

# **FAV\_Goya\_SB1006.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

12 March 2025

To: The Honorable Members of the Senate Budget and Taxation Committee Maryland  
House of Delegates  
6 Bladen Street  
Annapolis, MD 21401

Re: Testimony in Support of SB1006- Commissioned Public Art - Artist Rights

Dear Honorable Members of the Senate Budget and Taxation Committee,

I am writing to express my strong support for SB1006, which seeks to protect the rights of artists in relation to commissioned public art. As a career arts professional with over 30 years of experience representing, exhibiting, building scholarship for, and forming legacy protections around culturally significant art works and their makers, I believe this bill is a crucial step in safeguarding both the integrity of public art and the rights of the artists who create it.

Public art has the unique power to shape communities, foster dialogue, and inspire future generations. Supporting public art is vital not only for enriching the quality of life for our constituents, but also for its role in cultural and civic engagement. By supporting HB 0961, this committee would send a clear message that Maryland values the contributions of artists and recognizes their rights to preserve the integrity and longevity of their works.

The preservation of public art's veracity benefits both artists and the public by ensuring that art remains a meaningful and historically significant part of our day. After all, art is a mirror of our time that transcends language, economic, and educational differences. Public art links us together. When artists can safeguard the vision and intent behind their work, they are empowered to continue creating without fear of alteration or destruction, and without fear of losing their intellectual property entitlements. The public, in turn, experiences art as it was intended, in its original form and context, with dignity attached.

As a professional who has worked in various facets of the arts, and as a member of this community, I understand the importance of protecting the rights of artists. This bill is a vital step in ensuring that public art remains a vibrant and respected part of our shared cultural landscape, while upholding the values, ideas, and cultural significance that such works represent.

Thank you for considering my testimony in support of SB1006. I urge you to support this important bill, which will protect the rights of artists and benefit our community by ensuring public art flourishes in Maryland, while preserving the integrity, dignity, and rights of the artists who bring it into creation.

Sincerely,  
Amy Eva Raehse

Executive Director & Partner at Goya Contemporary Gallery & Goya-Girl Press, Inc.  
Manager of the Elizabeth Talford Scott Estate & Joyce J. Scott Art Trust Independent  
Curator, Writer & Guest Lecturer Worldwide  
Board of Trustees at The Creative Alliance of Greater Baltimore (Emeritus) Board of  
Trustees at International Fine Print Dealers Association  
Board of Trustees at the IFPDA Foundation  
Board of Trustees at University of Maryland Global Campus Art Advisory  
Program Advisory Committee at Maryland Art Place  
Owner of The Artist Legacy Project, LLC  
Mayor's Public Art Commission Committee Member, Baltimore (starting in 2025)

3000 Chestnut Avenue, Mill Centre #214  
Baltimore, MD 21211  
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[amy@goyacontemporary.com](mailto:amy@goyacontemporary.com) / [www.goyacontemporary.com](http://www.goyacontemporary.com)

# **FAV\_MCA\_SB1006.pdf**

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Position: FAV



Chairman Guy Guzzone  
Vice Chairman Jim Rosapepe  
Honorable Member of the Senate Budget and Taxation Committee

## TESTIMONY IN SUPPORT OF SB 1006

On behalf of Maryland Citizens for the Arts, I urge you to support SB 1006, an important measure that upholds the rights of artists and ensures the preservation of public art commissioned by entities receiving state funding.

Public art plays a vital role in shaping Maryland's cultural landscape, reflecting our communities' diverse identities, histories, and aspirations. The investment made in these works—by artists, government agencies, and the public—is significant, and it is imperative that we protect both the artistic integrity of these works and the rights of the artists who create them.

SB 1006 establishes clear protections by ensuring that artists are not forced to waive their rights under the Visual Artists Rights Act (VARA) or surrender their copyright protections as a condition of public commissions. Unfortunately, some commissioning entities have required artists to forfeit these fundamental rights, leading to instances where works are altered or removed in ways that distort their original intent and diminish their value. This is not only a disservice to the artists but also to the communities that rely on public art for cultural enrichment.

Maryland has long been a leader in supporting the arts. Since the passage of Baltimore City's 1% for Art ordinance in 1964, public art programs across the state have flourished, contributing to our rich artistic heritage. As these programs expand, it is crucial that we also strengthen the legal framework that protects artists and their contributions.

By passing SB 1006, the Maryland General Assembly will reaffirm its commitment to fostering a thriving public art ecosystem—one that respects the rights of artists and upholds the integrity of the artworks themselves. This bill ensures that public resources are used to commission art in a way that honors and preserves its intended meaning for generations to come.

