October 8, 2025

The Honorable Nick Collins, Senate Chair

The Honorable Antonio F.D. Cabral, House Chair

Joint Committee on State Administration and Regulatory Oversight

***Submitted via email*:** Nicole.Janeiro@mahouse.gov and Riley.Nichols@masenate.gov

***Re: S. 2169 – An Act clarifying eligibility to the Massachusetts Cultural Facilities Fund***

Dear Chair Collins and Chair Cabral:

Mass Cultural Council is pleased to register its **strong support** for *S. 2169, An Act clarifying eligibility to the Massachusetts Cultural Facilities Fund* and urges the Committee to advance this legislation.

As the state arts agency, Mass Cultural Council is charged with bolstering the Commonwealth’s cultural sector, and we believe this proposal, a narrow technical amendment to the Cultural Facilities Fund (CFF) statute, will enhance our ability to co-administer this capital grant program and ensure access to the Fund for all nonprofit, municipal, and tribal cultural facilities, consistent with legislative intent of the program.

The Cultural Facilities Fund was established by the Legislature in July 2006 to enhance Massachusetts’ creative economy through financing for acquisition, construction, expansion, renovation, and repair of cultural facilities; increase employment, entrepreneurialism, and tourism in the regions where these facilities are located; and to stimulate further investment in the arts, heritage, and sciences by preserving cultural resources. This grant program is managed in partnership by two state agencies, Mass Cultural Council and MassDevelopment. To date, the Fund has awarded $180 million to 1,606 projects across the Commonwealth, employing more than 38,000 architects, engineers, contractors, and construction workers as a result. Moreover, cultural organizations have reported adding more than 3,300 new jobs because of the projects they’ve undertaken.

Currently the law states that municipally owned buildings must be a minimum of 50,000 square feet in size (of which at least half is used as cultural facility) or at least 125 years old and historically or culturally significant to be eligible for CFF support. This means we have declined several applications from municipal and tribal projects – for no other reason than the age or size of the structure, or uncertainty over whether a tribal facility should have access to the Fund.

The following municipal projects were deemed ineligible for CFF assistance due to size and age requirements:

|  |  |  |  |
| --- | --- | --- | --- |
| **Fiscal Year** | **Official City** | **Is at least 50% of the facility devoted to arts, humanities, or science programming, events, or performances?** | **Is your cultural facility either at least 50,000 square feet in size OR 125 years or older?** |
| FY23 | Leverett | Yes | No |
| FY23 | Tolland | Yes | No |
| FY23 | Weymouth | Yes | No |
| FY23 | Rowley | Yes | No |
| FY24 | Revere | Yes | No |
| FY24 | Charlton | Yes | No |
| FY24 | Holland | Yes | No |
| FY24 | Boxborough | Yes | No |
| FY24 | Rockland | Yes | No |
| FY25 | New Bedford | Yes | No |
| FY25 | Sherborn | Yes | No |
| FY25 | Stoneham | Yes | No |
| FY25 | Charlton | Yes | No |
| FY25 | Fitchburg | Yes | No |
| FY25 | Melrose | Yes | No |
| FY25 | Nantucket | Yes | No |
|   |   |   |   |
| FY20 | Revere | Submitted application was denied due to age/size |   |
| FY24 | East Brookfield | Submitted application was denied due to age/size |   |

Additionally, the following tribal projects were also declined as it was unclear to program staff if the facilities were eligible under current law:

|  |  |  |
| --- | --- | --- |
| **Fiscal Year** | **Organization** | **City** |
| FY14 | Seaconke Wampanoag, Inc. | Seekonk |
| FY16 | Seaconke Wampanoag, Inc. | Seekonk |
| FY23 | Hassanamisco Nipmuc Band | Grafton |
| FY24 | Aquinnah Circle Cultural & Historic District | Aquinnah |
| FY24 | Pondville Baptist Church, Incorporated | Plymouth |

We believe when the program was established, there was a concern that applications from municipal cultural facilities would outpace and limit access to support to those submitted by nonprofit cultural facilities. There is no evidence, based on application data collected over 17 grant cycles, that municipal applications have seen more success or otherwise negatively affected nonprofit applications, making the existing size and age restrictions seem even more arbitrary.

**Mass Cultural Council believes the Cultural Facilities Fund should be available to all nonprofit, municipal, and tribal cultural facilities in Massachusetts, and as such strongly encourages the Committee to report S. 2169 favorably.**

To address our concerns, this legislation amends and simplifies the definition of eligible “*cultural facility*” in the General Laws to read “*Municipally or tribal government owned buildings, structures, or sites of which at least 50 per cent is used as a cultural facility*.” We wish to strike the existing size and age requirements for municipal facilities, and plainly state that tribal facilities are eligible to apply.

Senator Mark is partnering with us on this matter as a matter of good policy, and as a constituent service: in 2024 he contacted Mass Cultural Council on behalf of the Tolland Cultural Council. The group was interested in applying for a Cultural Facilities Fund grant to help with the costs associated with building a new 5,000 square foot pavilion to host community cultural events and public convenings. Unfortunately, due to the existing size and age requirements for municipal cultural facilities, Tolland is not eligible to pursue a CFF grant to support this project.

This narrow amendment to state law is beneficial to rural communities, smaller cultural facilities, and tribal cultural facilities. This change will promote accessibility and equity in the Fund and the investments it makes, and is consistent with the goals of Mass Cultural Council’s [Native American and Indigenous People’s Equity Plan](https://massculturalcouncil.org/about/our-equity-work/native-american-indigenous-peoples-equity-plan-fy25-27/). Further, our partners at MassDevelopment have no objections to S. 2169.

We are grateful to Senator Mark for partnering with us and serving as our lead sponsor on S. 2169, as well as to our co-sponsors: Representatives LeBoeuf, Kerans, and Sena and Senators Comerford, Brady, and Eldridge for their support. Further, we appreciate both Chairs for making time to meet with Mass Cultural Council to discuss this bill, and for the enthusiasm and support expressed during those conversations.

In closing, **Mass Cultural Council strongly supports S. 2169, and urges the Committee to report it favorably.** Please do not hesitate to contact Senior Director of Public Affairs Bethann Steiner if you have any questions and thank you for your time and consideration of this matter.

Sincerely,



Michael J. Bobbitt

Executive Director

cc: Senator Paul Mark