

MINUTES

CAPITOL PRESERVATION COMMITTEE

December 12, 2012
Room 144-S—Statehouse

Members Present

Jennie Chinn, State Historical Society, Chairperson
Representative Elaine Bowers
Representative Valdenia Winn
Landon Fulmer
Timothy R. Graham
John Pinegar
Joanne Budler, State Librarian
Barry Greis, Statehouse Architect

Members Absent

Lana Gordon, Secretary of Labor
Peter Jasso, Director, Kansas Creative Arts Industries Commission
Peggy Palmer

Staff Present

Reed Holwegner, Kansas Legislative Research Department
Dylan Dear, Kansas Legislative Research Department
Shirley Morrow, Kansas Legislative Research Department
Chuck Reimer, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Jeff Russell, Director, Legislative Administrative Services
Theresa Kiernan, Committee Assistant

The Chairperson called the meeting of the Capitol Preservation Committee to order.

The Chairperson recognized Chuck Reimer, Office of the Revisor of Statutes, for the purpose of providing an analysis of subsection (c)(1) of KSA 75-2269 as it relates to the Committee's authority to conduct fund raising activities or designate an entity to be a fund raising body for the *Brown v. Board* Mural project and whether the Committee has jurisdiction over the mural of the First Kansas (Colored) Regiment.

Mr. Reimer stated the language in subsection (c) (1) of KSA 75-2269 gives the Committee authority to approve proposals for renovation and the language does not extend to the other mural.

In addition, KSA 75-2255 mentions the Joint Committee on Arts and Cultural Resources regarding the First Kansas mural. In order for the Capitol Preservation Committee to exercise jurisdiction over the mural, the statute would need to be amended by legislation.

Regarding fund raising, Mr. Reimer stated KSA 75-2269 does not contain language authorizing the Committee to conduct fund raising activities or to designate an entity to be a fund raising body for the *Brown v. Board* mural. Mr. Reimer noted members of the Committee may conduct or encourage fund raising activities on an individual basis, just not as the Committee.

Jeff Russell, Director, Legislative Administrative Services, reminded the Committee the Legislative Coordinating Council (LCC) has adopted a policy (No. 57) under which any person is allowed to make a gift or donation for renovation purposes. The term "renovation" has been construed broadly to include enhancement. Barry Greis added a list of enhancements relating to the renovation of the Capitol that has been developed.

Representative Winn stated the Committee should not ignore the First Kansas mural. Tim Graham concurred, suggesting the Committee could seek introduction of a bill to give the Committee jurisdiction over the other mural.

The Committee reached a consensus for the Chairperson to contact the Joint Committee on Arts and Cultural Resources to express this Committee's concern that there has been no movement on the First Kansas mural and to offer this Committee's assistance in order to move forward on that mural. The Committee also agreed to ask the Joint Committee on Arts and Cultural Resources to sponsor a bill transferring jurisdiction over the memorial to this Committee.

Reports from Subcommittees

Chairperson Chinn, on behalf of the Subcommittee on the Visitors' Center, distributed copies of the architect's drawing of the Visitors Center ([Attachment 1](#)). She explained there are concerns relating to humidity and security when historic documents and artifacts are displayed. To address those concerns and prevent deterioration, photographic depictions will be displayed in the green-shaded area (at the bottom of the drawing); artwork will be displayed in the salmon-shaded area (in the middle of the drawing); and historic documents and artifacts will be displayed in the blue-shaded area (at the top of the drawing). Ms. Chinn noted the blue-shaded area is located under the dome of the Statehouse.

Chairperson Chinn distributed copies of the Subcommittee report ([Attachment 2](#)). She stated the goal of the Visitors Center is to challenge the perception of Kansas history and the Kansas landscape held by visitors. She noted the Capitol does not lend itself to comprehensive historical exhibits; therefore, the focus should be on iconic documents, artifacts, or Kansas art work.

Ms. Chinn stated the Subcommittee:

- Would like to have a documentary film on the Capitol available in the Visitors' Center;
- Strongly urges the use of interactive features in the Visitors' Center;
- Noted the Legislature needs to devise a way to provide for recognition of donors; and
- Expressed concern over the lack of food service in the Visitors' Center.

Ms. Chinn stated the next steps in the process are to check the stability of the area to determine whether special display cases will be necessary. The Kansas Historical Society will develop detailed cost estimates.

Mr. Greis noted there has been discussion of a donor wall being placed in the green-shaded area of the Visitors' Center.