I strongly encourage you to vote in favor of this legislation and thank you for your leadership in protecting Maryland's vibrant arts community.

Sincerely,

Nicholas S Cohen,  
Executive Director, MCA

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Executive Director

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# **FAV\_MICA\_SB1006.pdf**

Uploaded by: Nicholas Cohen

Position: FAV



March 12, 2025

To: Senate Budget and Taxation Committee

RE: SB 1006 Assigned to Senate Budget and Taxation Committee

I am writing in support of the Bill SB1006, which is intended to provide Artist's Rights Protection as well as their reputation. The goal of this bill is to protect the public's interest in ensuring that the investment and legacy of a work of art is not lost or compromised.

I have created public art locally and nationally for over 35 years and feel strongly that it is important to our culture. It enriches our lives and does a myriad of good including the enhancement of the vibrancy in our cities and neighborhoods and supports economic growth. Public art contributes to the health and well-being of individuals and communities. Two reasons for this are the landmarks and identity public art has created for communities. Also, keep in mind that public art has been commissioned across Maryland through multiple Federal, State, and local public art programs for placemaking and creating legacies.

SB1006 is being introduced because some public art in Maryland has been altered without artists' permission in violation of their rights. When artists are coerced to waive their federal VARA (Visual Artist Rights Act of 1990) and copyright protections in contracts for commissioned works, the integrity of the art is no longer protected which hurts the artist and the public.

This legislation will establish that the State of Maryland respects artists' rights and the public interest in the preservation of public art. It is limited in scope, since it is only enforceable with entities in which State funds are involved. However, the legislation will apply to contracts with artists by entities that receive state funding. Additionally, the legislation also recognizes that there may be unforeseeable conditions where this legislation may not be applicable and so provides for review by the Attorney General with guidance as needed from those with knowledge and expertise in public art through MSAC.

Thank you for your attention. As an artist who has spent her professional life since 1979 in Maryland, please pass this legislation.

Respectfully submitted,  
Jann Rosen-Queralt  
Emeritus Rinehart School of Sculpture

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INSTITUTE  
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# **FAV\_SB1006\_GBCA.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

Honorable Members of the Senate Budget & Taxation Committee

TESTIMONY IN SUPPORT OF SB 1006  
Commissioned Public Art - Artist Rights

As Executive Director of the Greater Baltimore Cultural Alliance (GBCA), I am writing to ask the Senate Budget & Taxation Committee to support SB 1006, Commissioned Public Art-Artist Rights.

GBCA is a leading provider of support and services for artists and cultural organizations in Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, and Howard counties. GBCA knows first-hand how important is to provide these protections for artists and to protect public investment in such artworks.

The cultural sector makes a \$13 billion impact on Maryland's economy and is responsible for over 80,000 jobs. In actuality, those numbers are much larger as they do not adequately reflect artists who operate independently as small businesses throughout the state—small businesses with little to no access to legal services in the event they need them.

The work of artists in public spaces provide assets to the community, promote tourism, and activate underutilized commons. They reflect the spaces in which they are installed and offer opportunities for contemplation and interaction.

Thank you for your consideration. Artists and communities living and working in Maryland are counting on your support.

Sincerely,

Jeannie L. Howe, Executive Director  
Greater Baltimore Cultural Alliance  
120 W. North Ave., Suite 305  
Baltimore, MD 21201



# **FAV\_SB1006.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

Honorable Members of the Senate Budget and Taxation Committee

TESTIMONY IN SUPPORT OF SB 1006  
Commissioned Public Art - Artist Rights

My name is Linda DePalma. I am an artist living for over 40 years in Bolton Hill 21217 and vote in all elections. Please support **SB1006**. I am 100% in favor and support of this bill.

As an artist who has been fortunate enough to receive a number of public art commissions in the regional area, this is a poignant issue for me.

Public artworks, commissioned by the State, often involve artists collaborating with local governments, architects and engineers. This is a challenging process, however, due to this collaboration, a sense of place with historical and meaningful implications develops. Artworks are beloved by the communities where they are sited. A public artwork becomes an important identifier, a landmark, for State constituents and their communities. What is the intrinsic value of this artwork? A connection to art can enhance emotional, physical and mental health. Viewing art can trigger those "feel good hormones." It can actually create joy!

Public art acts as an economic engine, attracting visitors, who in turn patronize other businesses in the region. It creates jobs for fabricators and installers, and provides funds to purchase materials. It acknowledges the importance of promoting art in a community so that the quality of life can be uplifted. Works can become a symbol or a document of the culture. Since public art is free and available to ANYONE, it becomes a catalyst for social interaction. It is accessible to all. People come together and connect to each other. It is a legacy document of the culture and can address social issues sparking conversation. =Artists should not be asked to waive their copyright or other protection rights. Since this is not a lucrative calling for most artists, their integrity and intellectual ownership is of upmost importance. Insuring protection of the artist's original intent or any action to compromise the work is in the best public interests.

