

## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 7:12 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - OIR-Security. \*\*\*

Iowa

---

**From:** Moehlmann, Jennifer [DAS] [<mailto:Jennifer.Moehlmann@iowa.gov>]  
**Sent:** Tuesday, August 04, 2015 4:50 PM  
**To:** Marcia Stone; NASFA  
**Cc:** Gustafson, Scott [DAS]  
**Subject:** RE: Inquiry - Historical Figures & Artifacts on State Grounds

The State of Iowa has a Site Features Policy that governs items placed on the Capitol Complex grounds. This is broader than the request below, but does include some applicable criteria. The policy (and application for new features) is available on our website at <https://das.iowa.gov/general-services/design-and-construction-resource-bureau/infrastructure-program/capitol-planning-1>.

We would appreciate a copy of other State responses as well.

Regards,  
Jennifer

**Jennifer E. Moehlmann, Energy Manager**  
**Dept. of Administrative Services**  
**Facilities Management Center**  
**Office: 515.725.0454**  
**Cell: 515.822.8197**  
**[jennifer.moehlmann@iowa.gov](mailto:jennifer.moehlmann@iowa.gov)**



Iowa Department of Administrative Services

Service • Efficiency • Value

*BE GREEN -- Please consider the environment before printing this e-mail.*

---

**From:** Marcia Stone [<mailto:mstone@csg.org>]  
**Sent:** Monday, July 27, 2015 3:43 PM  
**To:** NASFA  
**Subject:** Inquiry - Historical Figures & Artifacts on State Grounds

A State member needs your assistance. Please reply to this email and/or forward to the appropriate individual in your state for assistance.

In response to the occurrences around the country questioning historical figures and artifacts our State is looking at creating policies outlining criteria to determine which individuals are honored or memorialized by the placement of a portrait or bust in our state capitol. We are looking for what other states have in place for these types of policies.

1. Does your state have rules or policies regarding what art is placed in its Capitol building or grounds?
2. Do the rules or policies cover content such as:
  - a. Appropriateness of subject
  - b. Criteria for individuals or groups honored
  - c. Types of art (paintings, busts, other)
  - d. Duration of placement
  - e. Ownership of objects
3. Please provide a copy of any such materials, preferably by email, which may include links to web postings.

Thank you in advance.

National Association of State Facilities Administrators (NASFA)  
2760 Research Park Dr.  
Lexington, KY 40511  
P: 859-244-8181  
E: [nasfa@csg.org](mailto:nasfa@csg.org) or [mstone@csg.org](mailto:mstone@csg.org)  
[www.nasfa.net](http://www.nasfa.net)

# State of Iowa Capitol Complex Site Feature Policy

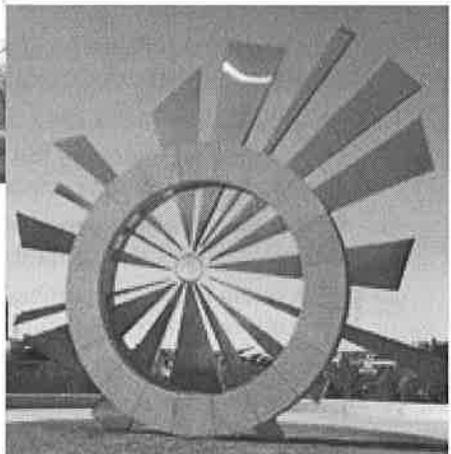
Iowa State Capitol Planning Commission  
Revised Spring 2014

*“It shall be the duty of the commission to advise upon the location of statues, fountains and monuments and the placing of any additional buildings on the capitol grounds....”*

*—Code of Iowa, Chapter 8A.373*

## Table of Contents

PREAMBLE.....	2
SECTION I – INTENT & PURPOSE.....	2
SECTION II – PRIMARY CRITERIA.....	2
SECTION III – SITE FEATURE REQUIREMENTS.....	2
SECTION IV – APPLICATION.....	3
SECTION V – APPLICATION REVIEW.....	3
SECTION VI – REVIEW CONDITIONS.....	3
SECTION VII – APPLICATION APPROVAL.....	3
GLOSSARY OF TERMS.....	4
REFERENCES.....	4



# State of Iowa Capitol Complex Site Feature Policy

## PREAMBLE

The Iowa State Capitol Planning Commission, as the statutorily designated advisor to the Governor, Legislature and Department of Administrative Services regarding the design and development of the Capitol Complex, is committed to developing the Capitol Complex for the accessible use and enjoyment by Iowa citizens and Iowa visitors.

## SECTION I – INTENT & PURPOSE

- A. This policy is intended to implement the portion of the Iowa State Capitol Planning Commission's statutory responsibilities concerning installation of Site Features pursuant to Iowa Code § 8A.373.
- B. In particular, the purpose of this policy is to ensure that the Commission's recommendations are governed by clear criteria to the end that Site Feature applications are consistently, fully and fairly considered.
- C. This policy will provide the Capitol Planning Commission and the Iowa Department of Administrative Services with a framework and specific criteria for consideration of Site Features proposed for location on the grounds of Iowa State Capitol Complex.

## SECTION II – PRIMARY CRITERIA

- A. Site Features may include, but may not be limited to, statues, monuments, fountains, memorials, plazas, and other works of public art that honor Iowa's history and culture, such as important patriotic, cultural, or historic persons, events or educational and cultural concepts.
- B. Appropriately designed and located, Site Features must add significantly to the dignity and beauty of the Capitol Complex. While serving this function, Site Features will advance the tenets of the Iowa State Capitol Complex Master Plan, as currently amended and administered by the Iowa Department of Administrative Services, and, as such, Site Features may provide a terminus or focal point for a view; help organize and give interest and scale to Capitol Complex open spaces; and even help to define Capitol Complex site areas.

## SECTION III – SITE FEATURE REQUIREMENTS

Site Features on the Capitol Grounds shall:

- A. Preserve and enhance the dignity, beauty, architectural integrity, and the public use and enjoyment of the Iowa State Capitol Complex.
- B. Protect the most scenic public views to and from the Capitol.
- C. Not interfere with any existing Site Features, Capitol Complex buildings, or public functions.
- D. Be sensitive to the relationship of the Iowa State Capitol Complex to adjacent neighborhoods and the city of Des Moines.
- E. Accommodate pedestrian and motorized and non-motorized vehicular traffic that promote public accessibility where appropriate.
- F. Be consistent with the Iowa State Capitol Complex Master Plan.
- G. Be nonpartisan, meaning the Site Feature is not based upon, influenced by, affiliated with or supporting the interests or policies of a single political party.
- H. Provide an enriching experience that illuminates and celebrates common values and broadens understanding of Iowa's heritage and culture.
- I. Not identify financial contributors to the Site Feature unless authorized by executive order of the governor or joint resolution of the General Assembly.
- J. Comply with applicable Americans with Disability Act standards.
- K. Consist of materials chosen for durability, appearance and maintainability.
- L. When honoring an event, individual or group of individuals, only be accepted following the 10th anniversary of the event; the 10th anniversary of the individual's death; or the death of the last surviving member of the group.

## **State of Iowa Capitol Complex Site Feature Policy** *(continued)*

### **SECTION IV – APPLICATION**

Those persons or organizations who wish to install a Site Feature on the State Capitol grounds must submit an Iowa State Capitol Complex Site Feature Application, as furnished by the Iowa Department of Administrative Services.

All Site Feature requirements must be met in order for the Site Feature to be considered; however, meeting these requirements is not a guarantee of acceptance.

### **SECTION V – APPLICATION REVIEW**

- A. The Director of the Iowa Department of Administrative Services will review each Iowa State Capitol Complex Site Feature Application.
- B. Upon determining a submitted application complies with all the requirements, an application for a permanent Site Feature will be referred to the Iowa State Capitol Planning Commission with the Director's recommendation.
- C. Applications for a temporary Site Feature will be evaluated by the Director without referral to the Commission.
- D. The Director will regularly submit a report of all Site Feature application dispositions occurring since the Commission's last meeting.
- E. Upon receiving a permanent Site Feature application, the Capitol Planning Commission will determine if the application should be referred to its Site Features Committee for evaluation and recommendation.
- F. If the Site Feature Application is referred to the Site Features Committee, the Committee will investigate and evaluate the application based on the requirements defined in Section III and the Site Feature Application.
- G. The Committee will make a report to the Commission with a recommendation for further action.
- H. Upon receipt of the Committee's report, the Commission may re-refer the matter to the Committee for further consideration, defer further consideration to a subsequent meeting, or submit its recommendation for disposition to the Director.
- I. The Commission may include in its recommendation such conditions, considerations, and rationale as it deems appropriate to its advice.

### **SECTION VI – REVIEW CONDITIONS**

- A. The requirements listed in the Policy and Application are considered minimum expectations and simply meeting these requirements does not guarantee acceptance of the application.
- B. Preliminary approval, which may be granted by the Commission pending a more detailed proposal, does not guarantee final acceptance.
- C. No application will be denied without giving the Site Feature applicant an opportunity to appear before the Commission and advocate for the application.
- D. Each application must include a plan for fully funding the total cost of the Site Feature, including all design, site development and fabrication costs as well as funding for a maintenance and conservation endowment for the Site Feature. The endowment must be a minimum of 15 percent of the total project cost, including all professional fees and site development. The Commission reserves the right to require a larger endowment.
- E. All project funds, including the maintenance and conservation endowment, must be available before Site Feature construction may commence.

### **SECTION VII – APPLICATION APPROVAL**

The Commission will review and make recommendations concerning a final agreement before such agreement approving a Site Feature between the State and a Site Feature applicant is executed.

# State of Iowa Capitol Complex Site Feature Policy (continued)

## GLOSSARY OF TERMS

**"Capitol Grounds"** means the exterior public space on the Iowa State Capitol Complex.

**"Commission"** means the Iowa State Capitol Planning Commission, created pursuant to Iowa Code §8A.371. The mailing address of the Commission is 1305 East Walnut, Hoover State Office Building, Des Moines, IA 50319.

**"Committee"** means the Site Features Advisory Committee, the members of which shall be appointed by the Commission chair person. The committee members shall include two commission members, a non-commission public member, the DAS Director or designee and the Department of Cultural Affairs Director or designee. The designees, if any, and the public member shall have expertise in the fields of art and design.

**"Department"** means the Department of Administrative Services. The mailing address of the Department is 1305 East Walnut, Hoover State Office Building, Des Moines, IA 50319.

**"Director"** means the director of the Department of Administrative Services. The Director, or the Director's designee, is a member of the Commission and serves as its secretary.

**"Iowa State Capitol Complex"** means the buildings and grounds located within the contiguous geographical perimeter of state-owned property where the State Capitol building is situated. "Master Plan" means the master plan for the Iowa State Capitol Complex as provided for in Iowa Code § 8A.376.

**"Site Feature"** means, from the date of the adoption of this policy, any change on the Capitol Grounds in the physical configuration of the landscape or the placement of an object thereon, which is intended to be a work of public art or recognize patriotic, educational, cultural, or historical persons, events, or concepts. General references to "Site Features" in this policy do not include Temporary Site Features. "Site Feature" does not mean memorial trees, benches, or picnic tables.

**"Temporary Site Feature"** means a Site Feature that is intended to be placed on the Capitol Grounds for less than a year and for which Commission consideration is not required. Temporary Site Features must comply with the same Site Feature requirements but do not require Committee or Commission review.

**"Public Art"** means any original, permanent or semi-permanent work of art, in any medium, that is designed, created by and/or supervised by an artist and that has primarily aesthetic value or expresses symbolic meaning. Public art includes but is not limited to murals, statues, relief or other sculpture. It also includes monuments, fountains, arches, or other structures or spaces designed as a work of art. Where integrated with the landscape, public art may include the artistic placement of natural materials and other functional features designed as a work of art.

This definition shall not include objects that are mass-produced from a standard design or reproductions of original art works; decorative, ornamental or functional elements, which are designed by the project architect; landscape architecture and landscape gardening except where these elements are an integral part of the artwork by the artist; directional elements such as graphics, signage, or color coding except where these elements are integral parts of the original work of art; logos or corporate identity.

Public art may consist of a variety of media and materials; the same standards for durability and permanence applied to all Site Features will apply to public art. Where the durability of materials or their application are called into question, an independent art conservator or museums professional will be consulted.

## REFERENCES

Iowa Capitol Complex Master Plan: <http://das.gse.iowa.gov/statebldg/masterplan/index.html>

Iowa Department of Administrative Services: <http://www.das.iowa.gov>

Iowa State Capitol Planning Commission: [http://das.gse.iowa.gov/statebldg/capitol\\_plan\\_commission.html](http://das.gse.iowa.gov/statebldg/capitol_plan_commission.html)

Memorial Tree/Bench/Table Program: [http://das.gse.iowa.gov/capitol\\_maintenance/treedonations.html](http://das.gse.iowa.gov/capitol_maintenance/treedonations.html)





## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 6:59 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds  
**Attachments:** Art Acquisition Guidelines and Criteria.pdf

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - OIR-Security. \*\*\***

Massachusetts

---

**From:** Greendyke, Susan (BSB) [<mailto:susan.greendyke@state.ma.us>]  
**Sent:** Monday, August 03, 2015 9:23 AM  
**To:** Marcia Stone  
**Cc:** Davis, Hope (DCP); Kraus, Tammy (BSH)  
**Subject:** RE: Inquiry - Historical Figures & Artifacts on State Grounds

Dear Ms. Stone,

Your inquiry has been forwarded to my office for reply. The Art Commission is charged with custody and care of the Massachusetts State House Art Collection. Among its responsibilities, it reviews designs and specifications for additions to the permanent collection. To this end we have developed Guidelines, attached, that we distribute to potential sponsors or donors of artwork that we hope will clarify the steps and explain our role in the acquisition process. In our advisory capacity, we have also developed criteria for new memorials for consideration as proposals are developed.

Please note these Guidelines are scheduled for review in October; I will share any significant changes approved by the board at that time. In the meantime please contact me with questions you may have about the policies or criteria therein. I believe we have corresponded in the past and am happy to be able to help again. Thank you.

Susan

*Susan Greendyke Lachevre*  
*Curator*  
*Commonwealth of Massachusetts Art Commission*  
*Bureau of the State House*  
*State House Room 1*  
*Boston, MA 02133*  
*617-727-1100 x 35517*  
*[Susan.greendyke@state.ma.us](mailto:Susan.greendyke@state.ma.us)*  
*<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter6/Section20>*

---

**From:** Marcia Stone [<mailto:mstone@csg.org>]  
**Sent:** Monday, July 27, 2015 4:43 PM  
**To:** NASFA  
**Subject:** Inquiry - Historical Figures & Artifacts on State Grounds

A State member needs your assistance. Please reply to this email and/or forward to the appropriate individual in your state for assistance.

In response to the occurrences around the country questioning historical figures and artifacts our State is looking at creating policies outlining criteria to determine which individuals are honored or memorialized by the placement of a portrait or bust in our state capitol. We are looking for what other states have in place for these types of policies.

1. Does your state have rules or policies regarding what art is placed in its Capitol building or grounds?
2. Do the rules or policies cover content such as:
  - a. Appropriateness of subject
  - b. Criteria for individuals or groups honored
  - c. Types of art (paintings, busts, other)
  - d. Duration of placement
  - e. Ownership of objects
3. Please provide a copy of any such materials, preferably by email, which may include links to web postings.

Thank you in advance.

National Association of State Facilities Administrators (NASFA)  
2760 Research Park Dr.  
Lexington, KY 40511  
P: 859-244-8181  
E: [nasfa@csg.org](mailto:nasfa@csg.org) or [mstone@csg.org](mailto:mstone@csg.org)  
[www.nasfa.net](http://www.nasfa.net)



Commonwealth of Massachusetts  
Art Commission  
State House  
Boston, Massachusetts 02133

Paula Morse  
Chair

Dennis A. Fiori  
Mary Leen  
Christopher Hussey  
Jacqueline Lane

Susan Greendyke Lachevre  
Curator

Tel 617-727-1100 ext. 35517  
Facsimile 617-727-7700

## STATE HOUSE ART ACQUISITION GUIDELINES and CRITERIA

**General Laws, Chapter 6, Section 20:** *There shall be submitted to the art commission for its approval in an advisory capacity any plan relative to the creation, acquisition, construction, erection, or remodeling by the Commonwealth of any work of art, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such work of art....*

*THE MISSION* of the Art Commission is to care for and interpret the State House Art Collection; advise on the preservation of the historic building in which it is housed; oversee the acquisition of new works of art; and foster appreciation for the people and organizations that have made notable and lasting contributions to the Commonwealth and nation.

These guidelines are prepared by the Massachusetts Art Commission to define criteria, clarify roles, and explain procedures for adding new works of art to the State House Art Collection.

### **Purpose and Nature of the State House Art Collection**

The Fine Arts Collection commemorates significant historical events, elected officials and private citizens who have shaped the course of the Commonwealth. Service, sacrifice, and outstanding contribution are honored through paintings, sculptures, wall plaques, murals and historic artifacts.

It is a unique collection, dating back more than 200 years to its beginnings at the Old State House, created by notable artists to illustrate the state's rich history.

### **Responsibility of the Art Commission**

The State House Art Collection is the property of the Commonwealth, and is overseen by the Massachusetts Art Commission which is charged under *General Laws* ch. 6, sec. 20, with its care and custody. As curators, it is the responsibility of the Art Commission to uphold the quality and integrity of the collection by insuring that all additions meet established conditions and criteria through the process described below.

## Acquisition Procedures

### A. Preliminary Steps

Any person, group, or member of the legislature considering a new addition should contact the Art Commission prior to taking any legislative action. The proposal will be discussed for its relevance, appropriateness, and feasibility, and the acquisition process discussed so that the sponsor understands the roles of all parties, time factors, and potential cost to both the sponsor and the state. Preliminary planning will usually speed the formal proposal and advising process, and will often save sponsors time and expense.

### B. Legislative Authorization

Permanent additions to the Art Collection are authorized by either:

An Act or Resolve of the Legislature (*General Laws*, Ch. 8, sec. 21) or  
An Order of the Governor (*General Laws*, Ch. 8, sec. 19A).

To add a new work of art, the sponsoring person or group must present a formal request to the Legislature, or the Governor, which drafts a Bill of Intent. Legislators should refer to the accompanying “**Criteria for Acquisitions**” which will describe in detail the many conditions and considerations that should be addressed with the constituent before drafting a bill, and further considered by each Legislative Committee to which the bill is assigned. The Art Commission should be advised of hearing schedules in order that it may attend and comment on proposed legislation.

Language should clearly state:

The person, group or event being honored, and a complete justification for the commemoration at the Massachusetts State House;

The source of the acquisition – whether by gift or purchase (state commission);

*That designs, plans, and specifications for the object must be submitted to the Art Commission for review and approval.*

The entity or agency responsible for installing the object. If by the Commonwealth, it will normally be installed by the Superintendent of State Office Buildings under the direction of the Art Commission.

That funds for the perpetual maintenance of larger memorials by the Art Commission be provided by the donor.

### C. Design and Review Process - Overview

As curators, the Art Commission is responsible for approving all specifications, and will provide the perpetual care and oversight of all permanent additions to the Collection. It is their responsibility to insure that works are germane to the collection, well designed, constructed of quality materials and exacting fabrication methods. The Commission is dedicated to working with the sponsor toward a memorial or other work of art that is unique, memorable, and of the highest aesthetic and commemorative nature.

1. Upon enacting legislation, the sponsor should contact the Art Commission to begin the planning and design process. The Art Commission members meet monthly to review submittals and provide recommendations on design questions and proposals. In addition, the Art Collections Manager is available to consult with sponsors, prospective artists, fabricators, etc. at any time.

2. It is important that the Commission be kept abreast of developments, and review all designs and specifications together with the sponsor to insure complete understanding of the procedures and expected results. Frequent reports, revised drawings, inscriptions, scale blueprints, and studio visits when appropriate, are all considered a necessary part of this process. The sponsor may request to meet with the board at any regularly scheduled meeting to present ideas and plans.

3. Legislative committees and sponsoring groups of larger memorials shall appoint a member of the Art Commission to their planning board as a voting member, who also will advise on design, specifications, and answer questions regarding the acquisition process. The Art Commission's representative will make regular reports to the full Commission and will generally serve as liaison between the planning committee and the Commission.

4. IN ALL CASES, the Commission must approve formal specifications before a fabrication order is placed in order to minimize errors and change orders, and to speed the review and final approval process. The Commission will assist in clarifying and finalizing specifications, but it is the responsibility of the sponsor to obtain all information necessary for a final review from artists and/or fabricators. (See form attached). The Art Commission may delay a final recommendation if satisfactory specifications have not been received.

5. The Art Commission shall conduct a final review of the completed artwork upon its arrival at the State House. The object shall be inspected for adherence to pre-approved specifications, fabrication, finish, and safe delivery. Any flaws, damage, missing elements, inappropriate or insufficient hardware, or other sub-standard fabrication issues shall be brought to the attention and corrected by the sponsor before final approval is given. The Commission will file its recommendation of acceptance with the Governor within thirty days.

6. The Art Commission will not authorize any object for installation, or schedule formal dedication or unveilings until the art work has been physically present for inspection at a regularly scheduled meeting. This will insure that art works have met all expectations, and will not be rejected prior to a ceremony. Sponsors should take note of this additional time required, and should not plan dedication events until they have received formal approval by letter from the Commission.

#### **D. Criteria for Acceptance**

The Commission will review and advise on the following:

1. Artistic merit. Seeking art works of distinction and quality, the Commission may reject a work from further consideration on artistic merit alone. The Commission may call on outside experts or authorities to advise on design, especially where controversy exists or is anticipated.

2. Uniqueness. Works of art proposed for the State House shall normally be a "one of a kind" creation. Replicas, items reproduced in multiple editions, commercially or mass-produced items normally shall not be considered unless their acquisition can be justified on historical or artistic terms.

3. Visibility. Works approved by the Art Commission will normally be executed in a scale and medium appropriate for public viewing. Works of an unusually large scale or ones requiring special conditions for proper viewing will be considered less appropriate for the Collection. The Commission does not recommend any object that requires excessive care or display on a rotating basis (e.g. works on paper) to insure its preservation.

4. Physical stability. A work of art will only be accepted if its physical properties are understood and are in such stable condition that the work can be properly cared for within the resources of the Art Commission.

