

BILL NO. _____

Thirty-first Legislature of the Virgin Islands

1 An Act amending title 3 Virgin Islands Code, chapter 1, section 1 to provide for the position
2 of Curator and amending title 31 Virgin Islands Code to add a chapter _____ establishing the
3 Committee for the Preservation of Government Collections

PROPOSED BY: Senator Myron D. Jackson

4 *Be it enacted by the Legislature of the Virgin Islands:*

5 **SECTION 1.** Title 3 Virgin Islands Code, chapter 1, section 1, is amended by
6 adding a subsection (c) to read to read:

7 “(c) There is established within the Office of the Governor, the position of
8 Curator of Government House Collections. The Governor shall consult with
9 the State Historic Preservation Office to determine the qualifications of the
10 individual before hiring. The Curator shall assemble, catalog, manage, and
11 present Government House of the Virgin Islands’ fine and decorative art
12 collection and the manuscript and documentary materials. The Curator must
13 be a member in good standing of the American Alliance of Museums and
14 must at all times comply with Code of Ethics for Curators as adopted by the
15 American Alliance of Museums.”

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1 **SECTION 2.** Title 31 Virgin Islands Code is amended by adding a chapter ____ to
2 read as follow:

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4 “Chapter ____ - Preservation of Historic Government Collections

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6 **§_____** This chapter may be cited as “The Preservation of Historic Government
7 Collections Act.”

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9 **§_____ Definitions-**

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11 (a) “Committee” means the Committee for Preservation of Government Collections.

12 (b) “Curator” refers to the Curator of Government House Collections.

13 (c) “Decorative Arts” means superior examples of furniture, silver, ceramics, glass,
14 textiles, and miscellaneous domestic works that represent the changing styles
15 and fashions preferred by the various First Families during their occupancy of
16 Government House.

17 (d) “Fine Arts” means superior examples of Virgin Islands paintings, sculpture,
18 prints, drawings, and watercolors that portray the life, the times, the beauty and
19 wonders of the Virgin Islands, the cultural heritage, and the individuals who have
20 guided the history of our Virgin Islands.

21 (e) “Government House” as used in this chapter means Government House, located
22 at 22 Kongens Gade, Estate Catherineberg, or any other residence assigned to
23 the Governor or Lieutenant Governor to include Government House and Sion
24 Farm on St. Croix but not limited to.

1 (f) “Manuscript and Documentary Materials” means articles, historical accounts,
2 letters, documents, prints and photographs that relate directly to Government
3 House its architecture and collections.

4 (g) “Works” or “Works of Art” means fine arts, decorative arts or manuscripts and
5 documentary materials, individually, collectively or any combination,
6 depending on the context.

7 §____. **Committee for the Preservation of Government Collections**

8 (a) There is established within the Office of the Governor the Committee for the
9 Preservation of Government Collections for the purpose of establishing,
10 maintaining, supervising and conserving the collection and exhibition of fine
11 and decorative arts, objects and such relics, documents, paintings,
12 furnishings, artifacts and other historical and related materials.

13 (b) The Committee comprises of seven members. The members are as
14 follows:

15 (1) The Director of Virgin Islands Council on the Arts or another
16 qualified board member;

17 (2) The Deputy State Historic Preservation Officer;

18 (3) The Territorial Archivist;

19 (4) The Curator;

20 (5) The Commissioner of the Department of Property and
21 Procurement, or a qualified designee;

22 (6) The Director of the Virgin Islands Museum of Fine Arts; and

23 (7) A historian appointed by Governor.

24 (c) The Committee must elect a Chairman from among its members.

25 **§_____ Curator**

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The Curator, shall, under the direction of the Governor, have the

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charge and custody of and be responsible for the works of art and

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inventory of items reflected in line (g) of definitions at Government

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House.

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§____ Collectibles

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(a) Fine Arts may be collected in the following areas:

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(1) Life portraits of Governors and First Ladies, and other prominent

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individuals directly associated with Government House, and people of

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the Virgin Islands.

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(2) Paintings, prints, drawings and water colors depicting geographic areas

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as well as the diversity of the cultural heritage of the Virgin Islands, the

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Caribbean, and various countries from around the Globe.

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(3) Paintings, sculpture, prints, drawings or watercolors of extraordinary

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quality by Virgin Islands artists and or other works depicting major

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movements or periods in Virgin Islands art or history, and history, culture

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and art of global communities.