I have had a personal experience with this issue. I was a finalist for a federally funded sculptural relief and was asked to waive my Integrity rights. I did not agree to that and although all the comments about the design were all positive, I did not receive the commission.

Personally, I love the idea of community being pleasantly surprised when they come upon a sculpture – a sense of embracing both pride and ownership of sculpture in the public realm emerges. The viewer is uplifted and feels like they got a special gift. Among my works is an expansive gate at the Maryland Public Health Laboratory in East Baltimore, an entry gate to the nature-walk at Ladew Topiary Gardens in Monkton, MD and three sculptural works (a gate, canopy and bench) at Brookside Gardens in Wheaton, MD. In addition, I received an Art-in-Transit commission through the Purple Line, Maryland Transit Systems, to be completed in 2025 for the Riggs Road station in Washington DC.

Thank you for your time and consideration of **SB1006**.

Linda DePalma, 1623 Bolton Street, Baltimore, MD 21217  
410-456-9808 depalma21@gmail.com

# **Amendment SB1006\_363229\_1.pdf**

Uploaded by: Sen. Cheryl Kagan

Position: FAV



SB1006/363229/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

25 FEB 25  
09:34:21

BY: Senator Kagan

(To be offered in the Budget and Taxation Committee)

AMENDMENTS TO SENATE BILL 1006

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Rights**” insert “**and Registration of Art**”; and in line 5, after the semicolon insert “requiring certain State public art to be registered with the Maryland State Arts Council.”.

AMENDMENT NO. 2

On page 1, in line 19, after “**(B)**” insert “**(1)**”; and after line 21, insert:

“(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, AN ARTIST MAY CHOOSE TO WAIVE THEIR COPYRIGHT PROTECTIONS OR RIGHTS UNDER 17 U.S.C. § 106A IN A CONTRACT FOR STATE PUBLIC ART.”.

On page 2, in line 1, strike “**(B)**” and substitute “**(B)(1)**”; and after line 3, insert:

“(D) AN ENTITY THAT COMMISSIONS STATE PUBLIC ART SHALL REGISTER THE ART WITH THE MARYLAND STATE ARTS COUNCIL, INCLUDING:

- (1) THE NAME AND CONTACT INFORMATION OF THE ARTIST;
- (2) THE LOCATION OF THE ART;
- (3) THE TYPE OF ART;
- (4) THE TITLE OF THE ART; AND

**(5) THE DATE OF INSTALLATION OR CREATION.**".

# **Testimony - Public Artists - SB1006.pdf**

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN  
Legislative District 17  
Montgomery County

*Vice Chair*  
Education, Energy, and  
the Environment Committee

Joint Audit and Evaluation Committee  
Joint Committee on Federal Relations



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Cheryl.Kagan@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SB1006: Public Artists**

Senate Budget & Taxation Committee  
Wednesday, March 12, 2025 3:00 PM

Arts uplifts and enriches our communities. It reflects our diversity and communicates our values. In addition to funding, Maryland can do better to support our working artists. [SB1006/HB961](#) is a modest bill that would provide a much-needed measure of protection.

Too often, working artists are required to waive their rights under the federal Visual Artists Rights Act (VARA) of 1990 as a condition for receiving a grant for publicly commissioned art. These protect an artist's integrity, attribution, and intellectual property. Requiring a waiver deters some artists from having their work displayed. Additionally, publicly commissioned works have been damaged or have even [disappeared entirely](#), underscoring the need for stronger protections.

[SB1006](#) seeks to protect visual artists by ensuring that their VARA rights cannot be made a condition of accepting a State-funded grant. This bill not only protects artists, but safeguards taxpayer dollars.

As amended and passed by the House of Delegates (124-9), waivers would be allowed in limited cases, primarily relating to

- Registration with the Maryland State Arts Council;
- Attribution: ensuring that an artist's work cannot be falsely attributed to another individual; and
- Preservation: addressing situations in which the artwork is structurally integrated into a building and cannot be feasibly maintained.

SB1006 is not intended to stop negotiations. Rather, it ensures that artists who do not wish to waive their rights are not forced to do so in order to receive funding.

This bill would maintain artistic integrity and ensure that our State gives grants to talented artists-- not barred by contract negotiations.

**I urge a favorable report on SB1006 as amended.**