

# Report of the Capitol Preservation Committee to the 2019 Kansas Legislature

**CHAIRPERSON:** Jennie Chinn, State Historical Society

**SENATE PRESIDENT'S APPOINTEES:** Senator Elaine Bowers and Harrison Hems

**HOUSE SPEAKER'S APPOINTEES:** Representative Fred Patton and Melinda Gaul

**SENATE MINORITY LEADER'S APPOINTEE:** Tim Graham

**HOUSE MINORITY LEADER'S APPOINTEE:** Representative Valdenia Winn

**GOVERNOR'S APPOINTEES:** Kim Borchers and Jeremy Stohs (one position vacant)

**EX OFFICIO MEMBERS:** Frank Burnam, Kansas Department of Administration; and Peter Jasso, Kansas Creative Arts Industries Commission

## **CHARGE**

The Committee will review various issues regarding the Capitol and its grounds, including the expansion of the Law Enforcement Memorial on the Capitol grounds.

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# Capitol Preservation Committee

## ANNUAL REPORT

### Conclusions and Recommendations

The Committee makes the following recommendations:

- The Committee recommends future mural legislation to clearly outline responsibilities and mechanisms for funding of such mural;
- The Committee recommends future mural proposals to include a specific and realistic timeline for accepting artist proposals and an outlined process for working with the artist on completion of such mural;
- The Committee recommends the Director of Legislative Administrative Services to contact the artist of the *Brown v. Board of Education* mural about receiving a copy of the documentary filmed concerning such mural;
- The Committee recommends the State Historical Society and the Kansas Department of Administration to provide the Overmyer murals report and estimates to the Legislative Coordinating Council for its review; and
- The Committee recommends the Kansas Department of Administration continue to explore options for marking the north entrance to the Capitol Building and provide these options to the Committee.

Additionally, the Committee approves of the Law Enforcement Officers Memorial proposal provided by TreanorHL on behalf of the Law Enforcement Officers Memorial Advisory Committee.

The Committee also directs the Chairperson of the Capitol Preservation Committee to discuss the process of the Fallen Firefighters Memorial with the Kansas Firefighters Memorial Advisory Committee.

***Proposed Legislation:*** None

### BACKGROUND

The Capitol Preservation Committee was created by the Kansas Legislature in 2010 to approve renovation proposals in all areas of the Capitol, the Capitol Visitor Center, and the Capitol grounds to ensure the historical beauty of the areas is preserved, preserve the proper decor of those areas, assure any art or artistic displays are

historically accurate and have historic significance, approve the location and types of temporary displays, and oversee the reconfiguration of committee rooms within the Capitol. As provided by KSA 2018 Supp. 75-2269, the Division of Legislative Administrative Services has the responsibility of implementing the recommendations of the Committee.

The Committee is made up of 12 members, with the Governor appointing 3, the President of the Senate and the Speaker of the House each appointing 2, and the Minority Leaders of the House and Senate each appointing 1. The Committee's three ex officio members are the Statehouse Architect, the Executive Director of the State Historical Society, and the Director of the Creative Arts Industries Commission. The Governor has the authority to appoint the chairperson from the Committee's membership.

The Committee was granted one meeting day by the Legislative Coordinating Council (LCC).

## COMMITTEE ACTIVITIES

The Committee met on August 30, 2018, at the Statehouse. During the meeting, the Committee reviewed the *Brown v. Board of Education* mural, including discussion of mural progress and the use of hallway space next to the mural; discussed the conservation of the Overmyer murals on the first floor of the Capitol; received updates on the Capitol Visitor Center, including the correction of cracks on the marble flooring in the Visitor Center, the addition of signage directing visitors to the main entrance of the Capitol, and consideration of a flagpole to mark the entrance; received a presentation on the expansion of the Law Enforcement Officers Memorial on Capitol grounds; discussed the Fallen Firefighters Memorial; received an update on the Eisenhower statue on Capitol grounds; and discussed legislation related to other murals.

### **Review of *Brown v. Board of Education* Mural**

The Committee reviewed the *Brown v. Board of Education* mural, including discussion of mural progress and the use of hallway space next to the mural.