5. Permanence of materials. The Commission will give high priority to artistic media that can be safely and permanently installed in the public areas of the State House. Hence, works in bronze and other common

metals, stone, stained glass, mosaic and tile, and framed oil or acrylics on canvas will be considered the most suitable materials.

6. Safe display. The artwork must be able to be reasonably secured from theft or vandalism and must not present a potential hazard to the public. However, no work may be installed in such a manner that will prevent its removal from the site. All works must be designed with a mounting system that will allow it to be removed and reinstalled by professional conservators, art handlers, or authorized building personnel. Blind mounts are not permitted unless objects are dry mounted and/or clipped. Detailed drawings of installation systems and duplicates of any special tools and/or hardware will be supplied to the Art Commission prior to acceptance of artwork.

7. Gift and bequests. Gifts and bequests of pre-existing (non-commissioned) works of art shall be submitted with clear, unrestricted and undivided title assigned to the Commonwealth, and shall be of a free and unrestricted nature. Works must be accompanied by proof of legal ownership, and deed of gift.

Unless location is stipulated in authorizing language, the Commission cannot accept any object on the condition of permanent attribution or perpetual public display. Other conditions of deposit including but not limited to identification, installation, reproduction, and copyright must be made known to the Art Commission so that an accurate assessment of the proposal is possible. Gifts not acquired under legislative authorization or G. L. Chapter 8, sec. 19A may be accepted for the Art Commission's Loan Collection for display on a rotating basis in offices or other spaces throughout the State House.

In cases where objects are, for whatever reason, not recommended for formal acquisition, the Commission may recommend other arrangements, including short or long-term or exhibition at the State House or other State building.

Acquisition of art from members of the Art Commission or employees or their families of the Commonwealth of Massachusetts may present a conflict of interest, and will be handled with particular care.

#### **E. Additional Advisory**

The Art Commission may assist sponsors of art works and memorials by advising or making recommendations on:

1. Potential installation locations for new artwork, and procedure for the application for approval.
2. Commissioning works of art from an artist or fabricator, including review and evaluation of portfolios, recommendations on public competition practices, contracts, etc.
3. Long-range acquisitions policies for the collection and how the proposed work may complement them. The Art Commission will take an active role in assuring that issues of diversity are considered in memorials of broader commemorative purposes.
4. Appropriateness of proposed formats, dimensions, materials, inscriptions.

#### **F. Responsibilities of the Sponsor or Donor**

Develop, after consultation with the MAC, a project description in order to solicit proposals from artists or fabricators. Larger memorials will necessitate the formation of an additional advisory committee, represented by several disciplines, to research and develop the project format and criteria.

Solicit proposals or conduct limited competitions in order to engage an artist to create an original work of art.

Deliver proposals, plans, artist's renderings, specifications, to the MAC for review. Consult with MAC on suggestions and recommendations for development and refinement of design and inscription.

Obtain sufficient funds to cover cost of project manager (if any), artist, fabricator, site preparation, transportation/delivery installation (in the case of larger memorials), dedication ceremonies, written support materials (brochures, etc), a future maintenance fund, and administrative costs over the life of the project.

### **G. Formal Acquisition Procedures**

Final approval is contingent upon the objects execution according to pre-approved specifications, and its safe arrival in good condition, as per item C-5 above.

An object will become the property of the Commonwealth upon formal presentation by its donor or sponsor to, and acceptance by the Governor or another State official. If a formal unveiling or dedication ceremony does not take place, the object will become the property of the Commonwealth upon its installation at the State House and receipt of a formal letter of gift.

Upon its installation, the Commission shall officially accession the work by registering it in the State House Art Collection, assign a permanent inventory number, and catalogue all pertinent data and donor information. The Commission will create and maintain permanent records that will include artist's contract and other records of the commission or gift, execution or provenance, delivery, installation, specifications for a permanent conservation file, and all relevant documents and correspondence.

Second ed. approved August 2007

Revised April 2010

Revised April 2011



Commonwealth of Massachusetts  
Art Commission  
State House  
Boston, Massachusetts 02133

Paula Morse  
Chair

Dennis A. Fiori  
Mary Leen  
Christopher Hussey  
Jacqueline Lane

Susan Greendyke Lachevre  
Curator

Tel 617-727-1100 ext. 35517  
Facsimile 617-727-7700

### Criteria for Additions to the State House Art Collection

The Fine Arts Collection at the State House is composed primarily of easel paintings, two- and three-dimensional sculptures and plaques, and wall murals that span the history of the Commonwealth from colonial times to the present. These objects commemorate service to the state and nation by elected officials, the military, and private citizens, and educate visitors about the role the honorees have played in the history of our state and nation.

Works of art are added through a two-part process: legislative authorization (Act or Resolve) for acquisition, whether by gift or purchase, and approval of design and content by the Art Commission. The Art Collection has never before been guided by a "Collecting Criteria" policy, but has grown as art works are proposed by individual or groups of legislators. The Art Commission has developed this policy, therefore, to serve as a guide for legislators, sponsors, and the Commission in managing the acquisition process by providing criteria and standards for proposed additions to the Collection, and to provide a basis for addressing long-range collection development. **This policy is to be used in conjunction with the Art Acquisition Guidelines, attached.**

#### I. Criteria for Commemoration

The initial challenge in this process is to consider carefully if the artwork, whether honoring a person, group, or event, merits permanent commemoration at the Massachusetts State House, and can be cared for within the resources of the Art Commission. As designated curators, the Art Commission should be contacted by the sponsoring legislator(s) as early as possible to discuss the suitability or appropriateness of proposed additions, and the wording of the legislation.

##### A. All proposals should be evaluated in depth for their specific relationship to Massachusetts:

- Degree of importance of persons and/or events being honored, and their impact on the Commonwealth and the life of its citizens.
- The lasting value of the contribution or service to the Commonwealth.
- Appropriateness for the State House Art Collection – would the subject of the artwork be more suitable in another historical site or venue?

## **B. Additional considerations:**

Subjects should be thoroughly researched and documented. The Art Commission will verify supporting materials and may consult scholars or other experts in the field. The following are likely to be considered inappropriate for inclusion in the State House Art Collection:

- Anniversary installations or installations that express gratitude to the Commonwealth as these often do no more than call attention to a particular interest group.
- Any installation recognizing persons or events having little bearing on Massachusetts history
- Works that honor persons or events because they were “first,” by accident of history, unless the occurrence has had a lasting impact or benefited the citizenry at large.
- Commemorative works of art whose primary focus is political advocacy
- Location. Due to the growth of the State House Art Collection, space is extremely limited in the historic areas of the building. Some artwork may be more appropriately placed within the offices most served by the honoree.

## **C. Funding**

- Sponsors and legislators should research and confirm the availability of sufficient funds to produce a commemorative work worthy of the honoree. Too often artwork is compromised because sponsors do not realize the cost involved, and thereby risk refusal by the Art Commission of a lesser design on aesthetic grounds.
- Whether gift or commission, sponsors and legislators should research the fiscal impact of proposals to be sure that funds are available to support the project. Artist’s fees, materials, fabrication, transportation, special engineering and installation, if necessary, and maintenance in the case of outdoor sculpture and those artworks that may require more frequent conservation, must all be considered when calculating the potential cost of realizing the artwork.
- The Art Commission encourages sponsors to commission artworks from practicing artists, architects or other designers in order to present to the Art Commission designs that are original and noteworthy. We recommend public competitions for commemorations of greater significance to the Commonwealth.
- The fact that an artwork is proposed without cost to the Commonwealth should have no bearing on the decision to accept.

## **II. Authorizing language**

### **A. The following information should be considered when drafting a bill:**

- 1) The subject being honored or commemorated.
- 2) The type of artwork being proposed
- 3) Name of donor or sponsor, and whether a gift or state commission. Standard language authorizing the “Superintendent to install...” has proven time and again to be misinterpreted by sponsoring parties who read this to mean that he will procure the artwork. This language should not be used to avoid confusion. This is also why the source of the artwork must be stated in the legislation. If a commission, the language should state the agency responsible for commissioning the artwork. This agency will be responsible for working with artists/fabricators, and presenting designs, specifications, etc. to the Art Commission for review. Legislative appropriations should be carefully considered, in that the design, review, and fabrication process usually extends beyond the fiscal calendar.
- 4) That the design and content are subject to review and approval by the Art Commission (*General Laws*, chapter.6, section 20)

**B Other considerations:**

Medium or location does not need to be identified – these criteria often limit sponsors in commissioning innovative artwork.

11/14/07

Rev 11/19/09



Commonwealth of Massachusetts  
Art Commission  
State House  
Boston, Massachusetts 02133

Paula Morse  
Chair

Katharine B. Wirzbex  
Mary Leeri  
Cecily Morse  
Beatrice Nessen

Susan Greenidylze Lachevze  
Art Collections Manager

Mail: State House - Room 1  
Tel 617-727-1100, x 35517  
Fax 617-727-7700

REQUEST FOR SPECIFICATIONS

General Laws, Chapter 6, Section 20: *There shall be submitted to the art commission for its approval in an advisory capacity any plan relative to the creation, acquisition, construction, erection, or remodeling by the Commonwealth of any work of art, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such work of art....*

As curators of the State House Art Collection, the Art Commission will oversee the future care and maintenance of the art proposed for and acquired by the Commonwealth. The Commission requests that specifications be submitted so that they may evaluate materials and fabrication methods as well as future conservation requirements. **IT IS THE RESPONSIBILITY OF THE SPONSOR** to obtain all information from the artist and/or fabricator and to forward both initial and final specifications to the Art Commission in a timely manner. The Art Commission will not approve the final design or completed artwork without these specifications.

Review of specifications by the Art Commission is conducted in two phases:

- 1) Specifications (as listed below) will be submitted together with designs and inscriptions for review and approval prior to placement of order with fabricator or artist.
- 2) Final specifications, which will detail any change or deviation resulting from review and consultation with the sponsor, will be submitted to the Art Commission with completed artwork for final review and approval before installation at the State House. If no change in specs, fabricator shall initial and date specifications accordingly.

DATE:

SUBMITTED BY:

OBJECT NAME:

ARTIST/DESIGNER (name, address, ph, contact – list all):

---



---



---

**Design:**

Describe artwork: narrative, including background or historical information, imagery, symbolism, and message.

Describe art work: image(s), setting, logos, inscription, decoration, frames or borders.

Attach sketch or artwork. Is this a preliminary or final rendering? Is artwork to scale?

**Physical data: two and three dimensional sculpture:**

Material(s) and supplier(s) (foundry, quarry, etc):

Proposed dimensions: H \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_

Other descriptive dimensions, including size or depth of relief, borders, or other ornament:

Composition of alloy: \_\_\_\_\_

Estimated Weight \_\_\_\_\_

Lettering: Font(s), upper/lower/combination, raised or incised lettering, painted/polished, other treatment

Describe surface treatment (composition of chemical patina, wax, or other protective coating):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Installation: measured drawings, detailed instructions, and all hardware to install object.  
PLEASE NOTE: Blind mounts are no longer permitted by the Art Commission – front mount only.

**Physical Date: paintings**

Material(s) and supplier(s): canvas, stretcher, paints, paints, varnish, frame:

Proposed dimensions: canvas H \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_  
frame H \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_

Estimated Weight \_\_\_\_\_

Will the painting be varnished when delivered? Y /N  
If no, please indicate preferred schedule and whether the artist prefers to conduct this treatment.

Installation: paintings should be installed with two D-rings of sufficient load-bearing capacity spaced at an equal distance from the upper edge of the painting to allow for proper installation on two hooks. Wire is not used at the State House and need not be installed on painting.





## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 6:26 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Memorialization policies  
**Attachments:** FW Inquiry - Historical Figures & Artifacts on State Grounds

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. - OIR-Security\*\*\***

Minnesota

---

**From:** Mandell, Paul (CAAPB) [<mailto:paul.mandell@state.mn.us>]  
**Sent:** Thursday, July 30, 2015 10:52 AM  
**To:** NASFA  
**Cc:** Marcia Stone; Waslaski, Wayne (ADM)  
**Subject:** Memorialization policies

To whom it may concern,

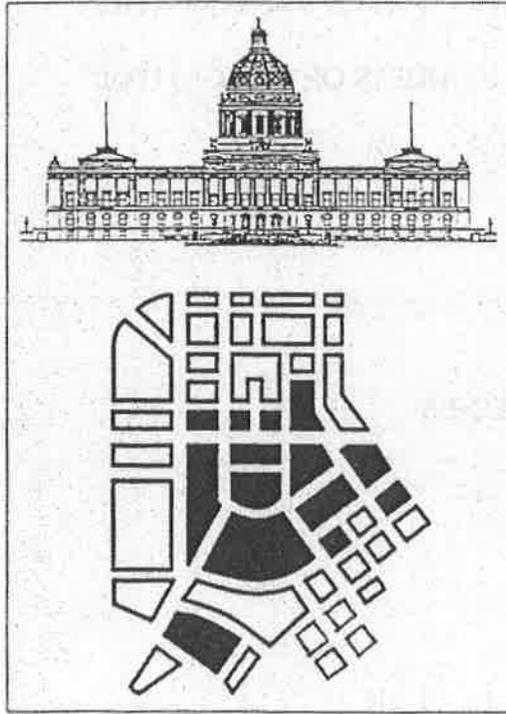
You can find the policies we apply to both the MN State Capitol Building and to our Capitol grounds on our website under 'Publications'. Go to [www.caapb.state.mn.us](http://www.caapb.state.mn.us) for our website. If you have any additional questions, feel free to contact me.

*Paul Mandell, Executive Secretary  
Capitol Area Architectural and Planning Board  
651-757-1507*



# **POLICY**

## **For Works of Art in the Minnesota State Capitol December 1998**



### **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

204 Administration Building  
50 Sherburne Avenue  
Saint Paul, Minnesota 55155  
Phone: 651.757.1500

# TABLE OF CONTENTS

## **AUTHORITY**

MINNESOTA STATUTES

15.50 CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

HISTORIC FEATURES OF STATE CAPITOL

138.67 DEFINITIONS

138.68 SUPERVISION OF PRESERVATION

138.69 PUBLIC AREAS OF THE CAPITOL

## **POLICY**

PRINCIPLES

STANDARDS

DESIGN GUIDELINES

PROCESS

## **APPENDIX A**

BASEMENT LEVEL PLAN

GROUND LEVEL PLAN

FIRST FLOOR LEVEL PLAN

SECOND FLOOR LEVEL PLAN

THIRD FLOOR LEVEL PLAN

## **APPENDIX B**

## **APPENDIX C**

## **AUTHORITY**

### **Minnesota Statutes – 1998**

### **Chapter 15.50 Subdivision 1, Sections j & k and Chapter 138 (.67, .68, .69)**

#### **15.50 CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

(j) The board and the commissioner of administration, jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance, and cleanliness of the public and ceremonial areas of the state capitol building. The board shall consult with and receive advice from the director of the Minnesota Historical Society regarding the historic fidelity of plans for the capitol building. The **standards and policies** developed under this paragraph are binding upon the commissioner of administration. The provisions of sections 14.02, 14.04 to 14.28, 14.38, and 14.44 to 14.45 do not apply to this paragraph.

(k) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program. The board shall report any changes to the comprehensive plan adopted by the board to the committee on governmental operations and gambling of the house of representatives and the committee on governmental operations and reform of the senate and upon request shall provide testimony concerning the changes. The board shall also provide testimony to the legislature on proposals for memorials in the capitol area as to their compatibility with the standards, policies, and objectives of the comprehensive plan.

## HISTORIC FEATURES OF STATE CAPITOL

### 138.67 DEFINITIONS.

Subdivision 1. As used in sections 138.67 to 138.69, the terms defined in this section have the meanings given them.

Subd. 2. "Works of art" in all spaces of the capitol, means paintings, portraits, mural decorations, stained glass, statues and busts, bas-relief, ornaments, furniture, plaques, and any other article or structure of a permanent character intended for decoration or commemoration placed in the capitol in 1905 or placed subsequently for historic purposes or decoration.

Subd. 3. [Repealed, 1974 c 580 s 18]

Subd. 4. **Public areas of the state capitol.** "Public areas of the state capitol" includes the rotunda, the governor's reception room and offices, the senate chamber, the house chamber, the supreme court chamber, public hallways and corridors, and all other areas of the state capitol designed for public ceremonies.

Subd. 5. **State capitol archives.** "State capitol archives" includes the original capitol architectural plans, samples of capitol furnishings, and Cass Gilbert papers, all of which are managed and administered by the Minnesota Historical Society.

Subd. 6. **Public gallery and orientation area.** "Public gallery and orientation area" means the rotunda and first floor corridors and a room as designated by the joint rules of the house of representatives and the senate.

**History:** 1971 c 691 s 1; 1987 c 265 s 1

### **138.68 SUPERVISION OF PRESERVATION.**

The works of art in the public and ceremonial areas of the state capitol are declared to possess historical value for the people of Minnesota. The Minnesota Historical Society (MHS) and the Capitol Area Architectural and Planning Board (CAAPB) shall approve the design, structural composition, and location of all monuments, memorials or works of art presently located in the public and ceremonial areas of the state capitol or which shall be placed in such public or ceremonial areas after June 4, 1971. No monument, memorial or work of art shall be relocated or removed from, or placed in such areas or altered or repaired in any way without the approval of the Minnesota Historical Society. The Minnesota Historical Society shall have final authority over the disposition of any monuments, memorials or works of art removed from the state capitol or the capitol grounds.

**History:** 1972 c 691 s 2; 1974 c 580 s 17; 1975 c 271 s 6

### **138.69 PUBLIC AREAS OF THE CAPITOL.**

The Minnesota Historical Society is designated the research agency and is responsible for the interpretation of the public areas for visitors to the capitol. This involves conducting or approving public programs and tours in the capitol and state office building, including exhibits held in the capitol, providing informational services, acting as advisor on preservation, recommending appropriate custodial policies, and maintaining and repairing all works of art.

**History:** 1987 c 265 s 2

# **POLICY**

## **PRINCIPLES.**

1. Works of art, (broadly defined by statute as Authority, Definitions, Supervision of Preservation, and Public Areas of the Capitol) in the Minnesota State Capitol Building must have a direct relationship to the State of Minnesota, its history, and broad public interest.

2. The Minnesota Historical Society (MHS) and the Capitol Area Architectural and Planning Board (CAAPB) will share oversight of works of art in public and ceremonial areas of the Capitol with the occupants of those areas. Reference Appendix A for floor plans of the Capitol.

3. Text contained in a work of art may serve to identify and to interpret the event or person commemorated. As the Capitol is a living and working building, such artworks and texts have accumulated over several generations' time, and thus reflect a variety of ideas and opinions expressed by Minnesotans since 1905.

## **STANDARDS.**

1. Subjects to be commemorated by a work of art in the Capitol must have historical importance to the State of Minnesota. The person or event must have explicit connections to Minnesota, and must have affected the lives of Minnesotans: for example, the person must have made significant contributions to the state's public life or culture, or the event must have involved the state's citizenry. The person or event must be of an era or date far enough in the past to allow a thoughtful historical perspective, generally ten or more years, in order that the Capitol's works of art commemorate the most significant aspects of Minnesota life and history.

2. The Minnesota State Capitol is a property listed on the National Register of Historic Places. Decisions about works of art in the Capitol shall be made within the context of the Secretary of the Interior's Standards for the Treatment of Historic Properties, as referenced in Appendix B.

3. A painted portrait of each former governor is to be placed sequentially in the Capitol's public corridors. If more than one portrait of a governor meets the existing pattern of size, medium, and format, the MHS and the CAAPB, in consultation with that governor, shall select the portrait to be permanently exhibited in the Capitol.

4. Works of art proposed for addition to the Capitol will not duplicate events or persons already commemorated or memorialized in the building.

5. Existing works of art shall not be removed from or moved within the Capitol without joint approval of the MHS and the CAAPB.

6. Existing works of art may not be altered, but may be conserved or restored in accordance with professional practices and standards.

## DESIGN GUIDELINES.

1. The proposed work of art shall be compatible with the architectural design and decorative framework of the Capitol. Applicants are encouraged to examine existing works of art in the Capitol as examples of customary size, materials, style, and finish. A list of categories and examples of Capitol artworks are referenced in Appendix C.

2. Applicants are encouraged to consider the long-term stability, maintenance, and preservation of the proposed artwork in their planning and design.

3. The preferred medium for a sculptural memorial is a bronze or marble bust, approximately life-size. Bronze in low relief is the preferred medium for plaques. Marble and wood may be acceptable materials pending review.

4. Pedestals and bases for busts should be of a consistent height and composition as recommended by the MHS and the CAAPB.

5. Paintings proposed for the Capitol shall be created using time-proven, traditional materials chosen for permanence, such as artist's oil paints on primed artist's linen supports, or on appropriately prepared plaster.

## PROCESS.

1. An applicant seeking permission to install or remove a work of art in the Capitol shall obtain an application form and copy of the *Policy for Works of Art in the Minnesota State Capitol* from the Executive Secretary of the CAAPB.

2. The completed application must be submitted to the CAAPB and must include a description of the proposed work of art, including its purpose, design, size, materials, text, proposed location, proposed date of installation, and budget. Applicants are encouraged to consider the long-term stability and preservation of the proposed artwork in their planning and design. The CAAPB will provide copies of the completed application to the Minnesota Historical Society's Capitol site manager.

3. Applications will be reviewed by the CAAPB and the MHS in consultation with each other as received. This process requires three stages for review: *the first, or conceptual review*, will consider the historical content and general concept of the proposed artwork. Following approval of this review, *the second, or design development review*, will consider in detail the design, materials, location, and budget of the proposed artwork. Suggestions for alternative locations may be made to the applicant. Following approval of this review, *the third review* will be a *work-in-progress review* and final approval of the proposed artwork. The CAAPB and the MHS will advise the applicant of the decision for each stage immediately after completion of that stage, but no later than one year after that stage commences.

March 1985

November 1987 (amended at 11/18/87 CAAPB meeting)

March 1991 (amended at 3/6/91 CAAPB meeting)

December 1994 (amended at 12/15/94 CAAPB meeting)

December 1998 (approved complete revision at 12/15/98 CAAPB meeting)

## **APPENDIX A**

Public and Ceremonial Areas of the Minnesota State Capitol by floor plans.

Floor plans of the Capitol's basement, ground floor, first, second, and third floors go here.

## APPENDIX B

The Secretary of Interior's Standards for Treatment of Historic Properties (applicable sections).

