

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

Legislative Council Policy on the Maine State House Portrait Collection

I. Care and Management of the Portrait Collection

- 1. Care and management of the Portrait Collection.** The care and management of the Portrait Collection of the Maine State House are responsibilities of the Maine State Museum, which solely shall determine and satisfy the needs related to the storage, conservation, exhibition, public education and public placement of the portraits in the collection. All such decisions shall be based on sound and recognized professional principles of museum practice. Within professional and space constraints, the museum will display much of the Portrait Collection in the public spaces of the State House. Public spaces include hallways and corridors, rotunda areas, legislative committee rooms, Law and Legislative Reference Library, Senate and House chambers, Governor's office, and offices of the Speaker of the House and President of the Senate. Once the portrait locations have been determined by museum curatorial staff, the museum will try to minimize further movement of the paintings to limit the potential for damage and to conserve staff time. Legislative proposals for relocating portraits to places within the State House other than those established by the museum shall be made to the Executive Director of the Legislative Council who will then contact the museum director to determine the viability of the proposed relocation.
- 2. Museum to hold title to portraits.** In keeping with the legislation creating the Maine State Museum and defining and regulating its activities, the Maine State Museum holds title to the portraits as trustee for the State (pursuant to Maine Revised Statutes Title 27, 86-A). In this context every portrait that comes into the Portrait Collection must be accompanied by a signed Deed of Gift or equivalent conveyance permanently transferring ownership to the museum.
- 3. Notification to Maine State Museum of decision affecting Portrait Collection.** The museum must be notified in a timely and appropriate manner of authorized decisions made to commission, fund, transport, accept, receive or hang portraits so that it can respond to those matters as required and in a prompt and proper fashion.
- 4. Legislative Council funding.** The Legislative Council shall pay up to \$3,000 annually for contracted services by the Maine State Museum for the purposes of care, maintenance or conservation related to the Portrait Collection.

II. Standards for Portraits to be included in Portrait Collection.

1. **Eligible persons for Portrait Collection.** Commissioned portraits may include Governors of Maine, U.S. Senators and Congressional Representatives, members of the judiciary, military figures, and citizens of special distinction. Every portrait must be of a once-living or currently living individual.
2. **Standards for Portraits to be included in the Portrait Collection.** All portraits commissioned for or accepted into the Portrait Collection must meet the following standards:
 - A. **Portraits to be executed in oil pigments.** All portraits must be executed in oil pigments. The only allowed exceptions are original pastel portraits, watercolors, drawings, or other unique, original graphic depictions of early Governors of Maine or other distinguished individuals of the 19th century for whom no oil portraits are known to be available or exist.
 - B. **Portraits to be in traditional, representational style.** All portraits must be in a traditional, representational style in keeping with those portraits presently in the collection. Portraits should present qualities of high technical competence and achievement in recognition of the honor of inclusion in the collection and the special respect in which the State House is held by the citizens of Maine.
 - C. **Portrait size limitation.** No portrait may be larger than 40 inches in height by 30 inches in width, excluding the frame.
 - D. **Portrait frame requirements.** Every portrait shall be provided with a frame of dignified appearance, tasteful presentation and careful construction suitable for display among the many historical examples of the same.

III. Non-Gubernatorial Portraits

1. **Sole Authority to approve the commissioning of portraits.** The Legislative Council shall have the sole authority to approve any proposal to commission a portrait for the Portrait Collection and to initiate the process of commissioning it.
2. **Artist selection panel.** Upon approval by the Legislative Council of a potential subject for a portrait commission, the Executive Director of the Legislative Council shall notify the Maine Arts Commission to convene a review panel to select a qualified artist to execute the portrait. That panel will consist of seven members, three from the Maine Arts Commission (one of commission members shall chair the panel), two from the Maine State Museum, one member from the Maine Historic Preservation Commission, and one representative of the Legislative Council, to select by a majority vote a qualified artist. The review panel will then negotiate the cost of the portrait commission with the artist and report that to the Legislative Council.
3. **Review panel for commissioned portraits, membership.** The Maine Arts Commission shall establish a review panel to assess and select artists once the Legislative Council has approved the commissioning of a portrait for the Portrait Collection. The review panel must include a

representative of the Legislative Council, two representatives of the Maine State Museum and a representative of the Maine Historic Preservation Commission.

4. **Approval of cost and funding.** When the artist has been chosen, the Legislative Council must approve the portrait commission cost.
5. **Cost sharing of portrait commission costs.** Any portrait not of a Maine Governor must include funding for 25% of the total expense from the State. The remainder of the expense must be raised by private subscriptions or contributions. The intent of this provision is to strike a healthy balance between private and public commitment in the commissioning of any non-gubernatorial portrait intended for the Portrait Collection.
6. **Execution of commission contingent on full funding being identified.** No commission for a non-gubernatorial portrait may be executed until funding for the 25% State share and the remaining private subscriptions or contribution required pursuant to section 3.5 have been determined to be available and certified by the Legislative Council. Once funding is certified as available, the Executive Director of the Legislative Council shall notify the Maine Arts Commission.
7. **Contract administration.** The Maine Arts Commission will negotiate the terms of any contract with the artist selected, administer the contract to completion and transfer the completed portrait with its title to the Maine State Museum.
8. **Organization of portrait presentation events.** If there is to be a portrait dedication or public ceremony marking the official hanging or delivery of the portrait, it shall be organized by the Maine State Museum in concert with the Maine Historic Preservation Commission and other significant entities involved in the process. The cost of the public ceremony must be borne by those private entities chiefly responsible for the commissioning of the portrait.

THIS POLICY IS ADOPTED BY THE LEGISLATIVE COUNCIL AT AUGUSTA, MAINE ON JUNE 24, 2015.

BY:



Executive Director of the Legislative Council

Effective Date: JUNE 24, 2015