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(b) Decorative arts may be collected in the following areas:

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(1) Works with a provenance (a record of ownership of a work of art or

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antique) of use in the Government House or owned by a previous

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occupant, including architectural items previously removed from the

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building.

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(2) Works associated with a former Governor or First Lady, particularly if

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the works were used in Government House. No items of personal nature

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such as clothing may be collected. A work of art presented to a

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Governor, First Lady, Lieutenant Governor or any selected

1 representative of the Governor will be evaluated for its appropriateness
2 for the Government House collection.

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4 (3) Works reflecting the historical and cultural tradition of the 17th, 18th, 19th
5 and early 20th century Virgin Islands, West Indian, American, and
6 European craftsmanship, which complement the existing Government
7 House collection. With the exception of special commissions, works by
8 contemporary craftsman or companies may not be considered for
9 acquisition.

10 (c) Manuscript or documentary materials such as letters may be acquired only if
11 they directly relate to Government House or life in Government House.

12 (d) As far as practicable, furniture purchased for use in Government House must
13 be made in the Virgin Islands, or deemed appropriate for inclusion by the
14 Curator.

15 **§ _____ General Criteria for Selection**

16 (a) The Committee shall use the following criteria for selection of works of art: (1)
17 importance of the subject, (2) aesthetic quality, (3) representation of the artist,
18 (4) uniqueness or degree of rarity, (5) authenticity and (6) its condition.

19 (b) The Committee may only acquire works of deceased artists only and works
20 completed 25 years after the enactment date of this Act. Portraits of Governors
21 and First Ladies are excepted.

22 **§ _____ Executive Residence Account**

23 The Committee shall establish an Executive Residence Account. Monies from the
24 Account must be used exclusively for the acquisitions, maintenance, renovations
25 and restorations of works of art. The Executive Residence Account is funded from

1 the budget of the Office of the Governor and appropriations made by the Legislature
2 of the Virgin Islands.

3 **§ _____ Acquisition and Removal Procedures**

4 (a) Works may be acquired for the collection by purchase, gift, bequest, or loan. The
5 Committee shall acquire works only if they fulfill the collecting goals and criteria
6 as defined above. The acquisition and removal of works must be governed, in part,
7 by the ability of the Committee to preserve, store, and protect the collections.
8 Except for documentary materials, the Committee may not accept works that cannot
9 be exhibited. The funds to purchase of works of art must come either from private
10 contributions, grants made by the Council on the Arts, Historic Preservation, The
11 V.I. Cultural Heritage Institute, or the Executive Residence Account.

12 (b) The Curator or Executive Director of Government House with consent of the
13 Committee and qualified staffers from Historic Preservation or the Council of the
14 Arts shall research and evaluate carefully any work under consideration for
15 acquisition or removal for its aesthetic quality, authenticity, provenance, and
16 condition or contract the professional services of a qualified licenses appraiser.

17 If the Committee is convinced of a work's aesthetic quality, authenticity,
18 provenance, as well as its appropriateness for the collection, a standard acquisition
19 form must be completed. The form, along with a photograph or digital image, is
20 then forwarded to the members of the Committee requesting their approval or
21 disapproval. If a simple majority of the Committee approves the acquisition, it then
22 becomes an accessioned object in the collection of Government House. The work
23 must be appraised and logged for inventory. Works removal from the collection
24 must be properly stored.

25 **§ _____ Purchase at Auction**

1 When appropriate and extraordinary works come up for sale at auction, the Curator
2 shall consult with the Chairman and at least one other member of the Committee
3 and a preservation/conservation professional, if necessary. The decision to acquire
4 a work at auction must be unanimous between the Chairman, Committee member
5 and Curator. If a unanimous decision cannot be reached, then it may be forwarded
6 to the full Committee for consideration and an acquisition may be had on a simple
7 majority vote.

8 § _____ **Acquisition of Gifts and Bequest**

9 (a) Unless otherwise approved by the Committee, only unrestricted gifts, to be
10 determined by the Committee will be accepted. After the Curator or the Executive
11 Director of Government House has received a letter of offer clearly expressing the
12 intent to donate to the collection, the Committee must approve a proposed gift or
13 bequest.