### Standards for Preservation

A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationship. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alterations of features, spaces and spatial relationships that characterize a property will be avoided.

Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

*Note: In addition to the general Standards for Preservation, the Secretary of the Interior's Standards for the Treatment of Historic Properties, codified as 36 CFR part 68, also includes Standards and Guidelines for Rehabilitation, Restoration and Reconstruction.*

## Appendix C

### Categories and Examples of Artworks of the Minnesota State Capitol.

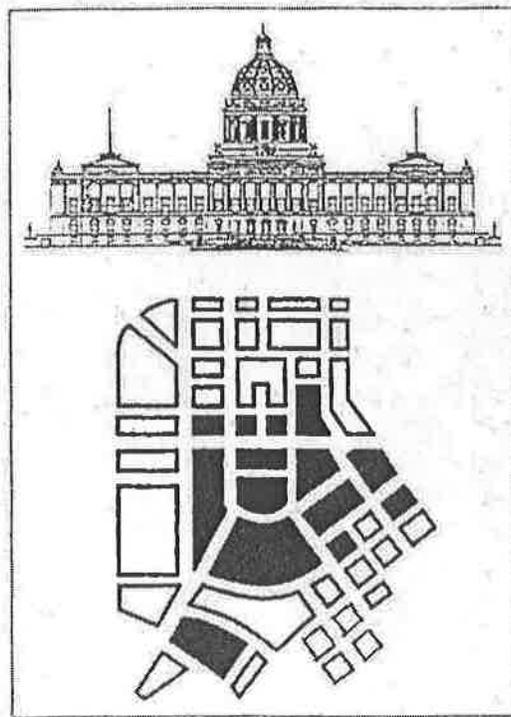
The artworks in the Minnesota State Capitol may be classified by subject matter and intent. These themes are necessarily broad, and more than one may apply to a given artwork: a governor's portrait, for instance, might be seen as historical or memorial artwork.

1. **Allegorical Artworks** are paintings and sculptures which symbolize a value or virtue, usually in traditional iconography that is drawn from centuries of European and American art. Examples include the Daniel Chester French figures on the façade, which represent qualities like "Integrity" and "Courage," or paintings like H.O. Walker's stair hall mural "Yesterday, Today and Tomorrow," which symbolizes the transmission of knowledge from generation to generation. Quotations lettered on the stair hall and legislative chamber walls are other examples of artworks that represent civic values.
2. **Historical Artworks** illustrate actual people, places, or events in history. Examples include the Civil War battle scenes in the Governor's Reception Room, or the statues of Wabasha, Wilkin, Gilbert, or Coleman.
3. **Memorial Artworks** evoke a person or event, often as a tribute after death or at the time of an anniversary. Such artworks may include visual representations or simply text. Examples include the Roscoe Pound and Martha G. Ripley plaques, or the Spanish-American War plaque.
4. **Functional Artworks** are furnishings meant to serve practical needs, such as the benches in the Capitol halls or the tables in the retiring rooms. Capitol furnishings are explicitly mentioned in the definition of "works of art" in Minnesota statute 138.67.
5. **Decorative Artworks** are two- or three-dimensional works which enhance the surfaces and components of the Capitol's building fabric. Examples include the painted decoration of the cafeteria, or the gophers cast into the rotunda railings. Many patterns and motifs are drawn from nature and represent Minnesota species, such as wildflowers in hallway ceiling stencils; other patterns and motifs derive from classical and American Renaissance models, such as Corinthian capitals.

# **POLICY**

## **For Commemorative Works in the Minnesota State Capitol Area**

**February 2012**



### **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

204 Administration Building  
50 Sherburne Avenue  
Saint Paul, Minnesota 55155  
Phone: 651.757.1500

# **Policy For Commemorative Works in the Minnesota State Capitol Area**

**February 2012**

# TABLE OF CONTENTS

Section 1)	The Act of Commemoration	p. 1
Section 2)	The Urban Context	p.1-2
Section 3)	History of Commemorative Works in the Capitol Area	p. 3
Section 4)	The Role of the Capitol Area Architectural and Planning Board (CAAPB)	p. 4
Section 5)	Objectives for Commemorations	p. 4
Section 6)	Site Selection Criteria	p. 5
Section 7)	Design Criteria	p. 6-7
Section 8)	Procedures for Initiating and Implementing A Commemorative Work	p. 8-9
Section 9)	Appendix:	p. 10-14
	a. Saint Paul-Capital City Map	
	b. Minnesota State Capitol Area: The Symbolic Triangle	
	c. Commemorative and Non-Commemorative Public Art in the Capitol Area	
	d. Capitol Mall Design Framework Map	

# **AUTHORITY**

## **Minnesota Statutes –Chapter 15B**

### **15B CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

#### **15B.01 PURPOSES OF THE BOARD.**

The purposes of the Capitol Area Architectural and Planning Board are:

- (1) Preserve and enhance the dignity, beauty and architectural integrity of the capitol, the buildings immediately adjacent to it, the capitol grounds, and the capitol area,
- (2) Protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof;
- (3) Develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and
- (4) Establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.

#### **15B.05 COMPREHENSIVE USE PLAN.**

Subdivision 1. **Comprehensive Plan Required.** The board must have, and prescribe for the Capitol Area, a comprehensive use plan called the comprehensive plan in this chapter.

Subdivision 2. **Land Uses.** The comprehensive plan must show the current uses and recommend future uses of land including but not limited to:

- (1) areas for public taking and use;
- (2) zoning for private land and criteria for development of public and private land, including, but not limited to, building areas, open spaces, and monuments and other memorials;
- (3) circulation of vehicles, transit, and pedestrians;
- (4) utility systems;
- (5) storage of vehicles; and
- (6) elements of landscape architecture.

#### **15B.21 RESPONSIBILITIES TO LEGISLATURE.**

Subd. 3. **Testimony required.**

- (a) The board must give testimony to the legislature on any proposal for a memorial in the Capitol Area.
- (b) The testimony must deal with the proposal's compatibility with the standards, policies, and objectives of the comprehensive plan.

## **Section 1) THE ACT OF COMMEMORATION**

The primary intent of a commemorative work (statues, monuments, or memorials) is to memorialize: to remember the cultural, social and political aspects of the lives of Minnesotans. Commemorative works are more than objects; they express ideas embodied in a variety of physical forms, events and locations. The role and responsibility of the commemorative work is two-fold:

- 1) To preserve and commemorate the diverse people of Minnesota and their values, and
- 2) To inform and enrich its urban context with an added meaning and significance.

## **Section 2) THE URBAN CONTEXT**

Commemorative works can animate and inform the public realm, contributing not only to the identity of an urban area but also serving to articulate the urban fabric.

Throughout the Twin Cities, a variety of urban design frameworks exist which provide unique locations for a variety of types and subjects of commemorative works. The placement of commemorative works at key locations within these settings can serve to strengthen the connections between the Capitol Area, Saint Paul, the Capital City, and Minneapolis. The linked park system, designed by Horace Cleveland at the turn of the 20<sup>th</sup> century, is the largest of these concepts (reference Appendix a).

The uniqueness of Saint Paul and its primary landmarks—the Capitol, the Cathedral, and the downtown skyline—afford opportunities for commemorative works within this triangle. Within the Capitol Area, several design frameworks affect placement of commemoratives; these are listed in the following hierarchical order (reference Appendix b):

- 1) the 1998 Comprehensive Plan for the Capitol Area and the 2009 Comprehensive Plan Amendment (hereafter referred to collectively as the Comprehensive Plan),
- 2) the 1986 Design for the Completion of the Capitol Mall and the Mall Design Framework, and
- 3) small area plans, such as the Summit Park and East Capitol Area Design Framework Study for Urban Development, 1992.

Within the Capitol Area, there exists a plan that organizes spaces in a somewhat thematic manner, with greater clarity and more definition as one gets closer to sites on the Capitol Mall or those areas immediately surrounding the Capitol Building. These include:

- the upper Mall, between Cedar and Martin Luther King Boulevard for noteworthy executive, judicial or legislative leaders
- the lower half of the lower Mall, forming an area around the Veterans Services building for recognition of veterans and public safety efforts at keeping peace
- those lawn areas along John Ireland Boulevard for Minnesotans of importance
- those lawn areas along Cedar Street, south of Martin Luther King Boulevard for gardens recognizing special cultural achievements
- those areas to the immediate east or west of the Capitol, including Leif Erikson and Cass Gilbert Parks, for public assembly
- those open spaces along key vehicular, transit, or pedestrian approaches to the Capitol for temporary installations

Understanding and respect for the applicable design studies is imperative to the successful placement of commemoratives. They provide a structure for organized development, serving to prevent ad hoc decision-making.

### **Section 3) HISTORY OF COMMEMORATIVE WORKS IN THE CAPITOL AREA**

Although Capitol Building architect Cass Gilbert had a vision for a tradition of commemorative works (statues, monuments, or memorials) in the Capitol Area, the first commemorative was not installed until 1912. This is the statue of Governor John Johnson located just south of the Capitol steps. A statue of Governor Knute Nelson followed in 1928, is also at these south steps.

The tradition came alive after World War II with the creation of the Veterans Service Building and the Court of Honor.

Some current Capitol Area commemorative works were contributed intact by sponsoring groups. Examples of these are works honoring Christopher Columbus (1931), Leif Erickson (1949), and Charles Lindbergh (1985).

More recently the State has been involved from the initial inception of a commemorative work's concept, through its siting and design, under the auspices of the Capitol Area Architectural and Planning Board (CAAPB). Examples of these are the Minnesota Vietnam Veterans Memorial (1992), the Roy Wilkins Memorial (1995), the Peace Officers Memorial (1995), the Korean Veterans Memorial (1998), the Woman Suffrage Memorial Garden (1999), the World War II Memorial (2006), and the Minnesota Workers Memorial (2010).

This renewed interest in memorials has accelerated to the point where it is necessary to develop an overall plan for orderly and appropriate development of future commemorative works in the Capitol Area. This plan will also stress the need to maintain the dignity of existing commemorative works (reference Appendix c).

Commemorative works do not have to solely be works of art; they can be events, ceremonies, or a grove of trees. In addition existing features or elements not now commemorative works could be dedicated and renamed. For example, the CAAPB's 1977 naming of Cass Gilbert Park in honor of the Capitol's architect. The reflecting pool at the Veterans Service Building, the freeway overpasses, other landscape features, unnamed state office buildings or installations within existing buildings might serve as new commemorative works.

Consideration should also be given to adopting elements of the Capitol Mall Design Framework as commemorative works (reference Appendix d).

A variety of commemorative works exists in the Capitol Area, yet they all have in common four primary functions:

- to memorialize, to cause remembrance,
- to inform, to inspire,
- to be of lasting historic and cultural significance, and
- to punctuate and enhance the urban landscape.

#### **Section 4) THE ROLE OF THE CAAPB**

The Capitol Area Architectural and Planning Board (CAAPB) is the planning and design review agency which makes decisions concerning the physical character as well as placement of commemorative works within the Capitol Area. In this capacity, the CAAPB must fulfill certain legal responsibilities concerning commemorative works (see MN Statutes 15B).

Included within these obligations are the responsibilities:

- to understand and respect the space limitations of the Capitol Area;
- to maintain the dignity and integrity of existing commemorative works;
- to create a framework for orderly and appropriate development of commemorative works in the Capitol Area, within the framework of its Comprehensive Plan;
- to serve as a resource to assist any individual, agency, or organization, including the Legislature, considering a commemorative work; and
- to select designs or designers as required by state law.

In general, Capitol Area commemorative works will not be approved if the CAAPB determines that the work is incompatible with its statutory responsibilities, the Comprehensive Plan.

#### **Section 5) OBJECTIVES FOR COMMEMORATIONS**

- 1) to be appropriately located, designed, and constructed.
- 2) to be of lasting significance for the people of Minnesota.
- 3) to reflect the diversity of Minnesota's people providing a rich experience broadening the understanding of Minnesota's heritage and culture.
- 4) to cooperate with other authorities to develop opportunities for proposed commemorative works which may be located outside the Capitol Area.
- 5) to assure the maintenance and operations of existing commemoratives through the establishment of a dedicated fund as described in Section 8, item #7.
- 6) that existing commemoratives within the Capitol Area found incompatible with CAAPB objectives and Comprehensive Plan policies may be considered for relocation.
- 7) that a proposal commemorating an individual will be considered only after the person has been deceased for at least ten (10) years.

## **Section 6) SITE SELECTION CRITERIA**

The commemorative work should have a clear justification for its proposed location in the Capitol Area.

The CAAPB will determine site selection based upon these criteria:

- 1) Does the commemorative work's site fit the thematic organization for commemorative works in the Comprehensive Plan?
- 2) Will the commemorative fit within the organization of the Capitol Mall?
- 3) Will the commemorative work on this site provide an opportunity for urban design composition, that is, establish relationships with existing axes, vistas, entry points, and landmarks?
- 4) Is the site visible and accessible to the public? Are the levels of visibility and accessibility appropriate to the commemoration?
- 5) Will the utilization of this site interfere with, or encroach upon, any existing commemorative work?
- 6) Will selection of this site preserve and protect existing and proposed open space and its public use?

Additional issues may become apparent in the process of site selection for a specific commemoration, and thus should be considered. State land on the Capitol campus is under the custodial control of the Department of Administration. Administration should be consulted to determine if proposed sites impact maintenance and operations or opportunities for locating state facilities in the future.

## Section 7) DESIGN CRITERIA

The following design issues will be considered when evaluating a proposal and during its design development:

- A. **LEGIBILITY AND MEANING:** The intended message of the commemoration should be clear and understandable regardless of type or style of work. The work should convey meaning of enduring value for future generations.
- B. **APPROACHABILITY:** Commemorative works should be designed to permit people to engage with them, and because they often are gathering points, they should be designed to provide amenities such as seating when appropriate.
- C. **SIZE AND SCALE:** While the size of a commemorative work is usually a reflection of its importance, there should be a match between the size of the commemorative work, and adherence to the Capitol Mall Design Framework.
- D. **SPATIAL ENVELOPES:** Freestanding commemorative works, through their presence, affect the territory in which they stand. The size of the surrounding spatial envelope should be considered since it is directly related to the scale of the work.
- E. **SETTING:** The space surrounding a commemorative work should be designed to provide a compatible setting while respecting the surrounding mall landscape design, and intended public functions, not interfering with any existing commemorative work.
- F. **MATERIALS:** Materials should be chosen for their durability, sculptural qualities, visibility and compatibility with their setting. Stainless steel is discouraged in favor of bronze for durability; for the same reason, granite, limestone and other real stone are preferred at all times or at least for any key or vertical elements of the commemorative. Every effort should be made to see that the flooring or surface material is also of the highest quality possible, such as stone. If concrete is used, special consideration should be given to color, texture, scoring, aggregate, and density.
- G. **VISUAL CONTEXT:** Visual works are perceived in relationship to their context and thus their design and placement should consider such contextual issues as orientation, and background. Height and scale should be appropriate to the location on the mall.
- H. **CLIMATIC CONTEXT:** The design of commemorative works and their settings should consider issues of sunlight and shade, wind, and the variety of Minnesota seasons.

- I. EVENING ILLUMINATION: Commemorative works may be enhanced with night illumination integral to the work's design and not obtrusive to other works. The overall goal must be to make the space secure and safe for the visitor.
- J. LANDSCAPE DESIGN: Commemorative works landscape design shall incorporate hardy, low maintenance plantings that are not prone to overgrowth.
- K. CAUTIONARY NOTES: Due to limited open space, smaller commemoratives are encouraged. No element other than trees should exceed 20 feet in height, and incorporation of flagpoles or other structures is discouraged. Metal seating that could cause burns is not recommended. Water features and in-ground lighting are subject to a more substantial maintenance and operating fund (larger than the regular 20% of construction). Illumination must in no way compete with or distract from the sight of the Capitol Building. Primary focus is daytime use. Commemoratives to a single person are reserved for Minnesotans of importance.

## **Section 8) PROCEDURES FOR INITIATING AND IMPLEMENTING A COMMEMORATIVE WORK**

The following procedures shall apply to any agency, individual or organization requesting the placement of a statue, monument, memorial or other commemorative work on public land in the Capitol Area.

The requesting agency, individual or organization (herein referred to as applicant) may request professional, technical and planning assistance from the CAAPB; payment for these services may be required by the CAAPB pursuant to state law, Minnesota Statutes 15B.17.

If an applicant is seeking state funding, it will need a legislative appropriation. It is recommended that an applicant seek this funding after the CAAPB has given site approval.

The following is a step-by-step description of these procedures:

- 1) The applicant requesting placement of a commemorative work on public land in the Capitol Area must submit a written proposal to the CAAPB's Executive Secretary. This proposal shall explain the nature of the commemorative work, the applicant's objectives, and describe any general programmatic needs for the commemorative. The CAAPB shall notify the Minnesota Department of Administration of the proposal.
- 2) If, as determined by the CAAPB staff in consultation with the Board's Architectural Advisors, the proposed commemorative work meets the requirements of OBJECTIVES FOR COMMEMORATIONS (Section 5), the CAAPB will proceed with a site selection study for the proposal, in consultation with the Department of Administration's review and comment on proposed sites.
- 3) Upon the CAAPB staff and Architectural Advisors recommendation of a site, the Board will consider site approval for a commemorative work in accordance with SITE SELECTION CRITERIA (Section 6), and also approve a design selection process to be executed by CAAPB staff in consultation with the Architectural Advisors, per Minnesota Statute 15B.10.
- 4) The Design Selection Process yields a design concept which then must receive Board approval. Also, pursuant to state law, at a phase of the development of the commemorative's design, the Board will review and approve the design in accordance with DESIGN CRITERIA (Section 7).
- 5) Construction of a commemorative work, even if the design has been given preliminary CAAPB approval, may not begin to progress through the stages of schematic design, design development, construction documents and bidding, all in cooperation with the Department of Administration, until sufficient funds have been deposited with the State to allow completion of the project as designed.
- 6) An amount equal to 20% of the total estimated construction cost shall be paid to the State to offset the costs of perpetual maintenance of the commemorative project. The funds shall be deposited into a revolving and dedicated fund established by the State.

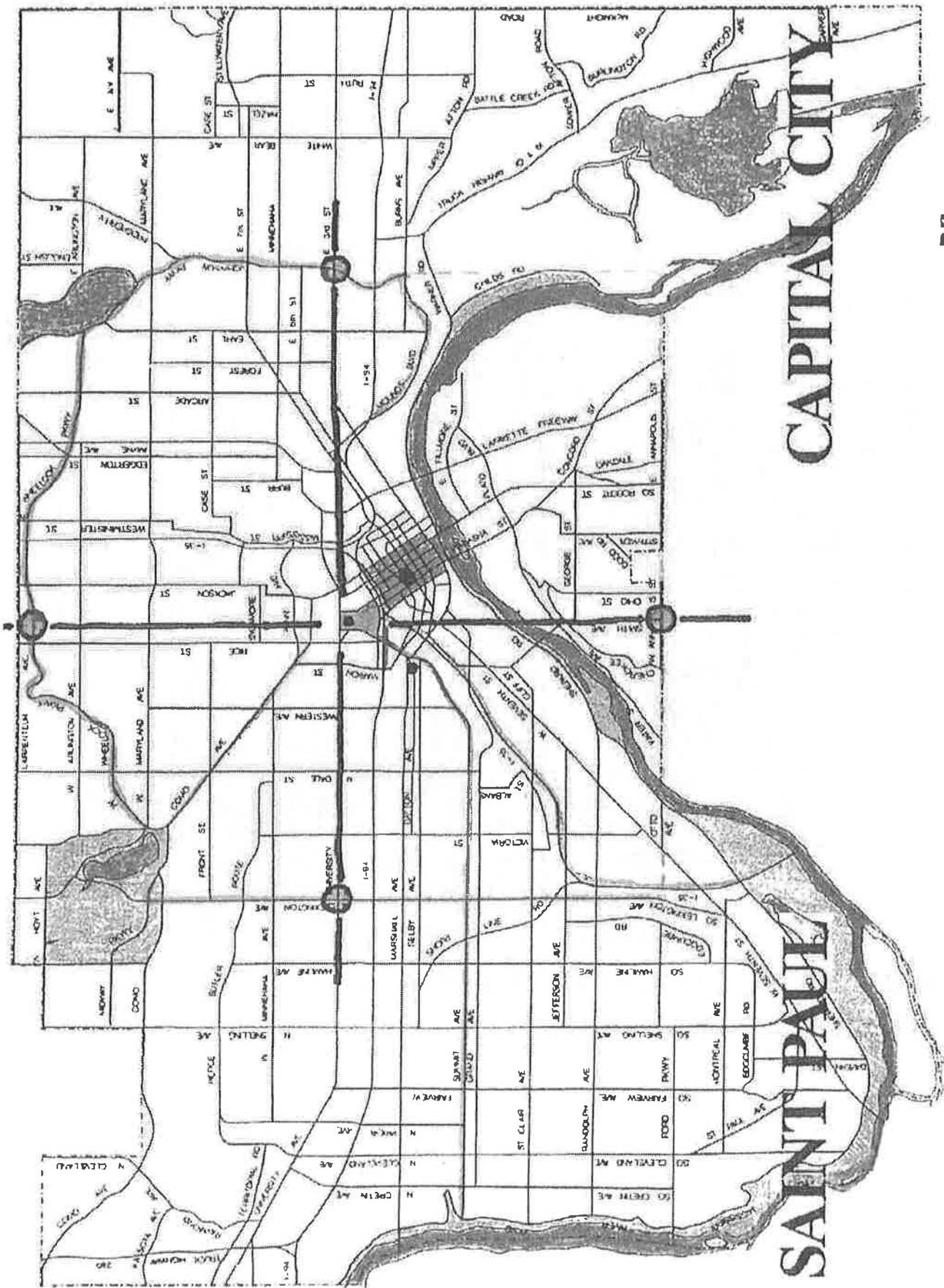
## **Section 8) PROCEDURES FOR INITIATING AND IMPLEMENTING A COMMEMORATIVE WORK (continued)**

**The following outlines the general CAAPB approach to commemoratives described previously, from a proposal, concept inception, design, and through construction.**