### **Discussion of Mural Progress**

The Committee discussed the *Brown v. Board of Education* mural, noting reaction to the artwork at both donor and public events has been very positive. The Committee discussed the mural selection process, noting the length of the process, which began with enactment of legislation in

2010; involvement of different Committee members and the Mulvane Art Museum at Washburn University; and the process for calling for artists.

The Committee noted, for future selection of artists and artwork, it is important to be cognizant of what is being requested from the artists, the projected timeline of the project, and the need to have frequent communication with the artists to keep everyone apprised of the progress of the project. The Committee noted it would be helpful to have future mural legislation assign responsibility for the project. The Committee indicated some of the delays in the *Brown v. Board of Education* mural project were related to a lack of a clear assignment of responsibility.

The Committee discussed the fundraising activities for the mural. The Committee noted an important component in fundraising is to have a product for the donor to see and believe in; noted the importance of having a fundraising mechanism that can be depended upon to succeed; and indicated donors are more comfortable with writing a check to an agency of the State rather than to a third-party fundraising organization, particularly with the lengthy timeline of these types of projects. The Committee also commended the fundraising work completed by Kenya Cox, Executive Director, Kansas African American Affairs Commission, and Committee member Kim Borchers for the fundraising guidance she provided during the project.

Concerning the contract with the *Brown v. Board of Education* artist, Michael Young, the Director of Legislative Administrative Services indicated the contract contained three phases for payment to the artist. The Director noted a critical item for the contract was providing upfront funding to the artist so work could begin while the remainder of the funding was being acquired. The Director stated the fundraising payments were for approximately \$110,000, but additional money was raised to allow for maintenance and lighting of the mural in future years. The Chairperson requested the artist keep all of the drafts of his work on the project, as there is an interest from a historical perspective in these items.

The Committee also noted coordination with state agencies, particularly with the Office of Facilities and Property Management (Facilities Management), which is overseen by the Kansas Department of Administration, was critical due to issues such as lighting and how to handle the unveiling of the mural. The Committee thanked Facilities Management staff for their work installing and unveiling the mural. Committee members also expressed their appreciation to the Director for his assistance with negotiating the contract with the artist. The Committee noted the contract with the artist permits the State to use the image of the mural.

### ***Use of Hallway Space Next to the Mural***

The Director addressed the use of the hallway space next to the mural, stating concerns had been raised about the number of food and drink events that routinely occur in this area. The issue was brought to the attention of the LCC, which made a decision to no longer allow events with food and drink in this area. The one exception is the use of a table for coffee and food in a small area next to the Old Supreme Court Room when the House of Representatives majority caucus meets in the room.

Committee members expressed their appreciation to the Director for his work with the LCC on determining the rules for usage of the hallway space next to the mural.

### **Conservation of Overmyer Murals**

The Committee previously received concerns from Capitol Visitor Center Staff about cracks in the murals created by David Overmyer on the first floor of the Capitol. The Committee received a report on the damage to the murals prepared by the Museum Registrar of the State Historical Society.

The Committee also received a free estimate for conservation of the murals from a Colorado company. The estimate was in the range of \$8,500 to \$11,500 for on-site treatment of the murals. The estimate specified treatment would include written and photographic documentation; local adhesive consolidation of cracked, loose, lifted paint; filling and painting of losses; and overall dusting of each mural. The estimate included preparation and administrative time, travel time, actual on-site

time, report time plus travel, and on-site expenses. It was based on 4.5 to 6 days of actual on-site time for one conservator; the number of days could be halved by having two conservators on-site. The Committee noted conservation work should not be done during the legislative session due to the number of people in the building.

### **Capitol Visitor Center Updates**

A representative of the Kansas Department of Administration provided an update on issues concerning the Capitol Visitor Center. The representative noted there were a significant number of cracks on the marble flooring in the Visitor Center. He stated Lardner Monuments was contracted to make 14 repairs in late December 2017 and early January 2018, with each repair costing \$100 and involving a colored epoxy material. He stated Facilities Management has changed its cleaning practices and now uses hand mops on the floor rather than a floor machine to help prevent future cracking.