14 (b) The gift must be accepted and acknowledged in accordance with procedures
15 established by the Office of the Governor and the Committee for Preservation of
16 Government Collections.

17 (c) A Committee for the Preservation of the Government Collections Certificate of
18 Appreciation signed by the Governor or the First lady and the State Historic
19 Preservation Officer and the Director of the State Historic Preservation may also
20 be sent to the benefactor.

21 (d) Major donations as defined by the Committee merit a thank you letter from the First
22 Lady and or the Governor.

23 (e) The Curator with the concurrence of the Governor and the Chairman Committee
24 may make a purchase or accept a gift without full committee approval if its value
25 does not exceed \$5,000.

1 (f) Donated works or works at Government House for study, evaluation or on loan may
2 not be appraised.

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4 § _____

5 (a) When articles of furniture, fixtures or decorative art has been declared of
6 historic or artistic interest in accordance with this law and have been properly
7 acquired within the this law by the Historic Preservation Officer, the works shall
8 be considered inalienable and the property of Government House and the Virgin
9 Islands Government, and maintain storage, display, or usage in a Government
10 owned build or property never to be stored, displayed, or used in a private
11 residence, building, or structure.

12 (b) All works accessioned into Government House permanent collection are
13 governed by this legislation.

14 § _____ **Collection, Records, Inventory and Access**

15 (a) The Committee shall maintain a complete and accurate record of all works of art,
16 to include a completed acquisition catalogue form, containing a bill of sale or
17 donation documents, correspondence, bibliographic references, photographs of
18 related works, copies of appraisals, photographs and any other information
19 regarding the work.

20 (b) In January of each year, the Curator, the Department of Property and Procurement
21 and the Office of Historic Preservation shall conduct a comprehensive inventory of
22 the works. Each piece of piece of work must be described in detailed, to include
23 information regarding its condition, its location and any other relevant information
24 about the work. The information must be recorded in the computer files at Property
25 and Procurement, Government House and Historic Preservation Office. A physical

1 inspection must be conducted to verify that the listing and the physical inventory
2 are reconciled.

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4 (c) Upon an advance request and its prior approval by the Committee, students of the
5 fine and decorative arts may be allowed access to study or examine specific works
6 in the Government House collection only.

7 **§_____ Reproduction of Works**

8 No reproductions or copies of works of art shall be made for personal use or
9 commercial sale, except for educational materials and items such as prints, note
10 cards and postcards produced by Government House, the Division of Libraries and
11 Archive, and the State Historic Preservation Office. Printing on two dimensional
12 supports other than paper or film or on any three dimensional supports is prohibited.

13 **§_____ Loans**

14 (a) Before a work may be loaned to or borrowed from Government House, it must
15 be reviewed by a qualified conservator.

16 (b) The decision to borrow or loan a work must be approved by the Curator, the
17 Chairman, and at least one other member of the Committee. If there is not
18 unanimity in the decision, then the decision must be referred to the entire
19 Committee for a majority vote.

20 (c) The Curator must provide a written report about the condition of work and
21 submitted to the Committee and the lending institution prior to the loan of the
22 work. Another condition report must be prepared when the work is returned to
23 Government House. The reports become part of the work's permanent file.

24 (d) Except for loans from public institutions, loans to Government House are
25 strongly discouraged, unless the lender has indicated in writing that the item is

1 a gift to Government House collections or unless the work has an overwhelming
2 significance to the history of the Government House or a previous Governor.

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4 (e) If a work is on loan from an individual or private institution, the lender must
5 agree in writing that for two years after the object has been returned to the
6 lender, the lender may not sell the work or advertised that it has been on loan to
7 Government House. At the lenders request, Government House shall insure
8 works on loan under a fine arts risk policy in an amount agreed to by the lender
9 and the Committee.

10 (f) Government House shall only accept permanent or indefinite loans from public
11 institutions; except that the Governor or the First Lady may accept personal
12 loans for works of art for their private quarters.

13 (g) Works of art on loans shall be for a four-year renewable term, unless either the
14 Curator or the lender wishes to terminate the loan before the expiration of the
15 four years.

16 (h) Works from Government House may be loaned only with the unanimous
17 approval of the Committee. Rare exceptions may be made to this provision for
18 libraries for special exhibitions. A request for a loan of a work of art from
19 Government House must be made in writing at least six months before the
20 works is expected to leave Government House. The borrowing institution must
21 submit a plan for the Curator to review detailing its ability to properly display,
22 store, and manage the work of art going to be displayed,.