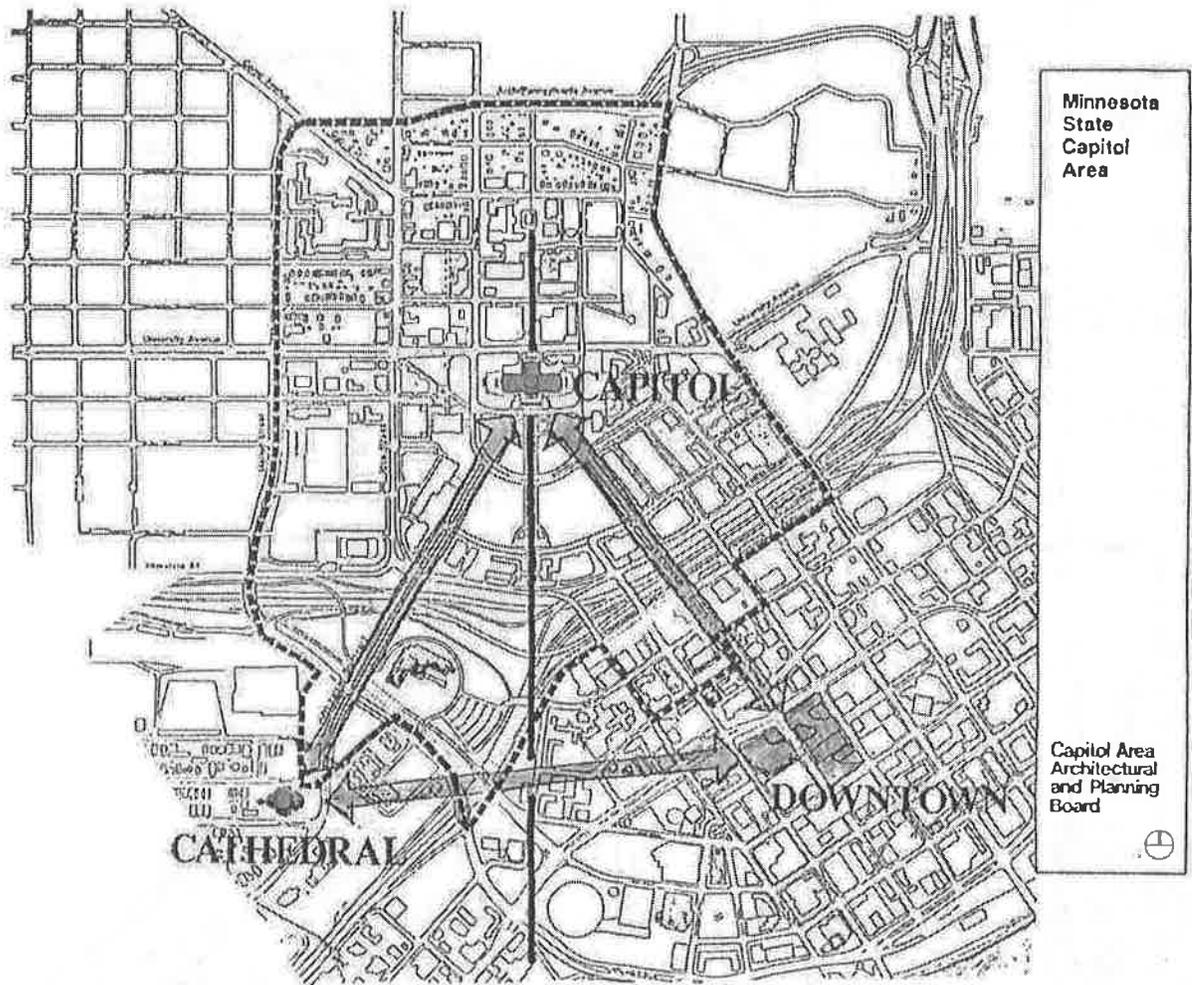
- 1) Applicants requesting a commemorative work on the Capitol Mall must submit a written proposal to the Board's Executive Secretary.
- 2) Proposal Submission and Acceptance:
  - scope and nature of commemorative
  - goals and objectives of commemorative
  - general programmatic needs, schedule, and estimated cost
  - CAAPB staff and Architectural Advisors approve proposal based upon Comprehensive Plan
- 3) Site Selection Study and Design Selection Process:
  - Architectural Advisors and CAAPB staff study and recommend a site based on the Capitol Mall Design Framework
  - Board gives preliminary approval to a proposal and recommended site
  - CAAPB staff and Architectural Advisors recommend a design selection process
  - Board approves the design selection process at the same Board meeting when approval is granted for a site
- 4) CAAPB staff executes the Design Selection Process:
  - Board either approves or disapproves the result of the process, which yield a design concept
- 5) Development of Design (following complete project funding)
  - Architectural Advisors and CAAPB staff review schematic, design development, and construction documents as project develops
  - Technical reviews by others are done prior to Board approval
  - Board approves a phase of the design as it develops (typically prior to completion of design development)
- 6) Construction
  - 20% of construction cost set aside for future maintenance
  - CAAPB staff in consultation with Architectural Advisors and the Department of Administration must approve any change orders that alter design elements

**Section 9) APPENDIX**

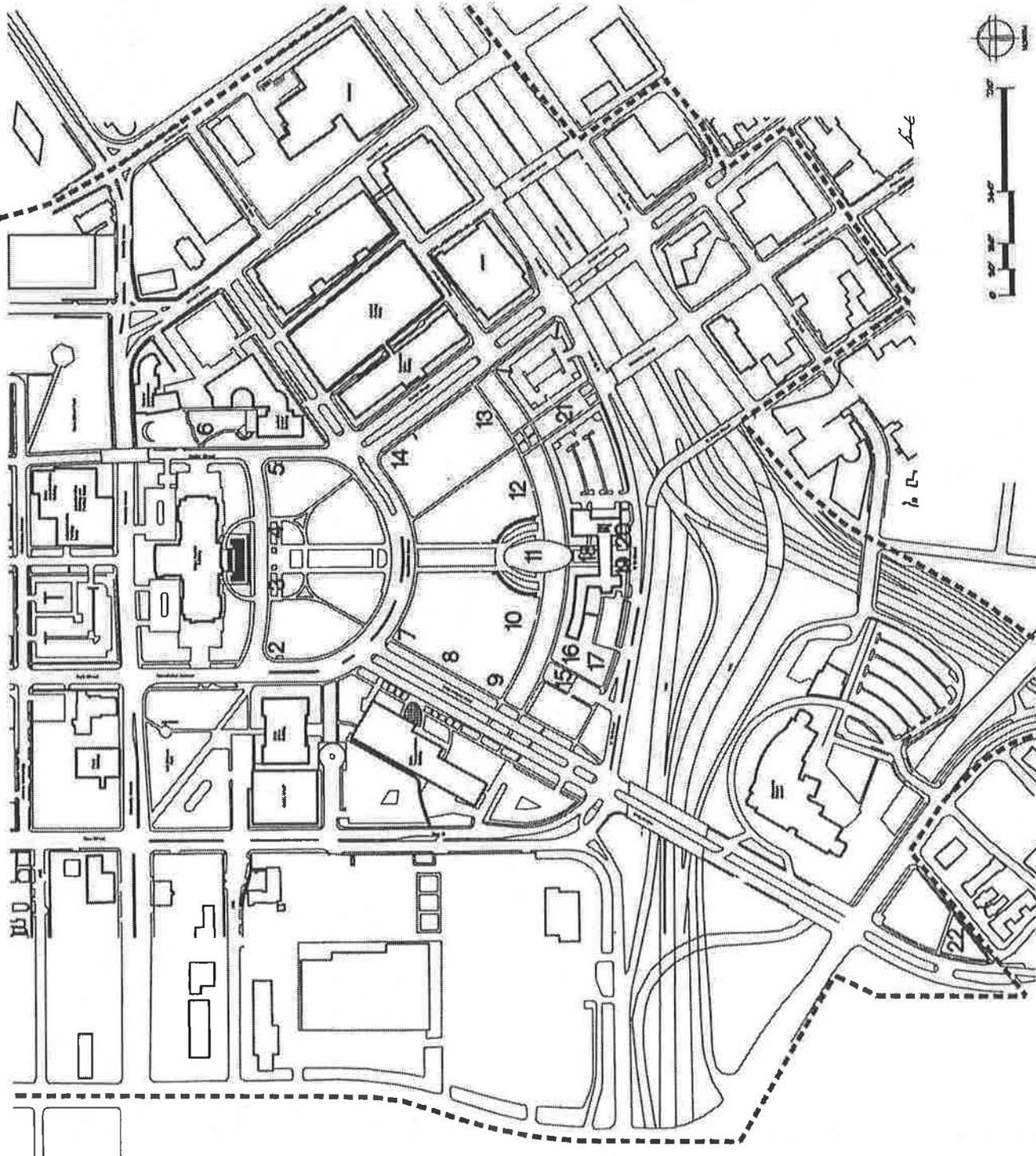
- a. Saint Paul-Capital City Map
- b. Minnesota State Capitol Area: The Symbolic Triangle
- c. Commemorative and Non-Commemorative Public Art in the Capitol Area
- d. Capitol Mall Design Framework Map



SAINT PAUL - CAPITAL CITY MAP



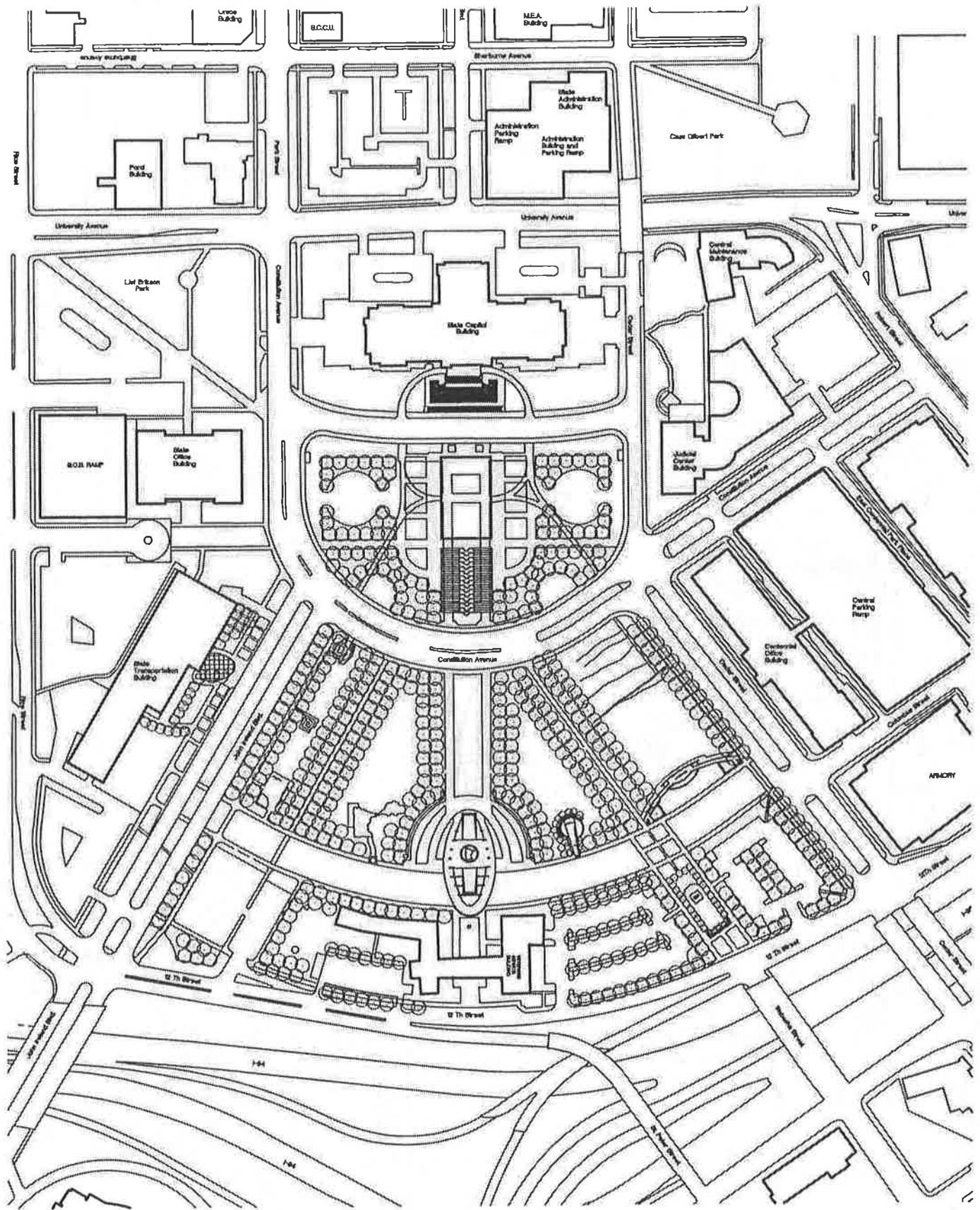
MINNESOTA STATE CAPITOL AREA:  
THE SYMBOLIC TRIANGLE



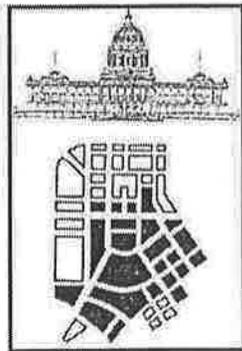
**LEGEND:**

- 1 Leif Erickson
- 2 Floyd B. Olson
- 3 Governor John A. Johnson
- 4 Governor Knute Nelson
- 5 Christopher Columbus
- 6 East Capitol Plaza
- 7 Hubert H. Humphrey Memorial
- 8 Lindberg Memorial
- 9 Roy Wilkins Memorial
- 10 Vietnam Veterans Memorial
- 11 WW II Veterans Memorial
- 12 Korean War Veterans Memorial
- 13 Minnesota Workers Memorial
- 14 Woman Suffrage Memorial
- 15 Fire Fighters Memorial
- 16 Monument to the Living
- 17 USS Ward
- 18 The Promise of Youth
- 19 Earthbound
- 20 Liberty Bell
- 21 Minnesota Peace Officers Memorial
- 22 Civil War Monument

**COMMEMORATIVE AND NON-COMMEMORATIVE  
PUBLIC ART IN THE CAPITOL AREA**



# CAPITOL MALL DESIGN FRAMEWORK MAP



## **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

204 Administration Building  
50 Sherburne Avenue  
Saint Paul, MN 55155

PHONE: 651.757-1500  
TELEFAX: 651.296.6718  
WEB SITE: [www.caapb.state.mn.us](http://www.caapb.state.mn.us)







## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 5:56 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Art and Memorials on the Washington State Capitol Campus

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. - OIR-Security\*\*\***

Peter,

Sorry these responses are late, but I've been out of the country the last 2+ weeks and I'm getting through the emails now.

---

Washington

---

**From:** Jennings, Marygrace (DES) [<mailto:marygrace.jennings@des.wa.gov>]  
**Sent:** Tuesday, July 28, 2015 2:51 PM  
**To:** Marcia Stone  
**Cc:** Friedberg, Jordan (DES)  
**Subject:** Art and Memorials on the Washington State Capitol Campus

Dear Marcia:

This responds to your general request for information regarding how state capitols govern the selection and placement of artwork.

For the State Capitol in Olympia, Washington the Department of Enterprise Services developed rules that were adopted into administrative code, governing the placement of monuments and memorials on the Capitol Grounds. The rules define types of installations broadly into two categories ('major' and 'minor') and provides review processes and parameters governing them. It serves as guidance for those proposing additions, as well as those reviewing the proposals. You can find it here:

<http://app.leg.wa.gov/WAC/default.aspx?cite=200-230>

These rules do include parameters intended to ensure that memorials, in particular, are well-vetted, broadly meaningful to the people of Washington, and thoughtfully placed. We did recently (last year?) deny a request for a 911 Memorial on our capitol grounds based on several factors, including the national (versus state) significance of September 11, and the sense that the 'history' of that day's events is still unfolding, and a broadly-accepted interpretation of it cannot yet be rendered.

We do not have similar rules governing the interior spaces of our buildings. Requests for permanent installations are very few and far between, and there have been none in recent years. The above rules for the Grounds serve as precedent and guidance for interior public spaces however, and are augmented by policies for displays in public spaces that can be found on our Visitor Services website

<http://www.des.wa.gov/services/facilities/CapitolCampus/Pages/ScheduleEvent.aspx>

In the *Campus Users Guide* at this website, see page 37 for complete a list of our policies including one on displays. I realize this is a little different from your questions around placement of permanent works of art, but it is instructive for its application of reasonable restrictions while mindful of the principles of free speech.

Within the business spaces of our state office buildings – spaces occupied by tenant agencies – tenants have full discretion to place memorials, artwork and objects without regard to these policies. They tend to be successful in self-governing these issues, and come to my agency when the requests involve public spaces, building exteriors, or the grounds. Typically there are tenant committees for multi-tenant buildings who we will work with to review requests and proposals for shared or public spaces in the buildings.

I hope this information is helpful to you in your research.

**Marygrace G. Jennings** ■ Cultural Resources Manager ■ Washington State Capitol Campus

DEPARTMENT OF ENTERPRISE SERVICES ■ 1500 JEFFERSON STREET

PO BOX 41480 ■ OLYMPIA, WA 98504

[www.des.wa.gov](http://www.des.wa.gov) ■ 360.407.9328

## Chapter 200-230 WAC

Last Update: 11/17/11

# REQUIREMENTS FOR COMMEMORATIVE AND ART WORKS ON STATE CAPITOL GROUNDS

## Chapter Listing

### WAC Sections

- 200-230-010** Purpose and authority.
- 200-230-020** Roles, responsibilities, and definitions.
- 200-230-030** Criteria for major and minor works on state capitol grounds.
- 200-230-040** Administrative requirements for major and minor works on state capitol grounds.
- 200-230-050** Site selection criteria—General.
- 200-230-060** Guidelines for selecting sites for major works.
- 200-230-070** Guidelines for selecting designs for major works.
- 200-230-080** Procedure for development and review of major works proposals.
- 200-230-090** Standards for minor works on state capitol grounds.
- 200-230-100** Approval process for minor works on state capitol grounds.

---

### 200-230-010

#### Purpose and authority.

Pursuant to the authority granted by section 140(3), chapter 149, Laws of 1997, the director of the department of general administration hereby establishes the following rules governing the design and placement of major and minor works, to include commemorative works and other works of art, on state capitol grounds. The purposes of this chapter are as follows:

(1) To ensure that major and minor works reflect subjects of lasting statewide significance for the people of Washington.

(2) To protect and maintain open space and preserve the natural views and vistas to and from the capitol, as envisioned by the Olmsted Brothers in their 1928 plan for the Washington state capitol grounds, and to conserve options for placement of works by future generations.

(3) To ensure that proposals for commemorative works and works of art on state capitol grounds are evaluated using a deliberate process, acknowledging the unique state capitol environment in which they are to be placed.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-010, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-010, filed 12/18/97, effective 1/18/98.]

---

## 200-230-020

### Roles, responsibilities, and definitions.

As used in this chapter, the following definitions and roles apply:

(1) "Proposing entity" - Any individual or group advancing a proposal for placement of major or minor works on state capitol grounds.

(2) "State capitol committee" (SCC) - As established in RCW **43.17.070**. The state capitol committee grants final approval for all development plans for state capitol grounds including the master plan, and for the design and site of major works to be located on state capitol grounds.

(3) "Capitol campus design advisory committee" (CCDAC) - As established in RCW **43.34.080**(1):

The capitol campus design advisory committee is established as an advisory group to the capitol committee and the director of general administration to review programs, planning, design, and landscaping of state capitol facilities and grounds and to make recommendations that will contribute to the attainment of architectural, aesthetic, functional, and environmental excellence in design and maintenance of capitol facilities on campus and located in neighboring communities.

The CCDAC is further directed in 43.34.080 (4)(e) to:

. . . review plans and designs affecting state capitol facilities as they are developed. The advisory committee's review shall include . . . (e)

Landscaping plans and designs, including planting proposals, street furniture, sculpture, monuments, and access to the capitol campus and buildings.

(4) "Director" - The director of the department of general administration. Under RCW **43.19.125** the director " . . . shall have custody and control of the capitol buildings and grounds." The director provides preliminary reviews, evaluates proposals for major and minor works, and provides technical assistance to those proposing placement of major or minor works on state capitol grounds. The director approves minor works proposals.

(5) "Department" - The department of general administration.

(6) "Washington state arts commission" (WSAC) - As established in RCW **43.46.005** through 43.46.095, and as specifically authorized in RCW **43.46.050**:

The commission shall meet, study, plan, and advise the governor, the various departments of the state and the state legislature and shall make such recommendations as it deems proper for the cultural development of the state of Washington. WSAC may undertake major works on the state capitol grounds as part of its responsibilities under chapters **43.46**, 43.17

and **43.19** RCW. The site selection and criteria for these works shall be developed in compliance with the provisions of this chapter.

(7) "State capitol grounds" - Those grounds as defined in WAC **236-12-015**(5), as follows:

Those grounds owned by the state and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, Sylvester Park, the Old Capitol Building and Capitol Lake, ways open to the public and specified adjoining lands and roadways.

and including the north capitol campus, Centennial Park, the Tumwater campus and the Lacey campus.

(8) "West capitol campus" - Those state-owned grounds that constitute the state capitol grounds west of Capitol Way, including all of the grounds addressed in the 1928 Olmsted Brothers landscape plan for the state capitol grounds and the state capitol historic district, as designated in the National Register of Historic Places.

(9) "East capitol campus" - Those grounds described in RCW **79.24.500** which includes the campus area north of Maple Park (16th Avenue) and south of 11th Avenue, east of Capital Way and west of Interstate 5 and the Interstate 5 entrance to the state capitol.

(10) "North capitol campus" - Those state-owned grounds north of the west capitol campus and west of Columbia Street, south of 5th Avenue and east of the Deschutes Parkway around Capitol Lake to the Interstate 5 bridge.

(11) "Tumwater campus" - Those state-owned grounds in the city of Tumwater bounded on the west by Interstate 5, on the north by Israel Road, on the east by Linderson Way S.W., and on the south by Airdustrial Way S.W.

(12) "Lacey campus" - Those state-owned grounds in the city of Lacey, bounded on the north by Martin Way, on the west and south by Saint Martin's Park and Saint Martin's Abbey, and on the east by the Woodland Creek protection zone.

(13) "Master plan" - The master plan for the capitol of the state of Washington. As used in this chapter, master plan includes any subcampus plans for state capitol grounds that describe in greater detail the planned development and use of the areas covered by the master plan.

