

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 3797

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DATE	D-PG	OFFICIAL STATUS
03/26/2018	6981	Introduction and first reading Referred to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to state government; requiring approval of the Capitol Preservation

1.3 Commission for the display of works of art in certain areas of the Capitol;

1.4 establishing a Capitol Art Advisory Committee; amending Minnesota Statutes

1.5 2016, sections 15B.32, subdivision 6; 138.67, subdivisions 2, 4; 138.68; 138.70;

1.6 Minnesota Statutes 2017 Supplement, section 138.69; proposing coding for new

1.7 law in Minnesota Statutes, chapter 15B.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2016, section 15B.32, subdivision 6, is amended to read:

1.10 Subd. 6. **Duties.** (a) The commission:

1.11 (1) shall exercise ongoing coordination of the restoration, protection, risk management,

1.12 and preservation of the Capitol building;

1.13 (2) shall consult with and advise the commissioner of administration, the board, and the

1.14 Minnesota Historical Society regarding their applicable statutory responsibilities for and in

1.15 the Capitol building;

1.16 (3) may assist in the selection of an architectural firm to assist in the preparation of the

1.17 predesign plan for the restoration of the Capitol building;

1.18 (4) shall develop a comprehensive, multiyear, predesign plan for the restoration of the

1.19 Capitol building, review the plan periodically, and, as appropriate, amend and modify the

1.20 plan. The predesign plan shall identify appropriate and required functions of the Capitol

1.21 building; identify and address space requirements for legislative, executive, and judicial

1.22 branch functions; and identify and address the long-term maintenance and preservation

1.23 requirements of the Capitol building. In developing the predesign plan, the commission

1.24 shall take into account the comprehensive plan for the Minnesota State Capitol Area, as

2.1 amended in 2010, the rules governing zoning and design for the Capitol Area, citizen access,
2.2 information technology needs, energy efficiency, security, educational programs including
2.3 public and school tours, and any additional space needs for the efficient operation of state
2.4 government;

2.5 (5) shall develop and implement a plan to reopen the Minnesota State Capitol and
2.6 reintroduce it to the citizens of Minnesota;

2.7 (6) shall develop and implement a comprehensive financial plan to fund the preservation
2.8 and restoration of the Capitol building;

2.9 (7) shall provide annual reports about the condition of the Capitol building and its needs,
2.10 as well as all activities related to the restoration of the Capitol building; ~~and~~

2.11 (8) may solicit gifts, grants, or donations of any kind from any private or public source
2.12 to carry out the purposes of this section. For purposes of this section, the commissioner of
2.13 administration may expend money appropriated by the legislature for these purposes in the
2.14 same manner as private persons, firms, corporations, and associations make expenditures
2.15 for these purposes. All gifts, grants, or donations received by the commission shall be
2.16 deposited in a State Capitol preservation account established in the special revenue fund.
2.17 Money in the account is appropriated to the commissioner of administration for the activities
2.18 of clause (5), the commission, and implementation of the predesign plan under this section.
2.19 The gift acceptance procedures under sections 16A.013 to 16A.016 do not apply to this
2.20 clause. Appropriations under this clause do not cancel and are available until expended;
2.21 and

2.22 (9) shall approve all exhibits of works of art to be displayed in the new spaces of the
2.23 State Capitol building, as defined under section 15B.36, subdivision 1, before these exhibits
2.24 may be displayed for periods of greater than two weeks.

2.25 (b) By January 15 of each year, the commission shall report to the chairs and ranking
2.26 minority members of the legislative committees with jurisdiction over the commission
2.27 regarding the activities and efforts of the commission in the preceding calendar year,
2.28 including recommendations adopted by the commission, the comprehensive financial plan
2.29 required under paragraph (a), clause (6), and any proposed draft legislation necessary to
2.30 implement the recommendations of the commission.

3.1 Sec. 2. [15B.36] CAPITOL ART ADVISORY COMMITTEE.

3.2 Subdivision 1. Definition. As used in this section, the term defined in this subdivision
3.3 has the following meaning. "State Capitol new spaces" means those areas within the State
3.4 Capitol not included in section 138.67, subdivision 4.