23 (i) All works lent by the Committee must be insured under an all risk policy or a
24 fines arts policy while the work is in transit or on exhibit in an amount to be
25 determined by Government House and the Department of Property and
26 Procurement.

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- 2 (j) The Curator must approve the method of presentation, security, transportation
3 and carrier. The borrowing institution must pay the cost for packing and
4 transportation and must submit annual conditions reports to the Curator.

5 **§_____ Care and Preservation of the Collections**

- 6 (a) Any damage to a work of art in the Government House must be reported
7 immediately to the Curator and State Historic Preservation Office on a form
8 indicating the date the damage occurred and a description of the damage, along
9 with a photograph of the areas of damage.

- 10 (b) No repairs to Government House works may be made without prior approval of
11 the Committee and Office of Historic Preservation.

- 12 (c) Conservators selected to work on the Government House works of art must
13 comply with the code of ethics and meet the standards of practice of the
14 American Institute of Conservation.

15 **§_____ Handling, Moving, Marinating, and Storing the Collection**

16 The Curator shall create specific guidelines which must be approved unanimously
17 by the Committee for the handling and cleaning of the works entitled “Handling
18 and Maintaining Government House Collections and must be made available to
19 Government House staff.

20 **§_____ Government House Textile Policy**

21 The Curator shall create a textile policy that is to include the following provisions:

- 22 (a) The Curator shall store textiles to include draperies and fabrics when they are no
23 longer to be used in Government House.

- 24 (b) A written and photographic record must be compiled of all draperies in storage that
25 were used in Government House. The record: (1) must be cross referenced by

1 room and when possible by administration; (2) include the name of the room where
2 the draperies were used, date of installation, the date of removal of drapery from
3 room, a description of the fabric, the dimensions of each panel and valance, and the
4 name of manufacturer of the fabric, if known.

5 (c) When new draperies are commissioned, an unused sample of the fabric comprising
6 a full repeat and width as well as good samples of all fringes and other trims must
7 be kept in a storage utilized by the Department of Property and Procurement. The
8 name of the manufacturer and the fabricator must be noted in the record.

9 (d) After each annual inventory, a list of draperies and fabrics which are to be disposed
10 of must be completed by the Curator for review. The Curator may make the
11 decision to destroy any fabric. Written records must be kept of all fabrics destroyed
12 by the Curator.

13 (e) All draperies and one valance must be kept in storage for 20 years after removal
14 from a room. After 20 years, all draperies must be destroyed, except for two panels
15 and one valance.

16 (f) First floor: Draperies and one valance must be kept for ten years. After ten years,
17 two panels and one valance must be retained.

18 (g) Second and third floors: Draperies and one valance must be kept for ten years. After
19 ten years, only panels and one valance must be retained.

20 (h) Governor's Office: A complete set of draperies and valances must be kept in
21 storage for 10 years. After 10 years, all draperies must be destroyed.

22 (i) Staff and service areas: All draperies may be destroyed, but one small sample of
23 fabric, including full width and repeat must be retained.

24 (j) Undercurtains: All unusable panels may be destroyed, but a sample of fabric,
25 including a full repeat and width from state floor rooms, major second floor rooms,
26 and Government House must be retained.

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2 (k) All draperies must be dry-cleaned before being sent to storage. Valances must be
3 photographed and measured before disposal. Before valances or draperies are
4 destroyed, a large sample of fabric showing the design or pattern must be kept for
5 record purposes and a sample of the fringe, tassels, braid or other trim must be
6 retained.

7 **§ _____ Deaccession Policy**

8 (a) The Commissioner of Property and Procurement and the Curator shall approve
9 the disposal of works of art of a utilitarian nature when it has been determined
10 by the Committee that they are considered no longer usable.

11 (b) The Chairman shall approve the disposal of objects of an historic nature,
12 according to the standards of the Virgin Islands State Historic Preservation
13 Office commonly in use in Government House when they are broken beyond
14 repair.

15 (c) Written records, to include date of removal, reason, and the name of the person
16 authorizing the removal, and photographs must be kept of all disposed works.

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18 **BR15-0579/June 25, 2015/SLR**

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