(14) "Major work" - Any statue, monument, sculpture, work of art, memorial, or other structural or landscape feature, including a garden or memorial grove, of notable impact to viewers and to its surroundings. The impact of a work is defined by the combined effect of its subject matter, size, placement, and the degree to which it commands the environmental context into which it is set. Examples include the Winged Victory monument commemorating World War I, and the Tivoli Fountain. The term does not include any such item located within the interior of a structure.

(15) "Minor work" - As determined by the director, a work of moderate or minimal impact to viewers and to its surroundings, defined by the combined

effect of its subject matter, size, placement, and ability to blend into or contribute to the planned character of its immediate environment. Examples include individual or small groupings of plants such as trees or shrubs, benches and other campus furnishings, historic event or site plaques, small sculptural elements and artistic works.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-020, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-020, filed 12/18/97, effective 1/18/98.]

---

## **200-230-030**

### **Criteria for major and minor works on state capitol grounds.**

Major and minor works placed on the state capitol grounds shall:

- (1) Maintain the dignity of the state capitol grounds, its existing memorials, grounds, and buildings, and surrounding environment;
- (2) Preserve views and vistas of the capitol buildings, Mount Rainier and the Olympic Mountains;
- (3) Be consistent with the organizing principles and policies of the master plan, relevant subcampus plans, and any other subcampus plans reviewed by the department and the capitol campus design advisory committee and approved by the state capitol committee;
- (4) Reflect the rich diversity of Washington's people, and be nonpartisan in nature;
- (5) Provide an enriching experience which illuminates and celebrates common values, and broadens understanding of Washington's heritage and culture; and
- (6) Honor individuals or events of lasting significance for the people of the state of Washington, as reflected by broad public consensus;
  - (a) Major commemorative works shall not serve solely to memorialize an individual. Major works of art may be gifted to the state or dedicated in memory of an individual so long as the nature and primary purpose of the work remains artistic or aesthetic, to serve as an object of public enjoyment rather than as a monument to an individual.
  - (b) Minor works shall honor individuals or groups of individuals only after the 10th anniversary of the individual's death or the death of the last surviving member of a group, when the enduring, historical, statewide nature of their achievements has been demonstrated and broadly acknowledged;
  - (c) Major or minor works commemorating an event, including a military event or conflict, may be proposed during the lifetime of those who engaged in it, but not sooner than the 10th anniversary of the end of the event.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-030, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34**, **43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-030, filed 12/18/97, effective 1/18/98.]

---

## **200-230-040**

### **Administrative requirements for major and minor works on state capitol grounds.**

Prior to construction, proposing entities must execute an agreement with the department of general administration that addresses the following administrative requirements in proposals for major or minor works.

(1) All development and installation costs, including required modifications and improvements to campus roads, sidewalks and utilities, shall be provided by the proposing entity.

(2) The cost of new works shall be paid for by the proposing entity. Prior to construction or installation of an approved work, the director shall determine that the proposing entity has available sufficient funds to complete the project. The proposing entity shall also make provisions for coverage of all maintenance and repair costs throughout the existence of the work. This is commonly accomplished through an endowment fund estimated at ten percent of the original project cost, or may be set at an amount determined by the director. If a major or minor work is incorporated into a state-funded repair or improvement, an agreement will be negotiated between the proposing entity and the state specifying how the project costs including construction, maintenance and repairs will be shared.

(3) Complete conservation records that include specific information on materials and sources used in the execution, methods of fabrication, installation specifications, recommended method and frequency of maintenance, shall be provided to the state upon the completion of all new works.

Upon final placement and completion of a work that has been designed for or donated to the state for display on state capitol grounds, the state shall become sole owner of the work. The original artist or designer holds no rights to any work commissioned, donated, or purchased for display on state capitol grounds, including reproduction, access, modification, relocation, resale, etc., unless such rights are specifically allowed in formal written agreement between the director and the artist.

The state reserves the right to relocate or remove any works. Relocation planning will include consultation with the original artist and interested parties whenever practical.

Starting in 2030, following the centennial of the legislative building completion, and every fifty years thereafter, the state shall conduct a review of all monuments

and memorials on state capitol grounds and recommend removal and appropriate disposition of those no longer meeting the criteria in WAC **236-18-030**. The SCC shall approve all such actions.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-040, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34** RCW. WSR 00-06-052, § 236-18-040, filed 2/28/00, effective 3/30/00. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-040, filed 12/18/97, effective 1/18/98.]

---

## **200-230-050**

### **Site selection criteria—General.**

Except for replacement trees, no major or minor works will be placed on state capitol grounds unless detailed subcampus plans for a given area have been approved. Subcampus plans have been fully implemented for the Olmsted portion of the west campus, also known as the state capitol historic district, Sylvester Park, and the Old Capitol Building block. These areas of the state capitol grounds are considered complete. Subcampus plans are maintained by the department.

Because it was proposed prior to the effective date of section 140(3), chapter 149, Laws of 1997 (directing the adoption of this rule), and because the state legislature, through House Joint Memorial 1997-4000, clearly expressed support for a memorial to law enforcement officers on the state capitol campus, a major or minor work honoring law enforcement officers who have died in service to their communities and fellow Washington state citizens may be considered for placement on the west campus if it is designed in such a way as to minimally impact the current and planned uses of the site and to blend with and complement existing campus and landscape features, and the work meets all other applicable criteria of this chapter.

Works directly associated with the activities of a specific state agency shall be considered for installation in the facility that houses that agency's main or subordinate office.

No donated work shall be accepted by the state for placement on state capitol grounds until a suitable site for the work has been selected and approved.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-050, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-050, filed 12/18/97, effective 1/18/98.]

## **200-230-060**

### **Guidelines for selecting sites for major works.**

Proposing entities must address the following considerations in selecting a site for a proposed major work. Formal proposals prepared by proposing entities must include a description of how the proposal considers and responds to each of these guidelines. These guidelines will be used by the department, CCDAC and SCC to evaluate and recommend or approve a final site.

(1) Setting. The space surrounding a work shall provide a setting that is compatible and supportive. In turn, the work in its setting shall be supportive of the surrounding landscape design and public functions, including those intended in the master plan.

(2) Size and scale. There must be a match between the size and scale of the work and its setting.

(3) Spatial envelopes. Freestanding works, through their presence, affect the territory in which they stand. The size of the surrounding spatial envelope defined by surrounding buildings and growth shall be considered since it is directly related to the size and scale of the work.

(4) Relationship to other existing works or features. The work shall not be of such size, scale or material as to interfere with any existing campus feature.

(5) Visual context. Visual works are perceived in relationship to their context, which may include open sky, landscape, or building facade. Their design and placement shall consider such contextual issues as silhouette, directionality, orientation, and background.

(6) Site significance. The size, location, prominence and visibility of the site shall be appropriate to the subject matter of work in the context of other existing works and the surrounding state capitol grounds environment.

(7) Relationship to master plan composition. The work and the site shall be considered together in terms of the way they affect or establish relationships with existing axes, vistas, entry points, landmarks, buildings, and open space; and the way they may affect sensitive natural and historic features of the campus or impact current or planned uses of the proposed site.

(8) Additional issues may become apparent in the process of site selection for a specific theme, subject matter, or work, and shall be considered.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-060, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34**, **43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-060, filed 12/18/97, effective 1/18/98.]

---

## **200-230-070**

### **Guidelines for selecting designs for major works.**

Proposing entities must address the following guidelines in proposing a design for a major work. Formal proposals prepared by proposing entities must include a description of how the design considers and responds to each of these guidelines. GA, CCDAC and SCC will use the following guidelines to evaluate and recommend or approve a final design selection.

(1) Legibility and meaning. The intended message of the work shall be clear and understandable, regardless of its type or style. The work shall convey meaning of enduring value that will continue its significance for future generations.

(2) Approachability and accessibility. Works shall be designed to permit people to engage with them: To have visual clues as to their location and to get close enough to be able to read them and examine details. Because major works often are gathering points, they shall be designed to meet Americans with Disability Act standards and, when necessary, provide such amenities as seating, paving, handrails, and ramps.

(3) Materials. Materials shall be chosen for their durability, sculptural qualities, visibility, and maintainability. Consideration shall also be given to rhythm and harmony with the existing setting.

(4) Vulnerability. The design of major and minor works shall be conscious of the potential for vandalism and minimize the opportunity for intentional defacement or destruction.

(5) Climatic context. The design shall consider issues of sunlight and shade, wind, rain and the variety of Washington seasons.

(6) Evening illumination. Major and minor works may be enhanced with night illumination integral to the work's design. Such illumination shall not conflict with other works, open space, buildings and their inhabitants, and the overall landscape.

(7) Completion. Works that by their nature are not complete at the time of installation, such as those to which names or dates are to be added over time, are strongly discouraged.

(8) Text and inscriptions. Lists of any kind are discouraged. Text and inscriptions shall be meaningful to the broadest possible audience. Inscriptions and text on monuments, works of art and related plaques shall be limited to interpretive information about the work itself or the subject it commemorates. Dedication plaques shall be limited to name of the artist or designer, name of the proponent group, and the date completed or dedicated. The proposed use of donor tiles not defined as plaques shall be approved as part of the overall design of a work.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-070, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34** RCW. WSR 00-06-052, § 236-18-070, filed 2/28/00, effective 3/30/00. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-070, filed 12/18/97, effective 1/18/98.]

---

## 200-230-080

### Procedure for development and review of major works proposals.

The department and the state capitol committee will follow a procedure for reviewing and evaluating major works proposed for placement on state capitol grounds, with the advice and assistance of the capitol campus design advisory committee and the Washington state arts commission. As appropriate, the department may also consult with the office of archeology and historic preservation of the state department of community, trade and economic development, and with the department's state facilities accessibility advisory committee.

(1) The purpose of the procedure is to:

(a) Ensure that major works on state capitol grounds are carefully selected, designed, constructed and located to meet the criteria established in WAC **236-18-030** and address the guidelines provided in WAC **236-18-060** and **236-18-070**;

(b) Preserve open space as a complete, precious and protected landscape feature of the state capitol grounds that invites public recreation and participation;

(c) Preserve options for placement of works on state capitol grounds for future generations. To further this purpose the department and the SCC shall:

(i) Encourage those proposing commemorative works to consider alternatives to monuments, such as groves, gardens, sculpture, fountains, and the naming of existing campus features;

(ii) Strongly encourage groups with related or similar interests to combine their proposals;

(iii) Encourage proposing entities to consider temporary works, or to consider temporary placement on state capitol grounds of works to be permanently located at other sites;

(iv) Cooperate with local authorities to develop opportunities for proposed works of significance to Washington state citizens which may be located outside the west campus of the state capitol grounds but within the capital community of Olympia, Tumwater and Lacey;

(d) Provide instructions to guide proposing entities in developing successful major works proposals.

(2) The procedure for development and review of major works proposals will follow the steps below.

1. Proposing entity.

a) Submits a preliminary proposal to the director for the development and placement of a major work on state capitol grounds. The preliminary proposal must describe:

- The concept and subject matter;
- How the proposal meets the criteria in WAC **236-18-030**;
- Preconceived design and site considerations, if any, to include size of the work;
- A description of the kinds of activities the site and the work may need to accommodate (public gatherings or ceremonies, for example);
- Anticipated cost and planned source of funding.

b) Designates a single spokesperson for the proposing entity.

2. Department of general administration (GA).

a) Provides advice and assistance as needed in understanding and addressing the criteria in WAC **236-18-030** and makes available to proposing entities a copy of the master plan.

b) Reviews the preliminary proposal to determine if it meets the criteria in WAC **236-18-030** and should proceed to step three.

c) Informs the state capitol committee (SCC) of all proposals received and reviewed.

3. GA director and spokesperson for the proposing entity.

Provide an initial briefing to the members of the SCC on the preliminary proposal. The purpose of this briefing is to identify threshold issues or concerns with the proposing entity's concept, subject, or siting considerations. Capitol campus design advisory committee (CCDAC) members shall also receive initial briefings at this time.

4. SCC.

a) Grants approval to proceed with site selection (step 5); or

b) Denies approval; or

c) Refers the proposal to the CCDAC for review and advice; and/or

d) Requests that the proposing entity reconsider aspects of their proposal.

5. Proposing entity.

Once preliminary proposal has been approved by the SCC, describes the conditions and characteristics of the proposed work that may affect its location, developing a set of criteria that describe a preferred setting and design. In the case of existing works, the criteria will relate only to the setting for the work.

6. GA.

a) Reviews appropriate subcampus plans to identify planned sites meeting the criteria developed by the proposing entity. GA will consult with the proposing entity, and may provide a campus tour, discuss possible locations, and point out any constraints or barriers to various locations.

b) Selects a short list of sites that best meet the criteria.

c) Establishes specific design and site development guidelines for each site. These specific guidelines describe in greater detail the opportunities or restrictions on design development that are unique to each site.

7. CCDAC and WSAC.

Review selected sites and the development guidelines established by GA. CCDAC and WSAC may meet together or separately. Either body may:

- a) Recommend revisions to GA's site development guidelines; or
- b) Recommend that the proposing entity reconsider aspects of their preliminary proposal; or

c) Offer recommendations for consideration by the SCC.

8. GA director and spokesperson for the proposing entity.

a) Brief the SCC on the sites and site development guidelines.  
b) If the proposal is for a work yet to be selected or designed, the proposing entity also describes:

- The selection/design process to be used;
- Anticipated budget and source of funding; and
- Preconceived design considerations within the context of the proposed sites.

9. SCC.

a) Grants site approval and, if the proposal is for placement of an existing work, authorizes the department to acquire the work; or

b) Requests further consideration by GA and CCDAC.

10. Proposing entity.

a) Once the site has been approved by the SCC, begins a process to design or select the work if the proposed work is yet to be selected or designed. This step may take several forms: A design competition; selection from a list of appropriate available works; selection of an artist or team which might include an artist, architect, or landscape architect who will design and produce a custom work. GA may provide assistance in this process. One representative of the department and one representative of the CCDAC shall be included in the proposing entity's selection process and final selection committee. The proposing entity is also encouraged to include a visual artist or other design professional as appropriate.

b) Selects final design proposal or proposes a completed work.

c) Submits a formal proposal to GA and the SCC that describes:

- How the proposal meets the criteria in WAC **236-18-030**;
- How the proposal considers and responds to the guidelines provided in WAC **236-18-060** and **236-18-070**;
- How the proposal addresses the administrative requirements of WAC **236-18-040**; and
- Scale drawings or illustrations. A scale model may also be provided.

11. CCDAC, WSAC.

Review the formal proposal, meeting together or separately, and make recommendations to the director and to the SCC.

12. GA director and spokesperson for the proposing entity.

Present the formal proposal to the SCC for approval.

13. SCC.

a) Grants final approval; or

b) Requests that the CCDAC, WSAC, and GA director continue to work with the proposing entity to redevelop the proposal.

c) May require future check points.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-080, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34** RCW. WSR 00-06-052, § 236-18-080, filed 2/28/00, effective 3/30/00. Statutory Authority: Chapter **43.34, 43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-080, filed 12/18/97, effective 1/18/98.]

---

## 200-230-090

### Standards for minor works on state capitol grounds.

The requirements of WAC **236-18-040** and the guidelines established in WAC **236-18-060** and **236-18-070** shall apply for design and placement of minor works to the extent applicable, as determined by the director on a case-by-case basis. Minor works may include small artistic works and sculptural elements.

Plaques. Historic markers describing a memorialized person, historic place or event, or plaques describing a work or identifying significant natural features shall be fabricated to meet the following standards:

(1) Material - Cast bronze.

(2) Letter style - Bookman.

(3) Border style - Single line edge.

(4) Background texture - Pebble.

(5) Finish - Bronze satin face and edges, natural colored background, semi-gloss polyurethane finish.

(6) Size - No larger than two hundred sixteen square inches (approximately 12" x 18"), no smaller than eighty square inches (approximately 8" x 10").

(7) Mounting - Plaques shall be mounted on a concrete or cut stone base with a tilted face 12" or less above grade, to be determined by location of the plaque.

Living memorials. Living memorials consist of trees, shrubs, gardens, or other plantings to commemorate an individual or event. When proposing the placement of a living memorial on state capitol grounds the life expectancy of the memorial and the cost of maintenance shall be considered by the proposing entity. Selection of plant types shall be coordinated with the department for compatibility with landscape plans and existing plantings. The department shall encourage the replacement of existing, aging, or ill trees and shrubs in lieu of new plantings. When a living memorial dies, it will not be automatically replanted.

Living memorials dedicated to individuals will not be permanently marked. The department will maintain records of all living memorial plantings.

Fixtures and furnishings. Benches and other campus furnishings shall comply with Washington state capitol campus exterior furnishings and fixtures design guidelines. These guidelines are available from the department.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-090, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34**, **43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-090, filed 12/18/97, effective 1/18/98.]

---

## **200-230-100**

### **Approval process for minor works on state capitol grounds.**

Proposing entities must submit a proposal to the director for placement of a minor work on state capitol grounds. The proposal shall include:

- (1) A description of the work;
- (2) An explanation of why the proposing entity believes it fits the definition of a minor work;
- (3) A description of how the proposal meets the criteria in WAC **236-18-030** and the requirements of WAC **236-18-040**, and considers and responds to the applicable guidelines under WAC **236-18-060** and **236-18-070**.

The director will confirm that a proposed work is a "minor work" based on the definition provided in this rule, and may grant approval or request additional information. Review or approval by the capitol campus design advisory committee, the Washington state arts commission and the state capitol committee is not required; however, the director may seek their advice at his or her discretion.

The department will work with the proposing entity on design and siting considerations.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-230-100, filed 11/17/11, effective 11/17/11. Statutory Authority: Chapter **43.34**, **43.19** RCW and 1997 c 149 § 140(3). WSR 98-01-112, § 236-18-100, filed 12/18/97, effective 1/18/98.]







## Peter L. Heimbach

---

**From:** Cohen, Michele <mcohen@aoc.gov>  
**Sent:** Monday, August 10, 2015 4:17 PM  
**To:** Peter L. Heimbach  
**Cc:** Paff, Eric  
**Subject:** U.S. Capitol art selection policies  
**Attachments:** statue\_replacement\_guidelines\_2014.pdf

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - OIR-Security. \*\*\***

Dear Mr. Heimbach,

Your request regarding policies of the US Government guiding criteria for the selection of art in the Capitol Campus was forwarded to me.

In general, works of art displayed in the Capitol fall under the care of either the House of Representatives, the Senate, or the Congress as a whole (i.e., jointly). The widest-ranging pieces of guidance for the display of art in the Capitol are these:

- Section 1815 of the Revised Statutes of the United States: "No statuary, painting, or other article, the property of an individual, shall hereafter be allowed to be exhibited in the rotunda or any other portion of the Capitol Building."

- 20 Stat. 391: "No work of art or manufacture other than the property of the United States shall be exhibited in the National Statuary Hall, the Rotunda, or the corridors of the Capitol Building."

For information about guidelines for acceptance of works of art used by the House and the Senate, please contact the following:

- U. S. House of Representatives--Office of Art & Archives, Office of the Clerk: [art@mail.house.gov](mailto:art@mail.house.gov)

- United States Senate--Curator for the United States Senate: [curator@sec.senate.gov](mailto:curator@sec.senate.gov)

Regarding jointly owned works, the Joint Committee on the Library has jurisdiction over their acquisition, acceptance, and placement. The only formal guidelines are those for statues being donated to the National Statuary Hall Collection as replacements for previously donated statues. (See attached.)

As many decisions are made on a case by case basis, if it would be helpful, feel free to call me to discuss this further.

Sincerely,  
Michele

**Michele Cohen, Ph.D.**  
Assistant Museum Curator

Phone 202.228.1222  
Fax 202.228.4602  
Cell 202.557.4254

[mcohen@aoc.gov](mailto:mcohen@aoc.gov)

**Architect of the Capitol**  
**Curator Division**  
U.S. Capitol, HT-5  
Washington, DC 20510  
[www.aoc.gov](http://www.aoc.gov)



# Procedure and Guidelines for Replacement of Statues in the National Statuary Hall Collection

United States Capitol

---

THE CREATION OF the National Statuary Hall Collection was authorized by the United States Congress in 1864 to allow each State to provide two statues of notable citizens for display in the United States Capitol. The Joint Committee on the Library of Congress has oversight of the collection, and, under the committee's direction, the Architect of the Capitol (AOC) is responsible for the reception, placement, and care of the statues.

In accordance with legislation enacted in 2000, "Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall" under two conditions:

(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.

## Steps in the Procedure

- 1. Responsibilities of the State.** The State legislature enacts a resolution that identifies the statue to be replaced, names the individual to be newly commemorated and cites his or her qualifications, selects a committee or commission to represent the State in selecting the sculptor, and directs the method of obtaining the necessary funds to carry the resolution into effect. Expenditures for which the State is responsible include the cost of paying the sculptor for designing and carving or casting the statue; designing and fabricating the pedestal; transporting the statue and pedestal to the United States Capitol; removing and transporting the replaced statue; temporarily erecting the new statue on its pedestal in the location approved for the unveiling ceremony; certain expenses related to the unveiling ceremony; and any other expenses that the State commission may find it necessary to incur.
- 2. Request to Replace a Statue.** A duly authorized State official, typically the governor, shall submit to the Architect of the Capitol a written request to provide a new statue, a description of the location in the State where the replaced statue will be displayed after it is transferred, and a copy of the applicable enacted State legislation authorizing the replacement. The Architect of the Capitol will review the request for completeness and will forward it to the Joint Committee on the Library.
- 3. Joint Committee on the Library Action.** The Joint Committee on the Library will approve or deny the request.
- 4. Agreement Regarding Replacement.** If the request is approved by the Joint Committee on the Library, the Architect of the Capitol will formalize an agreement with the State to guide the process. The agreement consists of the State's commitment to follow the guidelines for the design and fabrication of statues (see below) and to take responsibility for any cost related to the design, construction, transportation, and placement of the new statue; the removal and transportation of the statue being replaced; and any unveiling ceremony. The agreement is between the Architect of the Capitol and the State. If the State authorizes a commission, foundation, or other entity to act upon its behalf in subsequent parts of the process, the governor must so notify the Architect of the Capitol in writing.
- 5. Approval of Maquette.** The State or its representative shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on the Library, photographs of the maquette from all four sides and the proposed dimensions of the completed statue.
- 6. Approval of Full-Size Clay Model and Pedestal Design, Including Proposed Inscription.** The State shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on

the Library, photographs of the model from all four sides, dimensions, engineering drawings of the pedestal, the anticipated weight of the completed statue and pedestal, and the text of any proposed inscriptions. Any structural, safety, and design concerns will need to be addressed before final approval.