Mr. Greis, Chairperson of the Subcommittee on Guidelines for Temporary Displays, distributed copies of the Subcommittee report ([Attachment 3](#)). The Subcommittee reviewed temporary display guidelines adopted by other states ([Attachments 4-9](#)). The Subcommittee agreed to use the policies for the Kansas Statehouse and Capitol Complex adopted in 2003 ([Attachment 10](#)) but never implemented as a foundation for the new guidelines. The following modifications would be made:

- Include an "Introduction" discussing new guidelines necessitated by the capitol restoration process to maintain the historical integrity of the building;
- Strike the term "exhibit" from the definition section of the guidelines and use the term "display" only;
- Bar displays or events that may cause damage to the building or impact safety and security; and
- Prohibit the use of the parking garage for displays.

The Subcommittee proposed dividing the Capitol into three primary usage areas:

- The Visitors Center, which would be under the jurisdiction of the Capitol Preservation Committee;
- The Capitol grounds and areas outside the building, which could continue to be under the jurisdiction of the Office of Facilities and Property Management; and
- The Capitol Building, proper, which would have split jurisdiction:
 - The LCC would have jurisdiction over Floors 3, 4 and 5;
 - Facilities and Property Management would have jurisdiction over Floors 1 and 2. With regard to displays:
 - Displays would be allowed on Floors 1 and 2 only;
 - Displays must relate to Kansas history or culture;
 - Blatantly commercial displays would be prohibited; and
 - Displays would be limited to no more than one week.
 - Adopt food usage guidelines recommended by the LCC; and
 - Setup costs would be paid by sponsoring organizations.

Legislative Administrative Services would approve requests to use space on Floors 3, 4, and 5, and Facilities and Property Management would approve requests on Floors 1 and 2.

In response to a concern raised by Landon Fulmer, Mr. Greis stated the prohibition against commercial display is not intended to prohibit corporate sponsorship of a display. He stated trade shows or displays of the latest model or version of a product would be prohibited, but a display of models or versions of a product that is reflective of the history of the state would be allowed.

Representative Winn, Chairperson of the Subcommittee on the *Brown v. Board* Mural presented the subcommittee report. She stated the Subcommittee had established some deadlines on a tentative time line for the mural project:

- By January 4, 2012, review applications submitted by artists;
- By January 11, 2013, finalize a response to the Request for Qualifications (RFQ);
- By February 1, 2013, send letters to artists who have been invited to submit a proposal;
- Between February and May 2013, the Capitol Preservation Committee would meet to hear from area art historians and art experts for the purpose of educating the Committee on murals, cost, factors of historical importance, and other factors to be considered by the Committee when it evaluates an artist's submission for the mural; and
- October 2015, projected dedication of the mural.

Representative Winn stated a detailed and final time line would be decided upon early in 2013.

Following the presentation of the Subcommittee reports, the consensus of the full Committee was:

- The Committee needed to meet during the time period between February and May of 2013 as recommended by the Subcommittee on the *Brown v. Board* Mural;
- The term "commercial" needed to be defined to address the concerns of the Subcommittee on Guidelines for Temporary Displays;
- The Committee should work with legislators or a legislative committee to sponsor a bill to resolve the issues involving recognition of donors; and
- The Subcommittees proceed with their work.

Landon Fulmer requested staff to provide at the next meeting of the Committee, a legal analysis of the Committee's authority relating to donor recognition.

Tim Graham stated he would like to avoid any controversy over a wall of recognition; it was important that the right precedent be set.

The Chairperson turned the Committee's attention to the issue of landscaping of the Capitol grounds. She stated, at the request of the Governor, a Landscape Subcommittee, composed of herself, Barry Greis, and Landon Fulmer, had been appointed. Mr. Greis reported that:

- A design of the entire grounds will be completed;
- A contract had been entered into with Bartlett and West to be the landscape architects; and
- The physical work on the grounds may not commence until August or September of 2013.

The Chairperson announced she would work with Reed Holwegner, Kansas Legislative Research Department, to prepare the annual report to the Legislature and the Governor. After it is written, the draft annual report would be sent to the Committee for its review and approval.

John Pinegar moved, Joanne Budler seconded, the minutes of the October 24 meeting be approved. The motion was adopted.

John Pinegar moved, Joanne Budler seconded, the Committee adjourn. The motion was adopted.

The Committee adjourned at 2:45 p.m.

Prepared by Theresa Kiernan
Edited by Reed Holwegner

Approved by the Committee on:

February 15, 2013

(Date)