3.5 Subd. 2. Duties. (a) The Capitol Art Advisory Committee shall advise and make
3.6 recommendations to the Capitol Preservation Commission regarding art exhibits to be
3.7 displayed in State Capitol new spaces, including temporary, rotating, or permanent exhibits.
3.8 To develop these recommendations, the committee shall:

3.9 (1) identify Minnesota artists, receive proposals from artists, and evaluate the extent to
3.10 which proposals meet the criteria in paragraph (b); and

3.11 (2) prepare a list of recommended exhibits for consideration by the Capitol Preservation
3.12 Commission, including information on the availability of the exhibits, a summary of how
3.13 the recommended exhibits meet the criteria in paragraph (b) and reflect Minnesota history
3.14 not covered by previous exhibits, and estimated costs and logistical needs for recommended
3.15 exhibits.

3.16 (b) Art exhibits displayed in State Capitol new spaces should engage people to:

3.17 (1) reflect on Minnesota history;

3.18 (2) understand Minnesota government;

3.19 (3) recognize the contributions of Minnesota's diverse peoples;

3.20 (4) inspire citizen engagement; and

3.21 (5) appreciate varied landscapes.

3.22 (c) The commissioner of administration shall provide administrative support and curatorial
3.23 services to the advisory committee, and shall implement the display of the exhibits approved
3.24 by the Capitol Preservation Commission under section 15B.32, subdivision 6, paragraph
3.25 (a), clause (9).

3.26 Subd. 3. Membership. (a) The advisory committee shall consist of seven members,
3.27 including:

3.28 (1) three members of the public appointed by the governor, including two who serve on
3.29 the State Arts Board, and one who serves on the Minnesota State Historical Society Board
3.30 of Directors;

4.1 (2) two members of the public, one appointed by the majority leader of the senate and
4.2 one appointed by the minority leader of the senate; and

4.3 (3) two members of the public, one appointed by the speaker of the house and one
4.4 appointed by the minority leader of the house of representatives.

4.5 In making their appointments to the advisory committee, the appointing authorities shall
4.6 endeavor to select individuals so that the advisory committee reflects the demographic and
4.7 geographic diversity of the state.

4.8 (b) The advisory committee may meet as frequently as needed to complete its work, and
4.9 shall annually, or when requested by the commissioner, provide the commissioner with a
4.10 list of recommended exhibits of works of art by Minnesota artists, as provided for under
4.11 subdivision 2, for possible display in the new spaces of the State Capitol building.

4.12 Subd. 4. **Terms; removal; vacancies; compensation.** Terms, removal, vacancies, and
4.13 compensation shall be as provided in section 15.059.

4.14 Subd. 5. **Chair.** The committee shall elect a chair from among its members. The
4.15 committee may elect other officers as it deems necessary.

4.16 Subd. 6. **Meetings.** Committee meetings are subject to chapter 13D.

4.17 Subd. 7. **Conflict of interest.** A member of the committee may not participate in or vote
4.18 on a decision of the committee relating to an organization in which the member has either
4.19 a direct or indirect financial interest.

4.20 Subd. 8. **Gifts, grants, and donations.** The committee may accept gifts and grants,
4.21 which are accepted on behalf of the state and constitute donations to the state. Funds received
4.22 under this paragraph are appropriated to the commissioner of administration for purposes
4.23 of this committee.

4.24 Sec. 3. Minnesota Statutes 2016, section 138.67, subdivision 2, is amended to read:

4.25 Subd. 2. **Works of art.** "Works of art" in ~~all spaces~~ public areas of the State Capitol;
4.26 means paintings, portraits, mural decorations, stained glass, statues and busts, bas-relief,
4.27 ornaments, furniture, plaques, and any other article or structure of a permanent character
4.28 intended for decoration or commemoration placed in the Capitol ~~in 1905~~ or placed in the
4.29 public areas subsequently for historic purposes or decoration.

5.1 Sec. 4. Minnesota Statutes 2016, section 138.67, subdivision 4, is amended to read:

5.2 Subd. 4. **Public areas of the State Capitol.** "Public areas of the State Capitol" includes
 5.3 the rotunda, the governor's reception room and offices, the senate chamber, the house
 5.4 chamber, the Supreme Court chamber, public legislative hearing and caucus rooms, east
 5.5 and west grand stairs, spiral stairs, and hallways and corridors,~~and all other generally used~~
 5.6 by the public to access these areas of the State Capitol ~~designed for public events or~~
 5.7 ceremonies.