7. **Approval of Completed Statue, Cast in Bronze or Carved in Marble, and Completed Pedestal.** The State shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on the Library, photographs of the completed statue and pedestal from all four sides, dimensions, the final weight, and the text of any inscriptions.
8. **Ceremony and Program.** The holding of an unveiling ceremony is optional. Permission to use the Rotunda or Emancipation Hall must be granted by concurrent resolution of the Congress, and legislation by the Congress is required to authorize printing of the proceedings at government expense. The State may contact its delegation in Congress for assistance and for introduction of the required legislation.

Although no law requires the Congress to accept statues by formal resolution, it is recommended that acceptance of the statue by the Congress be included in the legislation introduced for the use of the Rotunda or Emancipation Hall for the unveiling ceremony.

The State must arrange the program for the ceremony with the Speaker of the House, who will ensure that congressional participation is bipartisan and bicameral and that the program concludes in a reasonable time. The Architect of the Capitol provides support for any unveiling ceremony.

9. **Statue Removal/Installation and Ownership Transfer.** The State must arrange for a rigger approved by the Architect of the Capitol to remove the replaced statue and install the replacement statue in the location of its unveiling. This work must be coordinated with the Architect of the Capitol.

The replaced statue must be removed shortly before the new statue is brought into the Capitol. Before the replaced statue is removed, a document transferring ownership of that statue from the federal government to the State will be signed by the designated State official.

10. **Permanent Location.** The permanent location for the replacement statue will be approved by the Joint

Committee on the Library. The National Statuary Hall collection is located in several areas of the Capitol: National Statuary Hall (the Old Hall of the House), the Rotunda, the second-floor House and Senate corridors, the Hall of Columns, the Crypt, and the Capitol Visitor Center.

The Architect of the Capitol will make recommendations for placement of the new statue with the least possible disruption to previously placed statues while maintaining a harmonious arrangement. To assist in developing this recommendation, the agency's structural engineer will determine whether the floor in any proposed location can safely support the weight of the statue. If the replacement statue is suitable in weight and dimensions, it will normally take the place of the replaced statue. If not, the Architect of the Capitol will, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, relocate statues within the Capitol.

If necessary, after the statue has been unveiled, the Architect of the Capitol will be responsible for moving it to the permanent location approved by the Joint Committee on the Library.

#### **Guidelines for Replacement Statues**

The guidelines below are provided for reference only; they may be modified in particular cases by the Joint Committee on the Library. Images of the one hundred statues now in the collection are available at the Architect of the Capitol website ([www.aoc.gov](http://www.aoc.gov)).

**Subject.** The subject of the statue must be a deceased person who was a citizen of the United States and is illustrious for historic renown or for distinguished civic or military services. Statues may represent only one individual (ruling adopted by the Joint Committee on the Library at meeting of March 13, 1950). Statues should represent the full length.

**Material.** The statue must be made of marble or bronze. Replacement statues made of the same material as the replaced statue are preferred. Materials from domestic sources, including, as applicable, sources in the territories and possessions of the United States, are preferred.

**Pedestal.** To reduce weight, the Architect of the Capitol recommends that the pedestal be made of a hollow steel frame faced in granite or other stone or be made of bronze. It is recommended that the pedestal be

designed and constructed with a removable panel (usually in the back) to allow access to attachment bolts. The pedestal design, dimensions, and weight must be submitted to the Architect of the Capitol for review.

**Inscriptions.** Inscriptions on the pedestal should include the name of the State and of the individual represented. The preferred option is that inscriptions be carved. Alternatively, they can be raised or cast on a bronze plaque. It is traditional and preferred that inscriptions be simple and that they appear only on the front of the pedestal. The proposed inscription should be submitted for review and approval by the Joint Committee on the Library as part of the pedestal design.

**Size and Weight.** In general, the figure in the replacement statue should be over life size, with a height between seven and eight feet, and the total height, including the pedestal, no greater than eleven feet. Within that size range, the combined weight of a bronze statue and its pedestal should not exceed 5,000 pounds; a marble statue and its pedestal should weigh no more than 10,000 pounds.

**Patina and Coating.** For bronze statues, the selected patina and coating must be easily maintained and repaired. Formulas for the patinating and coating materials must be provided to the Architect of the Capitol for use during future maintenance.

**Other Considerations.** The statue and pedestal should not be a potential source of safety hazards. They should not have any protruding or sharp element that could cause harm or be an obstacle for persons in the building.

### Relevant Legislation

The law creating National Statuary Hall is the act of July 2, 1864 (2 U.S.C. §2131) (formerly 40 U.S.C. 187), which established that each State had the right to donate “statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services . . . .”

This law was modified in 2000 by Sec. 311 of H.R. 5657 (included by reference in H.R. 4577) and established as law by P.L. 106-554, which provides that “Any state may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States . . . .” 2 U.S.C. §2132.

Supervision and direction of the collection are assigned to the Architect of the Capitol by the act of August 15, 1876 (19 Stat. 147), 2 U.S.C. §2131.

With the approval of the congressional Joint Committee on the Library, the Architect of the Capitol is responsible for the reception and location of the statues in this collection, first established by H. Con. Res. 47, agreed to February 24, 1933, and included in P.L. 106-554. 2 U.S.C. §2132.

### Excerpt From Public Law 106-554

SEC. 311. (a)(1) Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States under section 1814 of the Revised Statutes (40 U.S.C. 187).

(2) A request shall be considered under paragraph (1) only if—

(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.

(b) If the Joint Committee on the Library of Congress approves a request under subsection (a), the Architect of the Capitol shall enter into an agreement with the State to carry out the replacement in accordance with the request and any conditions the Joint Committee may require for its approval. Such agreement shall provide that—

(1) the new statue shall be subject to the same conditions and restrictions as apply to any statue provided by a State under section 1814 of the Revised Statutes (40 U.S.C. 187), and

(2) the State shall pay any costs related to the replacement, including costs in connection with the design, construction, transportation, and placement of the new statue, the removal and transportation of the statue being replaced, and any unveiling ceremony.

(c) Nothing in this section shall be interpreted to permit a State to have more than two statues on display in the Capitol of the United States.

(d) (1) Subject to the approval of the Joint Committee on the Library, ownership of any statue replaced under this section shall be transferred to the State.

(2) If any statue is removed from the Capitol of the United States as part of a transfer of ownership under paragraph (1), then it may not be returned to the Capitol for display unless such display is specifically authorized by Federal law.

(e) The Architect of the Capitol, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, is authorized and directed to relocate within the United States Capitol any of the statues received from the States under section 1814 of the Revised Statutes (40 U.S.C. 187) prior to the date of the enactment of this Act, and to provide for the reception, location, and relocation of the statues received hereafter from the States under such section.

January 2014





**Title: Art in the Capitol Building & Grounds**  
**Original Inquiry: June 21, 2011**

**INQUIRY:**

1. Does your State have rules or policies about how art may be located in its Capitol Building or grounds?
2. Does your State have an application and/or contract form that is used for such placements?
3. Please provide a copy of any such materials, preferably by email, which may include citations to items posted on the web.

**RESPONSES:**

STATE	CONTACT	RESPONSE	ADDITIONAL INFO
<p style="text-align: center;"><b>COLORADO</b></p>	<p>Dennis Buck            Facilities Manager            4112 South Knox Court            Division of Facilities Management            Denver, CO 80236            Dennis.Buck@state.co.us            Phone 303-866-7211            Fax 303-866-7215</p>	<p>Guideline for art in public places attached for Colorado.</p>	<p>*See attached documents</p>
<p style="text-align: center;"><b>FLORIDA</b></p>	<p>Sherrie K. Routt            DMS Real Estate Development and Management            4050 Esplanade Way, Suite 315            Tallahassee, FL 32399-0950            Phone 850/413-9586            Fax 850/617-6476            Email:            sherrie.routt@dms.myflorida.com</p>	<p>We have several methods for placing art in Department of Management Services (DMS) state buildings. These include:</p> <ol style="list-style-type: none"> <li>1. Art in State Buildings Program-Purchase of art and based on the fixed capital outlay appropriation for a new building. This program is administered by the Department of State (DOS), Division of Culture Affairs. If further information, policies, forms are needed in reference to this program, please contact Sandy Shaughnessy at 850/245-6480, <a href="mailto:Shaughnessy@mail.dos.state.fl.us">Shaughnessy@mail.dos.state.fl.us</a></li> </ol> <p>DOS Authority: <b>Subsection 265.284 Florida Statutes</b> addresses the Secretary of State as the chief cultural officer of the state, and the Division of Cultural Affairs is designated as the state arts administrative agency. Subsection (3)(c) Requires the Division of Cultural Affairs to:</p> <ul style="list-style-type: none"> <li>• Seek, and help assure, a uniformity of artwork within state buildings</li> </ul>	<p>*See attached documents</p>

		<ul style="list-style-type: none"> <li>• Review all art content of existing public buildings or buildings of state ownership for the purpose of making recommendations to the Department of Management Services as to installation, relocation, restoration, removal, or any other disposition of works of art.</li> </ul> <p>Subsection (3)(d) requires the Division of Cultural Affairs (if requested or at its own initiative) to consult with and advise other individuals, groups, organizations, or state agencies and officials, particularly the Governor and the Cabinet, concerning the acquisition by gift or purchase of fine art works as follows:</p> <ul style="list-style-type: none"> <li>• Appropriate use and display of state-owned art treasures for maximum public benefit.</li> <li>• Suitability of any structures or fixtures.</li> </ul> <p>2. Donated portraits, artwork or sculptures of a permanent nature, not associated with FCO funding or the direct construction of a new building. Generally, these come in the form of a request via letter or email from an artist, citizen, state agency, etc., and based on type of piece it is, it will either be considered through Legislation or approval of the House and/or Senate leadership. In the past, DMS has consulted with the Florida Legislative Research Center and Museum Curator of the Historic Capitol for guidance and placement, insuring that it meets the minimum requirements of the DOS.</p> <p>3. For displays of a temporary nature, DMS Rule 60H-6.013 addresses the placement of exhibits, posters, signs and displays with regards to state-owned buildings. It requires a written request 3 working days prior (lesser time can be excepted if adequate review time and coordination can be accommodated. It requires a description, the intended purpose and placement times. Written approval is required by DMS and would generally include, program area information, announcements, educational opportunities, benefits, as opposed to actual artwork (see attached Rule and Application). These displays would not require DOS input.</p>	
--	--	--	--

<p><b>FLORIDA</b></p>	<p>Tom Berger, Deputy Director  Division of Real Estate  Florida Dept. of Management  Services  Tom.Berger@dms.myflorida.com  850-487-9921</p>	<p>In the state of Florida, Art in Public Buildings is handled through the Department of State, Division of Cultural Affairs. I don't have an e-mail address but the main phone number is 850-245-6470.</p>	
<p><b>GEORGIA</b></p>	<p>Timothy Frilingos  Museum Services Manager  Georgia Capitol Museum  tfrilingos@sos.state.ga.us  404-656-2846  404-272-5836 cell  206 Washington Street  Atlanta, Georgia 30334</p>	<p>Currently new artwork has to be approved by our Capitol Arts Standards Commission, a legislatively created commission that consists of appointments from the Governor's office, Secretary of State's office, Lieutenant Governor's office, House, Senate, and Georgia Capitol Museum.</p> <p>New artwork can be proposed by private groups or through the legislative process. The proposal is then sent to the commission to be considered based on historic and artistic merit. The Commission has final say on what is to come into the Capitol.</p> <p>Once approved the Georgia Capitol Museum, the legislatively assigned stewards of the Capitol Art Collection, will recommend a location for new artwork and may work with the Georgia Building Authority to place artwork safely and securely. The Georgia Capitol Museum uses architectural recommendations developed during the most recent renovation to decide on placement and installation in order to maintain the historic integrity of the Capitol.</p> <p>Due to the fact that the Capitol has a finite amount of space for artwork, the Commission can recommend that an artwork is accepted as a temporary loan. Spaces have been reserved for such loans.</p> <p>Currently there is no official application for art proposals, though our collections policy does outline a procedure for proposals. Once a proposal is approved the Georgia Capitol Museum will produce Deeds of Gift or Loan Contracts for artwork entering the Capitol Art Collection.</p>	

<p><b>KENTUCKY</b></p>	<p>David L. Buchta, MHP  Director &amp; State Curator  Kentucky Division of Historic Properties  401 Wapping Street  Vest-Lindsey House  Frankfort KY 40601  502-564-0900  502-564-6505 fax  502-352-0976 mobile</p>	<p>The attached documents are the foundation for handling of art displays and monuments on the Kentucky State Capitol grounds and interior. We also have a 14 member Historic Properties Advisory Commission that oversees the entire process.</p>	<p>*See attached documents</p>
<p><b>LOUISIANA</b></p>	<p>Bob Obier  bobier@lctcs.edu</p> <p>Roxanne Smith  Tourism Supervisor  Office of Capitol Commission  Nebraska State Capitol  (402) 471-0449</p>	<p>At the Community and Technical College System in Louisiana we do not yet have a facilities master plan but it is on my list.</p> <p>The landscape design and the artistic program for the Nebraska State Capitol were developed during the 1922-1932 construction of the building. We adhere to this program and do not allow additional art work to be placed in the public spaces of the Capitol or on the grounds. Therefore there is no application process and no guidelines for placement because we do not allow such placements. One exception being the creation of the Nebraska Hall of Fame in 1961. Architect Bertram Goodhue created several sculptural niches in the great hall, and in 1961 the legislature created the Hall of Fame to Honor those who have improved lives through service and been influenced by Nebraska. We have limited space in the Capitol for displaying the busts of the Hall of Fame members. We have allowed for busts to be placed in the niches in the great hall and then we place them on pedestals in side galleries around the rotunda, we have room for five more and then we will begin to rotate them out to the historically significant locations of the members.</p>	
<p><b>NEBRASKA</b></p>		<p>The Hall of Fame Commission is administered by the Nebraska State Historical Society, has a formal nomination process with the Commission having a public meeting for presentations and then to announce the new inductee. We are not involved in the nomination process or with the commissioning of the busts. We solely house the busts. There is no application or permitting for the addition of the busts. It happens every five years as part of the statutory</p>	

		<p>process of inducting a new member.  Here's the link to Hall of Fame information.  <a href="http://nebraskahistory.org/admin/hall_of_fame/">http://nebraskahistory.org/admin/hall_of_fame/</a> but I don't think it addresses your questions. Please let me know if I can offer any additional assistance.</p>	
<b>VIRGINIA</b>	<p>David McGreevy  McGreevy, David (DGS)  David.McGreevy@dgs.virginia.gov  (804) 786-3368</p>	<p>The Commonwealth of Virginia has recently established a Design and Location Review Committee for new memorials located on Capitol Square. This group consists of members of the legislative and executive staff and they review any proposals for monuments/memorials/artwork in an exterior space on Capitol Square. Attached are the policy and memo that created this group.</p>	*See attached documents
<b>WASHINGTON</b>	<p>Senior Facilities Planner  Real Estate Services Group  Division of Facilities  Washington State Department of  General Administration  PO Box 41015  Olympia WA 98504-1015  Phone: 360-902-7381  Fax: 360-586-9088</p>	<p>The State of Washington established administrative rules in 1998 that govern the selection and placement of works of art and memorials on state capitol grounds. The rules govern both major and minor installations. The rules can be found online at:  <a href="http://apps.leg.wa.gov/wac/default.aspx?cite=236-18">http://apps.leg.wa.gov/wac/default.aspx?cite=236-18</a>  Questions may be referred to Marygrace Jennings, 360-902-0973, or <a href="mailto:marygrace.jennings@ga.wa.gov">marygrace.jennings@ga.wa.gov</a></p>	
<b>WISCONSIN</b>	<p>Keith Beck  keith.beck@wisconsin.gov  608.266.2645</p>	<p>Wisconsin does have rules and policies for art displays. We have a State Capitol and Executive Residence Board (SCERB) that reviews and approves all art displays.</p> <p>No. Requests are made directly to the SCERB</p>	







CHAPTER IX

COLORADO PROJECTS FOR WORKS OF ART

## CHAPTER IX PROJECTS FOR WORKS OF ART

### PURPOSE:

There are two statutes concerning works of art in public places. CRS 24-80.5-101 contains the requirement for all state agencies, other than the Department of Corrections, to provide an allocation of not less than 1 percent of capital construction costs to be used for acquisition of works of art. CRS 24-80.5-102 details the authority for Department of Corrections to administer the program for those works of art in correctional facilities which provide an allocation of not less than 1/10 of 1 percent of capital construction costs to be used for a prison inmate art fund. The purpose of this procedure is to enable:

- ♦ State agencies to identify capital construction projects which are eligible for the *Works of Art in Public Places* program with Colorado Council on the Arts and to provide fiscal guidelines to follow in accounting for the planning and construction of the works of art. Contact the Council on the Arts at 303-894-2617 with questions regarding this program.
- ♦ The Department of Corrections to identify projects eligible for the *Works of Art in Correctional Facilities* program and to provide fiscal guidelines.

This procedure is written for the operating state agency, Colorado Council on the Arts and the Department of Corrections.

### DEFINITIONS:

See Chapter 1, Section 2.

### ACCOUNTING/FISCAL ADMINISTRATIVE REQUIREMENTS:

In accordance with CRS 24-80.5-101 (3) (a),

Except for works of art in correctional facilities, agricultural facilities where livestock are housed or products are grown, the diagnostic center, and facilities authorized in SB 101 passed by the fifty fifth general assembly, each capital construction appropriation for a public construction project shall include as a nondeductible item an allocation of not less than one percent of the capital construction costs to be used for the acquisition of works of art. Per the definition included in the statutes, public construction project does not include controlled maintenance projects or higher education projects completely funded from exempt institutional sources.

The Colorado Council on the Arts is responsible for administering the Works of Art in Public Places program in accordance with CRS 24-80.5-101 (3). The Office of State Planning and Budgeting (OSPB) is responsible for ensuring compliance with the above statute.

A state agency other than the Department of Corrections that has a project eligible for the *Works of Art in Public Places* program is required to notify Colorado Council on the Arts, Agency GBA, of said project by forwarding a copy of the project application (SC 4.1) signed by the SCO.

The allocation for the acquisition of works of art shall be not less than 1 percent of the capital construction costs of the project. Any portion of the allocation for art not expended for the following:

- ♦ Artist's preliminary site visits;
- ♦ Design fee;
- ♦ Completion and installation of the work of art;
- ♦ Jury expenses;

shall revert to the general fund.

The Council on the Arts will establish a separate appropriation code for each capital construction project that contains a one percent allocation for art. An amount not to exceed 15 percent of each individual art allocation may be used the Council to cover administrative costs. Travel and other expenses for artists making proposals for works of art will be accounted for as an individual project expense. The Council will have three years from the date the funds are received from the state agency to complete the project. Uncommitted funds at the end of three years will revert to the General fund

PROCEDURAL FOCUS:

The procedural steps below will address both the procedures to be followed by the state agency appropriated the capital construction project and Colorado Council on the Arts. The operating state agency procedures are Steps 1 through 5. The Colorado Council on the Arts procedures is steps 6 through 9. Higher education institutions will forward a warrant to Colorado Council on the Arts for the transfer of cash under this procedure.

OPERATING STATE AGENCY:

**Step 1:** Determine the amount of construction costs for the eligible project and compute the 1 percent amount to be used for the *Works of Art in Public Places* program. If assistance is needed in determining the total construction costs, consult with the director of State Buildings Program.

**Step 2:** List this amount on the project application under the approval request section line B4 percentage for art. (Refer to illustrated example of SC 4.1 in the Appendix).

- Step 3:** Send a copy of the approved and signed SC 4.1 for an eligible project to Colorado Council on the Arts at 750 Pennsylvania Street, Denver, CO 80203.
- Step 4:** Encumber the amount of the 1 percent for Colorado Council on the Arts by entering and approving a PO document into COFRS for the eligible capital construction project. This will commit the appropriation for the project to the one percent allocation required for the *Works of Art in Public Places* program.
- Step 5:** Initiate and approve an IT document or issue a warrant to the Council for the amount indicated on the SC4.1

COLORADO COUNCIL ON THE ARTS:

- Step 6:** Establish an appropriation code for the project within fund 273 when the copy of the SC 4.1 is received.
- Step 7:** Prepare an AP document for the cash exempt amount identified on the project application line B4 for the *Works of Arts in Public Places* program. This appropriation transaction should have a cash exempt revenue source for the funds that are being recorded. Up to 15 percent of the allocation may be recorded in appropriation code 001 to cover administrative costs.
- Step 8:** Submit the AP transaction to FAST for approval. These projects have a maximum three year life from the time the Council receives the funds.
- Step 9:** Either complete the IT document prepared by the state agency or deposit the warrant received from the state agency with the State Treasurer

WORKS OF ART IN CORRECTIONAL FACILITIES

Per CRS 24-80.5-102, each capital construction appropriation for a correctional facility shall include as a nondeductible item an allocation of not less than one-tenth of one percent of the capital construction costs to be used for a prison inmate art fund. The Department of Corrections shall administer by rule and regulation this program. Appropriations in fund 273 for the Department of Corrections are available for a period of 3 years or completion of the project which ever occurs first. Uncommitted funds at the end of three years will revert to the capital construction fund.

The steps to followed by the Department of Corrections are as follows:

- Step 1:** Identify projects in fund 461 that are eligible for the *Works of Art in Correctional Facilities* program.

- Step 2:** Encumber the amount in the fund 461 project that is the one tenth of one percent designated for art work.
- Step 3:** Establish an appropriation code for the art project within CBA agency, fund 273.
- Step 4:** Prepare an AP document with the cash exempt amount. Prepare a COFRS IT; use a transfer-out object code in fund 461 and use the appropriate transfer-in revenue source code in fund 273 to record the revenue. Attach a copy of the original project SC 4.1 to the AP. Also attach a screen copy of the IT showing the transfer of revenue to fund 273.
- Step 5:** Apply a level 3 approval to the completed, error free AP transaction.
- Step 6:** Submit AP to FAST for level 5 approval. Process IT.