The representative reported Knox Signs and Graphics has been contracted to install ten-inch dark bronze cast aluminum letters over the center arch of the Visitor Center entrance to identify it as a public entrance. In addition, Facilities Management is working on ways to assist the public in finding the Visitor Center from the street and public visitor parking lots.

The representative noted the north entrance of the Capitol was originally planned to have a fountain; however, a fountain would be difficult to maintain. He noted Facilities Management is considering the addition of a 40-foot flag pole with a base instead of a fountain. Committee members discussed options for marking the north entrance of the Capitol, but there was no consensus on either the flagpole or the fountain.

### **Expansion of Law Enforcement Officers Memorial**

A representative of the Kansas Office of the Attorney General informed the Committee there is an unfortunate need to expand the Law Enforcement Officers Memorial on Capitol grounds to recognize fallen law enforcement officers. The representative noted the current memorial is running out of space and an expansion

plan has been developed, which would maintain the integrity of the monument while not detracting from the aesthetics of the Capitol grounds.

A representative of TreanorHL presented an expansion design to the Committee. The representative provided historical background and reviewed the drawings of the plan. The representative explained the expanded design includes a ripple effect to symbolize the ripple effect that each law enforcement officer has on the community as he or she performs his or her duties; the design incorporates suggestions from Facilities Management, such as the relocation of benches to reduce the amount of debris and water that might accumulate around the memorial and removal of granite chips around the perimeter; and noted the symbolism of soft blue lighting and the use of lions in the design. The representative stated the expansion includes space for an additional 384 names and visitors will be able to use an app to assist in finding the panel on which a specific name is located. The representative stated the plan documents are being finalized and, once approved, can go out for bid. The representative stated construction would not begin until after the next planned ceremony in May 2019.

The Committee noted the design is well-thought-out and dignified.

### **Fallen Firefighters Memorial**

Staff of the Office of Revisor of Statutes provided an update concerning the Fallen Firefighters Memorial, noting there are some funding mechanisms in law for such a memorial, but additional funding is needed and the design concept needs to be finalized.

A representative of the Kansas Department of Administration noted funds have been allocated for construction and maintenance, but additional funding is needed to pay for the design phase and other expenses exceeding the initial funding provided. The Committee was informed the original design concept would need to be reevaluated since there have been changes to the Capitol grounds since 2001.

### **Eisenhower Statue Update**

A representative of the Kansas Department of Administration provided the Committee with an update on the Eisenhower statue on the northwest corner of the Capitol grounds. (*Note:* In its report to the 2018 Legislature, the Committee supported the enactment of legislation for the Eisenhower statue on Capitol grounds. Legislation authorizing the construction of such a statue honoring Eisenhower was enacted by the Legislature in 2018 SB 262.) The representative noted Peterson Monuments of Abilene, Kansas, has been contracted to engrave a granite pedestal with “Dwight D. Eisenhower,” with delivery and installation of both the pedestal and statue on the Capitol grounds in mid-October 2018. The concrete footing and base were already in place when the Committee met. Jim Brothers Sculpture Studio, Inc., of Lawrence, Kansas, had been contracted to create the statue with scheduled delivery on or before October 12, 2018. The representative noted the date of the dedication of the statue would be coordinated with the availability of family members to attend. (*Note:* The dedication was held on October 22, 2018.)

### **Legislation Related to Other Murals**

The Committee discussed other murals that have been requested through legislation, but have not yet been completed. Kansas Legislative Research Department staff noted one mural, to honor the 1st Kansas (Colored) Voluntary Infantry regiment. The Chairperson stated it was her understanding additional legislation would be needed to move forward with the project.

### **CONCLUSIONS AND RECOMMENDATIONS**

Following discussion, the Committee made the following recommendations:

- The Committee recommends future mural legislation to clearly outline responsibilities and mechanisms for funding of such mural;
- The Committee recommends future mural proposals to include a specific and realistic timeline for accepting artist proposals and an outlined process for

working with the artist on completion of such mural;

- The Committee recommends the Director contact the artist of the *Brown v. Board of Education* mural about receiving a copy of the documentary filmed concerning such mural;
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explore options for marking the north entrance to the Capitol Building and provide these options to the Committee;

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