5.8 Sec. 5. Minnesota Statutes 2016, section 138.68, is amended to read:

5.9 **138.68 SUPERVISION OF PRESERVATION.**

5.10 The works of art in the public ~~and ceremonial~~ areas of the State Capitol are declared to
 5.11 possess historical value for the people of Minnesota. The Minnesota State Historical Society
 5.12 and the Capitol Area Architectural and Planning Board shall approve the design, structural
 5.13 composition, and location of all monuments, memorials or works of art presently located
 5.14 in the public ~~and ceremonial~~ areas of the State Capitol or ~~which shall be placed in such~~
 5.15 ~~public or ceremonial areas after June 4, 1971~~ that were located anywhere in the State Capitol
 5.16 prior to July 1, 2013. No monument, memorial or work of art shall be relocated or removed
 5.17 from, or placed in ~~such~~ the public areas of the State Capitol, or altered or repaired in any
 5.18 way without the approval of the Minnesota State Historical Society. The Minnesota State
 5.19 Historical Society shall have final authority over the disposition of any monuments,
 5.20 memorials or works of art removed from the public areas of the State Capitol or the Capitol
 5.21 grounds.

5.22 Sec. 6. Minnesota Statutes 2017 Supplement, section 138.69, is amended to read:

5.23 **138.69 PUBLIC AREAS OF THE STATE CAPITOL; DESIGNATED RESEARCH**
 5.24 **AGENCY.**

5.25 The Minnesota State Historical Society is designated the research agency and is
 5.26 responsible for the interpretation of the public areas for visitors to the Capitol. This involves
 5.27 conducting or approving public programs and tours in the Capitol and State Office Building,
 5.28 including exhibits held in the public areas of the State Capitol,~~providing informational~~
 5.29 ~~services, acting as adviser on preservation, recommending appropriate custodial policies,~~
 5.30 ~~and maintaining and repairing all works of art.~~ Notwithstanding section 138.668, the society
 5.31 may not charge a fee for general tours at the Capitol but may charge fees for special programs
 5.32 other than general tours.

6.1 Sec. 7. Minnesota Statutes 2016, section 138.70, is amended to read:

6.2 **138.70 CAPITOL BUILDING POWERS AND DUTIES.**

6.3 The Minnesota Historical Society shall:

6.4 (1) assist and advise in research and preservation of historical features of the Capitol
6.5 building, appropriate custodial policies, and maintaining and repairing works of art according
6.6 to section 138.69;

6.7 (2) jointly, with the Capitol Area Architectural and Planning Board, review and approve
6.8 the design, structural composition, and location of all monuments, memorials, or works of
6.9 art ~~presently located in the public and ceremonial areas of the Capitol building~~ located in
6.10 the Capitol building prior to July 1, 2013, or proposed for placement in the public or
6.11 ~~ceremonial~~ areas of the State Capitol, according to section 138.68;

6.12 (3) assist with planning and design of restoration and renovations of the Capitol building
6.13 in order to provide public access and education through public interpretive programs
6.14 according to the society's statutory responsibilities under section 138.69; and

6.15 (4) assist the State Capitol Preservation Commission with performance of its duties as
6.16 needed.

6.17 Sec. 8. **CAPITOL ART ADVISORY COMMITTEE; FIRST APPOINTMENTS AND**
6.18 **FIRST MEETING.**

6.19 (a) Appointing authorities for membership of the Capitol Art Advisory Committee under
6.20 Minnesota Statutes, section 15B.36, shall make first appointments to the committee by
6.21 September 15, 2018. The commissioner of administration shall convene the first meeting
6.22 of the committee by November 1, 2018, and shall serve as chair until the committee elects
6.23 a chair from among its members at its first meeting.

6.24 (b) The following members are appointed to terms coterminous with the governor: one
6.25 member appointed by the governor from the State Arts Board; the member appointed by
6.26 the minority leader of the senate; and the member appointed by the minority leader of the
6.27 house of representatives. The remaining members are appointed to terms that end on the
6.28 first Monday in January one year after the terms of the members appointed to terms
6.29 coterminous with the governor.