## FLORIDA

### CHAPTER 60H-6 USE OF STATE BUILDINGS

- 60H-6.001 Scope of Authority. (Repealed)
- 60H-6.002 General. (Repealed)
- 60H-6.003 Applicability.
- 60H-6.005 Recording Presence.
- 60H-6.007 Usage of Pool Buildings.
- 60H-6.009 Freedom of Speech.
- 60H-6.011 Utility Requirements.
- 60H-6.013 Placement of Exhibits, Posters, Signs, Displays.
- 60H-6.015 Conformity with Signs and Directions. (Repealed)
- 60H-6.017 Preservation of Property.
- 60H-6.018 Disturbances.
- 60H-6.019 Damage to Pool Buildings and Grounds.
- 60H-6.020 Clean Up.
- 60H-6.022 Vendors Prohibited.

#### **60H-6.003 Applicability.**

These rules apply to all buildings in the Florida Facilities Pool, the grounds and all real and personal property situated therein and/or thereupon.

*Specific Authority 255.249(2) FS. Law Implemented 272.04 255.249(1) FS. History—New 8-1-78, Formerly 13D-5.03, 13M-9.003, Amended 1-9-96.*

#### **60H-6.005 Recording Presence.**

Except as otherwise expressly provided, all buildings shall be open to the general public during normal working hours (8:00 a.m. to 5:00 p.m., Monday through Friday), except state holidays or as the result of a valid emergency. Admission during periods when such property is closed will be limited to authorized person(s) who may be required to sign the register and, if requested by a duly authorized official of the Division of Capitol Police, provide satisfactory evidence of their identity and authorization.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1) FS. History—New 8-1-78, Formerly 13D-5.04, 13M-9.005, Amended 1-9-96.*

#### **60H-6.007 Usage of Pool Buildings.**

Buildings, facilities or the grounds shall not be used for purposes other than those assigned, without the express approval of the Bureau of Maintenance. Should the requested space be controlled by other than the Department of Management Services, approval must be obtained from the agency assigned the space. Under Article VII, Section 10, of the Constitution of the State of Florida, public property may be used only for public purposes. Nongovernmental activities may be approved if: (a) the facility is determined to be appropriate for the requested activity; (b) the activity is directly related to a governmental function or a governmental-sponsored function; (c) the sponsor is a quasi-public nonprofit entity whose primary objective is to render a public service not limited to its members and whose facilities and programs are available and beneficial to the general public; and (d) the primary objective of the activity is a clearly identified public purpose.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1) FS. History—New 8-1-78, Formerly 13D-5.05, 13M-9.007, Amended 1-9-96.*

#### **60H-6.009 Freedom of Speech.**

(1) This rule guarantees the opportunity for freedom of expression consistent with the first and fourteenth amendments of the United States Constitution in the public forum areas, such as the rotunda area on the plaza level of the Capitol, within and on the grounds of buildings. This right is guaranteed notwithstanding the further provisions of this rule and of Rule 60H-6.013, F.A.C. However, all persons engaged in peacefully exercising their freedom of expression within such areas are requested to comply with subsection (3) of this rule and shall comply with Rule 60H-6.018, F.A.C. (2) Any state agency desiring to use a building or the grounds when the authority for use is not already assigned to that agency, shall deliver a written request to the Bureau of Maintenance. All such requests shall: (a) Identify the person(s) or entity(ies) desiring to use such facilities; (b) Describe the particular facilities desired to be used and the use intended to be made of said facilities; and (c) Identify the respective dates

and times at which such use is planned to commence and terminate. Authorization, when granted for the use of such facilities, shall be granted on a first-come, first-served basis. (3) Any person(s) or entity(ies) other than a state agency desiring to use the public forum area of any building or the grounds shall deliver a written request to the Bureau of Maintenance no later than three (3) state working days prior to the anticipated date of use, to allow for coordination of activities; lesser notice will be accepted only if time is adequate for review and coordination requirements. All such requests shall: (a) Identify the person(s) or entity(ies) desiring to use such facilities; (b) Describe the particular facilities desired to be used and the use intended to be made of said facilities; and (c) Identify the respective dates and times at which such use is planned to commence and terminate. Authorization, when granted for the use of such facilities, shall be granted on a first-come, first-served basis.

*Specific Authority 255.249(2) FS. Law Implemented 272.03, 255.249(1) FS. History—New 8-1-78, Amended 11-28-79, Formerly 13D-5.06, 13M-9.009, Amended 1-9-96, 5-12-98.*

#### **60H-6.011 Utility Requirements.**

If any approved use of a building or the grounds requires other than normally available public utilities or additional structures, then the person(s) authorized to conduct such use shall be solely responsible for all costs and expenses incurred as a result of the supply, installation and use of such public utilities and structures. All such utilities and structures shall first be approved by the Bureau of Maintenance before being supplied or installed, and the use shall be supervised by the Bureau of Maintenance.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1), 272.03 FS. History—New 8-1-78, Formerly 13D-5.07, 13M-9.011, Amended 1-9-96.*

#### **60H-6.013 Placement of Exhibits, Posters, Signs, Displays.**

Any person(s) desiring to place an exhibit, poster, sign, or display in a building or the grounds shall deliver a written request to the Bureau of Maintenance, no later than three (3) state working days prior to the anticipated date for placement, to allow for coordination of activities; lesser notice will be accepted only if time is adequate for review and coordination requirements. All such requests shall: (a) identify the person(s) desiring to place such exhibit, poster, sign or display; (b) describe the particular exhibit, poster, sign or display; (c) state the intended purpose; and (d) identify the dates and times the placement is to begin and end. No exhibit, poster, sign or display shall be so placed without obtaining the prior written approval of the Bureau of Maintenance.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1), 272.03 FS. History—New 8-1-78, Formerly 13D-5.08, 13M-9.013, Amended 1-9-96.*

#### **60H-6.017 Preservation of Property.**

Except as may be expressly authorized by the Bureau of Maintenance, it shall be unlawful for any person(s): (a) to dispose or cause to be disposed any rubbish on or about buildings in a manner and/or by means other than in the waste depositories situated thereabout; (b) to create or cause to be created any hazard to persons or things on or about buildings; (c) to throw or cause to be thrown articles of any kind from a building; (d) to climb upon the roof of any part of a building; and (e) to willfully destroy, damage, or remove any property.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1) FS. History—New 8-1-78, Formerly 13D-5.010, 13M-9.017, Amended 1-9-96*

#### **60H-6.018 Disturbances.**

All conduct in buildings or the grounds which: (a) creates loud or unusual noise; (b) unreasonably obstructs the usual and customary use of a building or the grounds; (c) impedes or disrupts the performance of official duties or functions of a state officer or employee; or (d) prevents the general public from obtaining the administrative services provided in a building in a timely manner, is prohibited.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1) FS. History—New 8-1-78, Formerly 13D-5.11, 13M-9.018, Amended 1-9-96*

#### **60H-6.019 Damage to Pool Buildings and Grounds.**

Any person(s) authorized to use a building or the grounds shall be solely responsible for all costs, expenses, damages, liabilities, claims or suits resulting from such use.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1), 272.03 FS. History—New 8-1-78, Formerly 13D-5.12, 13M-9.019, Amended 1-9-96.*

**60H-6.020 Clean Up.**

Each person or entity authorized to use a building or the grounds shall be solely responsible for thoroughly cleaning the premises used upon termination of such use and prior to 7:00 a.m. of the next calendar day. Such clean-up shall result in the used premises being restored to a clean and neat condition and be performed under the supervision of the Bureau of Maintenance.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1), 272.03 FS. History—New 8-1-78, Formerly 13D-5.13, 13M-9.020, Amended 1-9-96.*

**60H-6.022 Vendors Prohibited.**

All person(s) are prohibited from soliciting any individual inside a building or on its grounds, unless such solicitation has been approved under Rule 60H-6.007 or Rule 60H-6.009, F.A.C.

*Specific Authority 255.249(2) FS. Law Implemented 255.249(1), 272.03 FS. History—New 8-1-78, Formerly 13D-5.14, 13M-9.022, Amended 1-9-96.*

**STATE OF FLORIDA  
DEPARTMENT OF MANAGEMENT SERVICES  
REAL ESTATE DEVELOPMENT AND MANAGEMENT  
APPLICATION FOR USE OF STATE PROPERTY**

ORGANIZATION NAME: \_\_\_\_\_

- NON-PROFIT CORP       NON-PROFIT ASSN       OTHER NON-PROFIT ENTITY  
 FOR-PROFIT CORP       FOR-PROFIT ASSN       OTHER FOR-PROFIT ENTITY

DESCRIBE OTHER: \_\_\_\_\_

CONTACT: \_\_\_\_\_ POSITION: \_\_\_\_\_

ON-SITE COORDINATOR (IF DIFFERENT FROM CONTACT): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

CELL OR PAGER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

SPACE REQUESTED:	FUNCTION		SET UP	
	DAY/DATE	TIME	DAY/DATE	TIME
<input type="checkbox"/> HISTORIC FRONT STEPS		am pm		am pm
<input type="checkbox"/> COURTYARD/BACK STEPS <input type="checkbox"/> C1 <input type="checkbox"/> C2 <input type="checkbox"/> C3		am pm		am pm
<input type="checkbox"/> ROTUNDA		am pm		am pm
<input type="checkbox"/> WALLER PARK		am pm		am pm
<input type="checkbox"/> VIETNAM MEMORIAL		am pm		am pm
<input type="checkbox"/> OTHER (BLDG/AREA):		am pm		am pm

DESCRIBE INTENDED ACTIVITY: \_\_\_\_\_

IS ACTIVITY RELATED TO GOVERNMENTAL OR GOVERNMENTAL-SPONSORED FUNCTION? PLEASE EXPLAIN: \_\_\_\_\_

IF NOT, EXPLAIN THE PUBLIC SERVICE PERFORMED OR RELATION TO PUBLIC CONCERN: \_\_\_\_\_

SERVICES LIMITED TO MEMBERS?    NO    YES      AVAILABLE TO GENERAL PUBLIC?    YES    NO

NUMBER OF ORGANIZATION PARTICIPANTS: \_\_\_\_\_      TOTAL NUMBER OF ATTENDEES: \_\_\_\_\_

DOES APPLICANT DESIRE TO BRING ANY PHYSICAL OBJECTS OR EQUIPMENT ON PROPERTY?    YES    NO

DESCRIBE SHAPES/SIZES: \_\_\_\_\_

VEHICLES USED TO UNLOAD/RELOAD: \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_

PLEASE COMPLETE AND RETURN TO: SHERRIE ROUTT, PHONE 850/413-9586, FAX 850/617-6476, ADDRESS: 4050 ESPLANADE WAY, SUITE 315, TALLAHASSEE, FL 32399-0950, EMAIL: Sherrie.Routt@dms.myflorida.com

PLEASE NOTE: OFFICIAL GOVERNMENT FUNCTIONS TAKE PRECEDENCE. THIS MAY VOID APPROVAL OR REQUIRE TEMPORARY RELOCATION OR DISRUPTION OF ACTIVITY. DUE TO RECENT THREATS TO NATIONAL SECURITY, CAPITOL POLICE/FDLE HAS ADVISED THAT ALL APPROVED FUNCTIONS ON STATE PROPERTY ARE SUBJECT TO CANCELLATION. APPLICATIONS ARE ACCEPTED ON A FIRST-COME, FIRST-SERVED BASIS.





Georgia Capitol Museum-Accession Records  
Brief description of Capitol Art requisition  
2010-01-20  
Prepared by Timothy Frilingos, Museum Services Manager

The current Capitol art acquisition process according to Georgia Capitol Art Collection Policy approved by Art Standards Commission, January 30, 2008, (Thomas D. Hills, Chair)

- 1) Recommendation from legislator, private individual, or group for the creation of a new artwork for display in the Georgia Capitol. This may be in the form of a Senate or House resolution.
- 2) Recommendation is presented to Art Standards Commission. Commission will use the "Appropriateness" section of Georgia Capitol Art Collection Policy to determine if subject of recommended art should be included in the Georgia Capitol Art Collection and placed on display in the Capitol.
- 3) If commission approves recommendation the process of creation and review of artwork will continue. This process includes selection of artist and final location of artwork in Capitol. If artwork has already been created prior to approval, the Commission may immediately approve artwork for display.
- 4) Commission may also recommend artwork be presented as a Temporary Loan that could be displayed for a limited time in the Capitol and then returned to owner.

Notes: Artworks accepted into the Capitol Art Collection are accepted with the intent that they will belong permanently to the State of Georgia.

The Art Standards Commission is under no obligation to fund these projects, and may ask that donor provide additional funding to the State of Georgia to provide for artwork's continued maintenance.

The Georgia Capitol Museum and Tour Program acts as the collection manager for the Capitol Art Collection (responsible for installation, maintenance, display, cataloging, and storage). The responsibility for accepting new art lies solely in the hands of the Art Standards Commission. The Art Standards Commission may request recommendations from the GCM staff about new artwork.



## **Georgia Capitol Art Collection Policy**

### **Purpose Statement of the Capitol Art Collection**

It is the purpose of the State of Georgia's Capitol Art Collection to provide through portraits, sculptures, and other visual means, a public record of those individuals whose service in state government or whose extraordinary contributions to the political development of the state merit inclusion in the Collection and possible display in the State Capitol or on its grounds.

### **Legal Status of Capitol Art Collection**

The Capitol Art Collection is owned by the State of Georgia.

### **Purpose of Collection Policy**

The purpose of this policy is to regulate the acquisition, organization, use, care, and disposal of artwork meant to be displayed within the public spaces of the Georgia State Capitol and on the grounds immediately surrounding the Capitol. By instituting this policy, the Art Standards Commission recognizes its responsibility to care for this valuable artwork for current and future generations of Georgians.

### **Authority**

The Art Standards Commission governs the acquisition, use, care, storage, and disposal of artwork and reports to the Governor and the Legislative Services Committee when required. All efforts to add to, remove from, or generally change the Capitol Art Collection must follow procedures either stipulated in this policy or created by the Art Standards Commission.

The Georgia Capitol Museum, a division of the Office of Secretary of State, is responsible for the documentation, organization, and custodial care of the Capitol Art Collection. This responsibility includes the management of acquisition forms, loan forms, and conservation needs. In cases of emergencies, the staff of the Georgia Capitol Museum shall be responsible for documentation of damage, stabilization of conditions, and conservation procedures.

The director of the Georgia Capitol Museum is required to provide reports on the Capitol Art Collection for the use of the Art Standards Commission. The director of the Georgia Capitol Museum may recommend for approval by the Art Standards Commission changes in exhibit, conservation needs, and possible loans of the Capitol Art Collection. Current forms with stated agreement created and used by the Georgia Capitol Museum are available upon request. (Deed of Gift, Incoming and Outgoing Loans, Loan Renewal, Receipt of Delivery)

## **Description of Collection**

The Capitol Art Collection consists of oil paintings, plaques, and sculptures honoring lives and contributions of citizens and celebrating events of historic significance.

## **Acquisition**

The creation of the Art Standards Commission is a plan to regulate the acquisition of new artwork. While legislators and elected officials can recommend the inclusion of new artwork, it is only through the Art Standards Commission that artwork can be created, acquired, and installed. A painting or sculpture becomes part of the Capitol Art Collection with the intent of permanent ownership by the State of Georgia; therefore, all effort should be made to establish appropriateness of subject and museum quality in execution.

## **Appropriateness**

Once a recommendation is made to the Art Standards Commission (whether by elected official or citizen), the Art Standards Commission must decide whether or not the subject is appropriate for display. Appropriateness may be based on one or more of the following criteria:

The subject must be deceased for at least 5-years, but may be so honored in life if the subject has served as president or vice president of the United States of America. Also, a former governor may be honored in life by a portrait displayed in the Capitol.  
The subject made significant contribution to Georgia state government/Georgia history.  
The subject was a Georgia resident.  
The contribution of subject impacted the majority of Georgians.  
The subject represented an under-represented part of Georgia's population.  
The subject served in the Georgia Capitol.

The significance of this subject necessitates his/her permanent display. (There is the possibility that the portrait may be temporarily displayed and then returned to owner.)

## **Placement and Display**

Installation of art will be coordinated by the director of the Georgia Capitol Museum. A new portrait may necessitate the removal of another portrait. Restoration architects developed a gallery plan for the display of Capitol art in 1996.

The decision to acquire new artwork needs to be weighed heavily against the necessity to remove artwork to storage. This decision may lead to consideration by the Art Standards Commission of alternative ways to include new portraits in the Capitol.

## **Artistic Standards**

After the selection of subject for the art piece has been decided, the Art Standards Commission may direct the process of approving an artist, approving initial artist rendering, and approving the final portrait.

The Art Standards Commission must decide whether the artwork displayed in the Capitol is of museum quality.

## **Funding**

This policy does not provide for the use of funds to purchase new acquisitions. The Art Standards Commission is not responsible for funding of new acquisitions. Presently, governors' portraits are financed by private appropriation. Funding for a new acquisition needs to be available before an artist is commissioned. The Art Standards Commission may be permitted to solicit additional funding to be donated for the continual care of newly acquired artwork that will remain in the collection.

## **Transfer of Ownership**

Once final artwork is approved by the Art Standards Commission, artwork is legally transferred to the State of Georgia through the use of a Deed of Gift form provided by the Georgia Capitol Museum.

The Deed of Gift shall state that donor has the legal right to transfer ownership of artwork to the State of Georgia.

All donations shall be total and made without conditions for display or use.

The Georgia Capitol Museum will fully document new artwork and provide each new piece of art with an accession number and a unique object ID, which will be affixed to object clearly, identifying it as part of the Capitol Art Collection.

Documentation shall include collection of material regarding process of acquisition (*e.g.*, minutes of Art Standards Commission meetings), provenance of the artwork, artist's biography, digital photographs, and cataloging onto the Georgia Capitol Museum's computerized collection database. A folder will be maintained that contains hardcopies of all relevant data.

After the completion of this process, a ceremony to unveil the new artwork may be planned in or around the Capitol. In all cases, the Georgia Capitol Museum staff will coordinate the hanging of portrait with Georgia Building Authority, and the GBA will manage the placement of outside statuary.

## **Loans**

### **Incoming Loans**

The limitation of display space and the inadequacies of current storage space may require that those seeking to place a new portrait in the Capitol be asked to consider a temporary loan to the State of Georgia instead. This arrangement will entail receiving a painting (or other art) for a limited time and returning it to the donor. By encouraging temporary incoming loans, the Art Standards Commission will adhere to strict acquisition guidelines for accepting objects into the permanent collection while allowing the temporary display of more art. A temporary loan to the Capitol Art Collection is not a legal transfer of ownership. At the end of stated loan term, the art piece will be returned to the lender.

The owner of the artwork should maintain adequate property insurance on the value of the artwork.

### **Outgoing Loans**

For many years, artwork from the Capitol Art Collection has been loaned to Georgia state government buildings, historic houses, and museums.

### **Approval of Outgoing Loans**

Any artwork not displayed within the designated public space in the Capitol or stored in the Secretary of State's warehouse shall be considered an outgoing loan. This category includes specific offices located within the Capitol and other government buildings.

Requests for outgoing loans should be brought directly to the Art Standards Commission or to the Georgia Capitol Museum staff who will forward the request to the Art Standards Commission.

All requests will need to be in a written form with provision for a location proposal that can be examined by Art Standards Commission or their representative for suitability.

Museums and historic houses that request an outgoing loan will need to provide a written request for artwork stating how the object enhances the interpretation of their exhibition or structure. These organizations will also have to provide a facility report, site visit, location proposal, and agree to provide insurance for the loaned object before loan can be approved. The borrowing organization must also provide funds for transport/shipping of object.

Georgia Capitol Museum staff may request to include artwork as part of a traveling exhibit, but must receive approval from the Art Standards Commission before applying for the loan.

Loans to private individuals shall not be permitted.

## **Outgoing Loan Process**

Once the Art Standards Commission approves the outgoing loan, the Georgia Capitol Museum will contact the borrower to make arrangements for transport and installation of artwork, if necessary.

Georgia Capitol Museum staff will provide for each outgoing loan a tracking number and create a folder that will contain a hard copy of all relevant documents including but not limited to:

- Written Request for Loan
- Facility Report (if applicable)
- Written Approval of Loan by Art Standards Commission
- Signed Outgoing Loan Form & Outgoing Condition Report
- Certificate of adequate insurance

Borrower and the director of the Georgia Capitol Museum will sign an "Outgoing Loan Form" that will state the expectations of the borrower during the period of the loan. The loan may be recalled if any conditions of the "Outgoing Loan Form" are not met.

The Loan Form will clearly state that this loan is a loan agreement and not a transfer of ownership.

The borrower shall agree to contact the Georgia Capitol Museum staff if the condition of the artwork changes for any reason.

The Art Standards Commission reserves the right to recall any loan at any time. Borrower will receive an "Outgoing Condition Report" from the Georgia Capitol Museum stating any damages or defects at the commencement of the outgoing loan.

If the borrowing institution experiences any organizational or staff changes that impact the "Outgoing Loan Form," it must immediately inform the Art Standards Commission of such changes. A new "Outgoing Loan Form" may need to be created and signed by borrower.

## **Outgoing Loan Period**

Capitol artwork shall not be loaned out for a term exceeding one year without approval of the Capitol Museum director. After one year on loan, borrower may request the renewal of the loan based on the approval of the Capitol Museum director. Outgoing loan periods after the first year shall not exceed two years so that object can be monitored and loan can be kept current.

Loan periods to offices of elected officials within the Capitol or other state office shall be scheduled so that loan periods end closely following elections to allow the Georgia Capitol Museum staff to retrieve artwork if borrower will not be returning to office.

## **Insurance**

The State of Georgia shall insure outgoing loans to state government buildings. Borrowers not in state government buildings shall insure objects up to appraised values whether as a rider to their current policy or with a new policy created for borrowed artwork.

## **Transportation and Installation**

The Georgia Capitol Museum staff may be available to assist with transportation and installation of all outgoing loans. However, the borrower shall be responsible for all shipping/transport costs. In some cases, museum staff may not be qualified or able to install artwork, and borrower may need to hire art installation.

## **Return of Outgoing Loan**

At the end of loan term, borrower and Georgia Capitol Museum staff will arrange a suitable time to reclaim artwork. At this time borrower will sign "Return of Outgoing Loan Form," acknowledging that artwork is no longer in custody. Condition of artwork will be compared to "Outgoing Loan Condition Form," and any differences shall be noted and explained.

## **Deaccession and Disposal**

Outgoing loans to government offices, museums, and historic organizations will place some of the art under better conditions. Individual pieces should be assessed for condition, quality, and subject matter. Any pieces deemed inadequate shall be removed. The process of removing an object from the permanent collection is termed deaccession.

