
BILL NUMBER: HB 1285-FN  
TITLE: Repealing the State Art Fund  
DATE: Oct 12, 2012

RECOMMENDED FOR FUTURE LEGISLATION

LSR No. \_\_\_\_\_

(If legislation is already  
filed, please list LSR no.)

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

The minority sees the majority's arguments as minor details that are easily accommodated. For example, art maintenance can be funded through the normal budget process. The ~~process~~ ~~of the bill to eliminate~~ art fund mechanism needs to be eliminated in favor of deliberate budgeting for art. All other aspects of construction projects are deliberated by the Public Works Committee. They are more than capable of budgeting for art on a project-by-project basis as well.

COMMITTEE VOTE: 13-2 (Attach Committee Voting Sheet)

### PLEASE NOTE:

- Reports are due \_\_\_\_\_, at the House Clerk's Office with the committee voting sheet attached.
- Place a copy of the committee report and all subcommittee work documents in bill file.

Rep.

Dan McGuire

For the ~~Committee~~  
Minority

FINANCE

Bill #: HB 1285 Title: Repealing the State Art Fund

PH Date:      /      /     

Exec Session Date: 10 / 11 / 12

Motion: Not recommended for further legislation Amendment #:     

MEMBER	YEAS	NAYS
Weyler, Kenneth L, Chairman	13	
Ober, Lynne M, V Chairman	12	
Kurk, Neal M		1
Emerton, Larry	N/A	
Rodeschin, Beverly T	1	
Belvin, William S	2	
Elliott, Robert J	3	
Allen, Mary M	N/A	
Garcia, Marilinda J	N/A	
Barry, Richard W	4	
Cebrowski, John W	N/A	
Smith, William B	N/A	
Sova, Charles E	N/A	
Umberger, Karen C, Clerk	5	
Keane, Thomas E	N/A	
McGuire, Dan		2
Simard, Paul H	6	
Twombly, Timothy L	N/A	
Worsman, Colette	N/A	
Nordgren, Sharon	N/A	
Baroody, Benjamin C	7	
Benn, Bernard L	8	
Foose, Robert A	9	
Lerandean, Alfred C <i>Rep Keans</i>	10	
Rosenwald, Cindy <i>Rep Shantliff</i>	11	
TOTAL VOTE:	13	2



## New Hampshire General Court - Bill Status System

**Docket of HB1285**

Docket Abbreviations

**Bill Title:** repealing the state art fund.*Official Docket of HB1285:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
11/21/2011	H	<b>Introduced</b> 1/4/2012 and Referred to Executive Departments and Administration; <b>HJ 7</b> , PG.350
12/29/2011	H	==CANCELLED== Public Hearing: 1/12/2012 1:15 PM LOB 306
1/12/2012	H	==RESCHEDULED== Public Hearing: 1/20/2012 2:00 PM LOB 306-308
1/18/2012	H	Executive Session: 1/25/2012 1:15 PM LOB 306
1/25/2012	H	Majority Committee Report: Ought to Pass for Feb 1 (Vote 8-7; RC); <b>HC 5</b> , PG.252
1/25/2012	H	Minority Committee Report: Inexpedient to Legislate; <b>HC 5</b> , PG.252
2/1/2012	H	Ought to Pass: MA DIV 214-108; <b>HJ 13</b> , PG.780
2/1/2012	H	Referred to Finance; <b>HJ 13</b> , PG.780
2/8/2012	H	Public Hearing: 2/21/2012 1:30 PM LOB 210-211
2/14/2012	H	Division I Work Session: 2/23/2012 1:30 PM LOB 212 ==RECESSED==
2/23/2012	H	==CANCELLED== Division I Work Session: 3/15/2012 2:00 PM LOB 212
3/6/2012	H	==RESCHEDULED== Division I Work Session: 3/12/2012 1:00 PM LOB 212
3/6/2012	H	Executive Session: 3/20/2012 11:00 AM LOB 210-211
3/22/2012	H	Majority Committee Report: Refer to Interim Study for Mar 28 (Vote 15-9; RC); <b>HC 25</b> , PG.1509
3/22/2012	H	Minority Committee Report: Ought to Pass with Amendment #1330h; <b>HC 25</b> , PG.1509
3/22/2012	H	Proposed Minority Committee Amendment #2012-1330h; <b>HC 25</b> , PG.1570-1571
3/28/2012	H	Refer to Interim Study: MA <b>RC 210-76</b> ; <b>HJ 30</b> , PG.1850-1852
6/7/2012	H	Referred to Finance for Interim Study; <b>HC 45</b> , PG.2433
6/13/2012	H	Interim Study - DIV I Organizational Meeting: 6/19/2012 10:00 AM LOB 212
10/8/2012	H	Interim Study - Executive Session: 10/12/2012 1:00 PM LOB 210-211
10/12/2012	H	Interim Study Report: Not Recommended for Legislation in 2013 (Vote 13-2)

NH House

NH Senate