### **Approval of Deaccession**

Each year Georgia Capitol Museum staff will create deaccession reports concerning artwork that they consider appropriate for deaccession. Each deaccession report must contain:

- A clear acknowledgement that the artwork is owned by the State of Georgia.
- An explanation of why the artwork should not continue to be a part of the Capitol Art Collection (*i.e.*, inferior quality, duplication, unidentified subject).
- An explanation of what will happen to artwork once it is deaccessioned.

The Art Standards Commission must approve all deaccessions.

### **Deaccession Process**

Once deaccession approval is granted by the Art Standards Commission, Georgia Capitol Museum will arrange transfer of ownership to a new recipient. This procedure will be accomplished with a "Deaccession Form" signed by the director of the Georgia Capitol Museum and recipient of artwork. All object IDs will be removed from artwork unless such removal would prove harmful to the artwork.

All transfers of ownership shall be final without conditions.

All information concerning artwork in Georgia Capitol Museum files will be collected and included in a deaccession file. Deaccession will also be noted in a digital database, but artwork record will not be deleted.

### **Deaccession Recipients**

An attempt should be made to locate original donors and the original donors shall be offered the first option to receive deaccessioned artwork. Recipients can be other state agencies, museum, historic sites, private groups, or individual families that have a connection to the artwork. Individual recipients must not be employed by the State of Georgia unless they can prove a direct relationship to subject of artwork.

January 30, 2008





**FINANCE & ADMINISTRATION CABINET  
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES  
DIVISION OF HISTORIC PROPERTIES**

**Criteria for Works of Art in the Kentucky State Capitol**

The Historic Properties Advisory Commission is charged with the responsibility of developing criteria for the display of works of art in the Capitol building. Works of art are defined, for the purposes of these criteria, as sculptures, busts, plaques, paintings, or portraits of Kentuckians of significance to the Commonwealth. Preference will be given to Kentucky artists, but not limited to them. Acceptance of works of art will be the responsibility of the Historic Properties Advisory Commission.

The design, materials, weight of object, type of frame, and any legend must have prior approval by the Historic Properties Advisory Commission. The selection shall be based upon the individual's contribution to the academic, agricultural, artistic, civic, cultural, economic, historical, industrial, political, or social development of the Commonwealth of Kentucky. Any works of art accepted by the commission for permanent display shall be donated in fee simple to the Commonwealth of Kentucky. Works of art that are memorials may only be submitted for persons who have been deceased for at least 15 (fifteen) years to gain a suitable historical perspective. Once accepted, the memorial will be displayed in the Capitol building for at least ten (10) years, after which time they may be transferred to the Kentucky Historical Society for periodic display within their assigned exhibit areas.

The Kentucky State Capitol is a historic building whose majestic beauty, structural integrity, and historical character must be maintained for all future Kentuckians. In order to provide the protection of the Capitol demands, the Historic Properties Advisory Commission has approved the following rules regarding placement of works of art in the Capitol.

**Building Limitations:** No structural changes will be made to the building to accommodate displays of art work. The lighting scheme will not be updated in any of the areas due to the limited capacity of the existing electrical system. The structural integrity of the building must be maintained, and weight limitations will be strictly enforced in all areas.

**Rotunda:** In order to protect the structural integrity of the Capitol building, the present selection and position of the monumental sculptures displayed in the Rotunda of the New State Capitol shall be maintained. Additional works of art will not be accepted for display in the Rotunda.

**Main Entrance Foyer:** Space shall be provided in the foyer for the hanging of a portrait of the incumbent Governor. The Governor's portrait shall be displayed in the main entrance foyer during the period of his/her incumbency as Governor of the Commonwealth of Kentucky, after which time the portrait shall be transferred from the Division of Historic Properties to the Kentucky Historical Society. Space in the main entrance foyer may be allocated to provide space for a tour guide desk and other materials related to historical, cultural, education, and civic aspects of the Commonwealth of Kentucky.

**East and West End Foyers:** These areas are reserved for display of three-dimensional works of art. Structural limitations and questions of public egress limit these areas to works of art other than paintings and portraits.

**First Floor Corridors:** These public areas are primarily devoted to rotating works of art, with preference given to Kentucky artists. The northwest corridor is presently dedicated to displays depicting Kentucky women.

- Works of art allowed in these corridors will *only* be accepted under the adopted rules regarding building limitations and time limitations. The time frame for each exhibit will be negotiated separately, with none to exceed the established limits.
- Insurance and liability for any works of art will be the responsibility of the sponsoring party(s.)
- No physical changes will be made in the building to accommodate any displays or exhibits.
- The sponsoring party(s) shall be responsible for the care and appearance of the works of art. The Division of Historic Properties reserves the right to remove or rotate any works of art should their appearance begin to deteriorate prior to the previously agreed time limit and the sponsoring party(s) declines to take appropriate action to correct the problem(s.)

**Adopted by the Historic Properties Advisory Commission, October 3, 1996.**

**CRITERIA FOR WORKS OF ART  
IN THE NEW KENTUCKY STATE CAPITOL**

**Addendum A**

**Time Limitations for Rotating Displays of Works of Art**

- Agreements will be negotiated for each approved display, with the terms not to exceed 48 months.
- Works of art proposed for exhibit that are 50 years old or older will be displayed on a 6-month schedule to protect the delicate nature of the work of art.

**Adopted by the Historic Properties Advisory Commission October 3, 1996.**

## Kentucky State Capitol



### Criteria for Monuments/Memorials/Works of Art

(Capitol Monument Park, Bird Sanctuary, Public Visitors Center)

The Historic Properties Advisory Commission is charged with the responsibility of developing criteria for the display of monuments and memorials on the grounds of the Capitol campus. Monuments should be of historical significance to the Commonwealth of Kentucky. Preference will be given but not limited to Kentucky artists. Acceptance of works of art and monuments will be the responsibility of the Historic Properties Advisory Commission, Finance Cabinet Administration and Office of Legal Services.

The following specifications: design, materials, weight and size of object, and location must have prior approval by the Historic Properties Advisory Commission, Finance Cabinet Administration and Office of Legal Services before consideration of placement on Capitol grounds. Exterior “work of art” shall include any mural, artistic glass, statue, sculpture, monument, tablet, fountain, or other article or structure of a permanent character intended for decoration or commemoration. The selection shall be based upon the individual’s or group contribution to the academic, agricultural, artistic, civic, cultural, economic, historical, industrial, political, or social development of the Commonwealth of Kentucky. A commemorative memorial may only be submitted for persons who have been deceased for at least 15 (fifteen) years to gain a suitable historical perspective. The intent of a monument is to inform and educate, to honor people, and give meaning to the events that have shaped our enduring institutions and that have shaped us as well. As monuments are placed in the landscape and in relation to one another, they add to the ongoing living history of the community and state. Monuments affirm the past’s relevance and can provide instruction on how to proceed in the future. They should be objects that reflect the pride of a craftsmen and one in which the use of human hand is evident. Due to limited space for monuments on the Capitol grounds, the criteria will be adhered to and reviewed quarterly and as needed by the Historic Properties Advisory Commission.

The Kentucky State Capitol is a historic building whose majestic beauty, architectural integrity, and historical character should be maintained for all future Kentuckians. In order to insure the preservation of the Capitol’s integrity, the Historic Properties

Advisory Commission has approved the following rules regarding placement of monuments in the Capitol Monument Park and Capitol campus.

**Purpose of the Guidelines for Capitol Monument Park:**

(1) To ensure the development and preservation of an appropriate historical setting that enhances and perpetuates the historic integrity of the Kentucky State Capitol.

(2) To ensure the continued public use and enjoyment of an appropriate historical landscape for the Capitol complex.

(3) To ensure that future commemorative works, such as constructed memorials and/or monuments, are integrally incorporated into appropriately designated areas that enhance the overall planning philosophy for the Capitol complex.

(4) To ensure that future commemorative works, such as constructed memorials and/or monuments, are: appropriately designed, constructed, and located; reflect a consensus of the lasting statewide significance of the subject involved; and are funded for appropriate materials, design, construction, and maintenance.

**Procedures for approval of memorials/monuments in the Capitol complex:**

(1) No additional memorials and/or monuments shall be placed on historic Capitol grounds except as authorized by the Historic Properties Advisory Commission.

(2) For any monument authorized by the legislature to be constructed within the Capitol complex, the office of Historic Properties, along with the Historic Properties Advisory Commission shall be consulted concerning potential sites available on the Capitol complex. A grounds monument location map will be incorporated into the master plan to define potential locations.

(3) A preliminary proposal shall be submitted to the Division of Historic Properties for review at the time potential sites are reviewed. This preliminary proposal will include:

(A) Administrative arrangements to oversee the project's fundraising, design, materials and construction.

(B) Preliminary design intentions.

(4) Using the Capitol's approved master plan, the office of the Division of Historic Properties shall submit the proposal and recommended site selection for the monument to the Historic Properties Advisory Commission for preliminary site approval.

(5) The director of the Division of Historic Properties will submit the final design proposal and his/her recommendations to the Historic Properties Advisory Commission. The Historic Properties Advisory Commission's consensus will determine final approval for the design and site location.

(7) The director/state curator of the Division of Historic Properties shall execute a Memorandum of Agreement (MOA) between Commonwealth and group for any memorials and/or monuments after a proposal has received Historic Properties Advisory Commission approval.

(8) Criteria for approval of memorials and/or monuments by the Historic Properties Advisory Commission will include the following:

(A) Site selection shall be consistent with the purposes stated previously and shall be based on the approved master plan.

(B) A military commemorative work may be established only to commemorate a war or similar major military conflict or to commemorate any branch of the armed forces. No commemorative work commemorating a lesser conflict or a unit of an armed force shall be permitted.

(C) A commemorative work commemorating an individual or group of individuals shall not be permitted until at least 15 years after the death of the individual or the last surviving member of the group.

(D) The construction of a commemorative work must be in the public's interest, must represent a subject of lasting historical significance to the history and heritage of Kentucky or the United States, and must reflect a consensus of the lasting historical statewide significance of the subject involved.

(E) No public funds shall be used to construct memorials and/or monuments, unless directed to do so through legislation. Funding must be secured and in-hand before a construction permit shall be issued.

(F) Knowledgeable persons qualified in the field of architecture and preservation/maintenance shall be consulted by the applicant to determine structural soundness and durability and to assure that the commemorative work meets high professional standards. Memorials and monuments shall be constructed of durable material suitable to the outdoor environment. Landscape features shall be compatible with the Capitol grounds master plan.

(G) Construction materials must be compatible with the design, historic importance, and building materials of the Capitol. Whenever possible, monuments shall be constructed of granite, bronze, copper, iron, limestone, marble or compatible materials. All materials should be enduring over elements of weather, time and require minimal maintenance.

(H) The maximum height of any monument shall be 10 feet

(I) The maximum cubic feet of any structure incorporated into a monument design shall be 3,000 square feet

(J) The maximum site dimension for a proposed monument shall be 20 feet by 20 feet or 400 square feet

(K) The maximum footprint dimension of any single structure incorporated into a proposed monument shall be 24 feet by 24 feet or 574 square feet

(L) Names of donors shall not be permitted on any memorial and/or monument except where directed by legislation. Permanent recognition is defined as architectural or decorative detailing attached permanently to the Capitol or attached permanently to decorative arts/monuments that make up the Capitol collection. No donor recognition of any kind shall be placed on the exterior of the grounds of the Capitol complex. Donors may be recognized by letters, certificates of appreciation, in printed material, and by other means determined by the Commission.

(M) A maintenance contribution shall be collected annually from each monument project and/or non-profit agency to reimburse the Commonwealth for expenses incurred in mowing the property, trimming foliage and removing trash from site. The contribution amount will be determined by the Finance and Administration Cabinet, HPAC and the

Office of Legal Services.

(N) Monument base must be granite or other suitable material, or not less than 4", and be incorporated into the overall total height of the monument.

(9) The Division of Historic Properties, Finance Cabinet Administration, Office of Legal Services and the Historic Properties Advisory Commission shall have review and approval authority over the construction of the memorial or monument. Any member of the Commission, who shall take part to execute a work of art or structure requiring submission to the Commission, shall be disqualified from voting.

\*(Memorials and markers placed before 2006 are excluded from the guidelines)

(Revised January 12th, 2009)









# COMMONWEALTH of VIRGINIA

*Department of General Services*

Richard F. Sliwoski, P.E.  
Director

Joseph F. Damico  
Deputy Director

1100 Bank Street  
Suite 420  
Richmond, Virginia 23219  
Voice (804) 786-3311  
FAX (804) 371-8305

September 13, 2010

## **Establishment of the Design and Location Review Committee for New Memorials Located on Capitol Square**

As recommended by the Capitol Square Landscape Master Plan, dated July 2004, I hereby establish a Committee to be responsible to review the design and location of all new memorials proposed to be located on Capitol Square. Capitol Square for the purposes of this committee is defined as the area of the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets.

The Committee shall consist of the:

- Clerk of the House of Delegates
- Clerk of the Senate
- Director of the Department of General Services
- Director of the Division of Engineering and Buildings
- Executive Director of the Capitol Square Preservation Council

A handwritten signature in cursive script that reads "R F Sliwoski".

Richard F. Sliwoski, PE  
Director, Department of General Services

*Sept 13, 2010*  
Date



# COMMONWEALTH of VIRGINIA

*Department of General Services*

Richard F. Sliwoski, P.E.  
Director

Joseph F. Damico  
Deputy Director

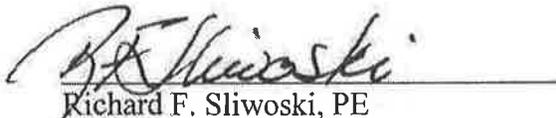
1100 Bank Street  
Suite 420  
Richmond, Virginia 23219  
Voice (804) 786-3311  
FAX (804) 371-8305

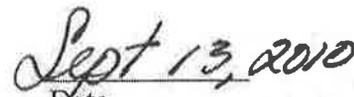
September 13, 2010

## **Policy for Location of New Memorials on Capitol Square**

As recommend by the Capitol Square Landscape Master Plan, dated July 2004, I hereby establish this policy for selecting a location for new memorials proposed for Capitol Square. Capitol Square for the purposes of this policy is defined as the area of the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets.

Commissions established for the creation of new memorials, the Governor or his designee, or the Director of the Department of General may present a proposal requesting a location to the Design and Location Review Committee for New Memorials Located on Capitol Square. This location may not be in the area bounded by The Avenue, Monument Walk, and Governor's Walk. The Committee will make a recommendation to the Director of the Department of General Services who will have final approval for the location of all new memorials.

  
Richard F. Sliwoski, PE  
Director, Department of General Services

  
Date





## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 6:36 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. - OIR-Security\*\*\***

Alabama

---

**From:** Lynn, Katherine [<mailto:Katherine.Lynn@bc.alabama.gov>]  
**Sent:** Thursday, July 30, 2015 1:59 PM  
**To:** Marcia Stone  
**Subject:** RE: Inquiry - Historical Figures & Artifacts on State Grounds

The Alabama Historical Commission has the responsibility for the historic character of the State Capitol. I believe that they in conjunction with State Archives have developed policies and procedures for objects displayed inside and monuments, landscaping, and other items outside of the State Capitol. POCs are listed below:

Lisa Jones, Acting Executive Director, Alabama Historical Commission – [lisa.jones@preserveala.org](mailto:lisa.jones@preserveala.org)  
Steve Murray, Executive Direct, State Archives – [steve.murray@archives.alabama.gov](mailto:steve.murray@archives.alabama.gov)  
Eleanor Cunningham, State Capitol Site Director – [Eleanor.Cunningham@preserveala.org](mailto:Eleanor.Cunningham@preserveala.org)

Thank you,  
Katherine

Katherine Lynn  
Director, Technical Staff  
Alabama Building Commission  
(334) 242-4082

---

**From:** Marcia Stone [<mailto:mstone@csg.org>]  
**Sent:** Monday, July 27, 2015 3:43 PM  
**To:** NASFA <[NASFA@csg.org](mailto:NASFA@csg.org)>  
**Subject:** Inquiry - Historical Figures & Artifacts on State Grounds

A State member needs your assistance. Please reply to this email and/or forward to the appropriate individual in your state for assistance.

In response to the occurrences around the country questioning historical figures and artifacts our State is looking at creating policies outlining criteria to determine which individuals are honored or memorialized by

the placement of a portrait or bust in our state capitol. We are looking for what other states have in place for these types of policies.

1. Does your state have rules or policies regarding what art is placed in its Capitol building or grounds?
  
2. Do the rules or policies cover content such as:
  - a. Appropriateness of subject
  - b. Criteria for individuals or groups honored
  - c. Types of art (paintings, busts, other)
  - d. Duration of placement
  - e. Ownership of objects
  
3. Please provide a copy of any such materials, preferably by email, which may include links to web postings.

Thank you in advance.

National Association of State Facilities Administrators (NASFA)

2760 Research Park Dr.

Lexington, KY 40511

P: 859-244-8181

E: [nasfa@csg.org](mailto:nasfa@csg.org) or [mstone@csg.org](mailto:mstone@csg.org)

[www.nasfa.net](http://www.nasfa.net)

## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 6:37 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. - OIR-Security\*\*\*

2<sup>nd</sup> Alabama

---

**From:** Cassidy, Sean [<mailto:Sean.Cassidy@sd.alabama.gov>]  
**Sent:** Thursday, July 30, 2015 4:26 PM  
**To:** Marcia Stone  
**Subject:** RE: Inquiry - Historical Figures & Artifacts on State Grounds

Marcia

I've check with our Alabama Historical Commission, which is charged with the historical integrity and preservation of our Capitol building, but they do not have a policy/rules in place. However, they were very interested to hear if other states had inputs...inputs they may use to draft a future policy.

If you could forward any inputs to me, that would be very appreciated.

Thank you,  
Sean

SEAN P. CASSIDY  
Chief of Services Division  
Dept of Finance, State of Alabama  
425 S. Union St  
Montgomery, AL 36130  
(334) 353-0371

---

**From:** Marcia Stone [<mailto:mstone@csg.org>]  
**Sent:** Monday, July 27, 2015 3:43 PM  
**To:** NASFA <[NASFA@csg.org](mailto:NASFA@csg.org)>  
**Subject:** Inquiry - Historical Figures & Artifacts on State Grounds

A State member needs your assistance. Please reply to this email and/or forward to the appropriate individual in your state for assistance.

In response to the occurrences around the country questioning historical figures and artifacts our State is looking at creating policies outlining criteria to determine which individuals are honored or memorialized by the placement of a portrait or bust in our state capitol. We are looking for what other states have in place for these types of policies.

1. Does your state have rules or policies regarding what art is placed in its Capitol building or grounds?
  
2. Do the rules or policies cover content such as:
  - a. Appropriateness of subject
  - b. Criteria for individuals or groups honored
  - c. Types of art (paintings, busts, other)
  - d. Duration of placement
  - e. Ownership of objects
  
3. Please provide a copy of any such materials, preferably by email, which may include links to web postings.

Thank you in advance.

National Association of State Facilities Administrators (NASFA)

2760 Research Park Dr.

Lexington, KY 40511

P: 859-244-8181

E: [nasfa@csg.org](mailto:nasfa@csg.org) or [mstone@csg.org](mailto:mstone@csg.org)

[www.nasfa.net](http://www.nasfa.net)

## Peter L. Heimbach

---

**From:** Marcia Stone <mstone@csg.org>  
**Sent:** Thursday, August 13, 2015 7:11 PM  
**To:** Peter L. Heimbach  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. - OIR-Security\*\*\***

New Hampshire

---

**From:** Ryan, Mary Kate [mailto:MaryKate.Ryan@dcr.nh.gov]  
**Sent:** Tuesday, August 04, 2015 1:58 PM  
**To:** Marcia Stone  
**Subject:** FW: Inquiry - Historical Figures & Artifacts on State Grounds

The short answer, for New Hampshire, is no.

The Joint Legislative Historic Committee and Joint Legislative Facilities committees have drafted policies but never adopted them before a change of leadership in the state house. It appears that it's possible that our Executive Council, meeting with the Governor, could also accept monuments or artworks, but that may or may not need to be reviewed by the other two committees.

Sorry we could not be of greater assistance.

Mary Kate Ryan  
State Survey Coordinator :: NH Division of Historical Resources  
19 Pillsbury Street, Concord, NH 03301  
603.271.6435 :: [www.nh.gov/nhdhr](http://www.nh.gov/nhdhr)

### Participate in shaping your preservation plan!

Share photos of your favorite New Hampshire historic places at [My New Hampshire](#).

View submissions to My New Hampshire on [the map](#).

Find out more about the 2016-2020 5-Year Statewide Preservation Plan: <http://www.nh.gov/nhdhr/programs/plan.htm>

*About Us: The New Hampshire Division of Historical Resources was established in 1974 as the "State Historic Preservation Office." The historical, archaeological, architectural, and cultural resources of New Hampshire are among its most important environmental assets. Historic preservation promotes the use, understanding, and conservation of such resources for the education, inspiration, pleasure, and enrichment of New Hampshire's citizens and visitors.*

---

**From:** Marcia Stone [mailto:mstone@csg.org]  
**Sent:** Monday, July 27, 2015 4:43 PM  
**To:** NASFA  
**Subject:** Inquiry - Historical Figures & Artifacts on State Grounds

A State member needs your assistance. Please reply to this email and/or forward to the appropriate individual in your state for assistance.

In response to the occurrences around the country questioning historical figures and artifacts our State is looking at creating policies outlining criteria to determine which individuals are honored or memorialized by the placement of a portrait or bust in our state capitol. We are looking for what other states have in place for these types of policies.

1. Does your state have rules or policies regarding what art is placed in its Capitol building or grounds?
2. Do the rules or policies cover content such as:
  - a. Appropriateness of subject
  - b. Criteria for individuals or groups honored
  - c. Types of art (paintings, busts, other)
  - d. Duration of placement
  - e. Ownership of objects
3. Please provide a copy of any such materials, preferably by email, which may include links to web postings.

Thank you in advance.

National Association of State Facilities Administrators (NASFA)  
2760 Research Park Dr.  
Lexington, KY 40511  
P: 859-244-8181  
E: [nasfa@csg.org](mailto:nasfa@csg.org) or [mstone@csg.org](mailto:mstone@csg.org)  
[www.nasfa.net](http://www.nasfa.net)