

Capitol Area Architectural and Planning Board

Proposed Permanent Rules Regulating Capitol Area Commemorative Artwork

2400.2040 DEFINITIONS.

Subp. 3a. **Addition request.** "Addition request" means the application form that an applicant submits to the board ~~formally~~ requesting the addition of a new artwork and describing ~~reasons~~ why the applicant believes that the artwork should be added to the commemorative artwork collection.

Subp. 8a. **Applicant.** "Applicant" means a person or group that ~~who~~ submits an application for addition, modification, or removal of an artwork.

Subp. 8b. **Architectural advisers.** "Architectural advisers" means the three members of the architectural advisory committee established under Minnesota Statutes, section 15B.11, subdivision 2, who are responsible for advising the board on all architectural and planning matters.

Subp. 15. **Board.** "Board" means the Capitol Area Architectural and Planning Board as created by Minnesota Statutes, section 15B.03, subdivision 1. ~~The board is the body responsible for making long term planning and zoning decisions in the Capitol area and making decisions about changes or improvements in the Capitol area and on the Capitol mall.~~

Subp. 19a. **Board staff.** "Board staff" means ~~officers and~~ employees of the CAAPB led by the executive secretary ~~who is selected by the board~~, who execute the decisions of the board.

Subp. 19b. **Capitol grounds.** "Capitol grounds" means the exterior areas of any state-owned land in the Capitol area including state-owned ~~the~~ rights-of-way, ~~the entirety of~~ the Capitol mall, and the exterior courtyards and public lobbies of state-owned buildings, other than the Capitol itself. Areas in the Capitol grounds are identified on Map X.

Subp. 19c. **Capitol mall.** "Capitol mall" means the open space between the Department of Transportation Building, Centennial Building, Veterans Services Building, and the Capitol, including the lawn surrounding the Capitol.

Subp. 19d. **Commemorative artwork.** "Commemorative artwork" means a monument, memorial, or other type of original piece in any style, expression, genre, or media that is the unique creative expression of an artist designed to memorialize cultural, social, and political aspects of Minnesota's history. A commemorative artwork expresses or reflects the collective memory of an individual person, group, or event. Commemorative artwork serves four primary functions:

- A. to memorialize and remember;
- B. to inform and inspire the viewer;
- C. to have lasting historic and cultural significance; and
- D. to accentuate and enhance the urban landscape.

Commemorative artwork may be ~~permanent or event-based~~, temporary, or long-term. Any

commemorative artwork ~~that is event-based, as defined under Subp. 41a. Lifespan, on display for less than a week~~ is not within the scope of this subpart.

Subp. 24a. **Design framework.** "Design framework" means a plan that provides a structure for the organized development of an area to prevent ad hoc decision-making.

Subp. 24b. **Design process.** "Design process" means the process that the board follows after the board approves a request for the addition or modification of a ~~new~~ commemorative artwork to the Capitol grounds, ~~a jury picks a designer~~ group selects the designer or design concept with the board's oversight and approval, and money is raised for the design and implementation. Design process includes:

- A. schematic design: the description of the overall design concept for an artwork;
- B. design development: a refined version of the schematic design with scaled drawings showing the architectural and site plan details and list of materials;
- C. construction documents: the instructions for contractors to build the artwork; and
- D. bidding: the search for a contractor to execute the artwork, based on price and qualifications.

Subp. 24c. **Designer.** "Designer" means a person generally recognized ~~by the public, peers, and entities~~ as the lead practitioner in the creative vision and design development of an artwork. A designer includes an architect, a landscape architect, and an engineer. ~~In most cases, a designer is required to sign construction documents.~~

Subp. 25a. **Disposition.** "Disposition" means the termination of ownership and possession of an artwork from the commemorative artwork collection through sale, donation, or demolition.

~~Subp. 40a. **In the public interest.** "In the public interest" means that an artwork or modification of an artwork positively affects the rights, health, well being, or finances of all Minnesotans.~~

Subp. 41a. **Lifespan.** "Lifespan" means the time that an artwork is displayed in the Capitol area, which is:

- A. event-based: when an artwork is displayed in the Capitol area one to 14 days;
- B. temporary: when an artwork is displayed in the Capitol area 15 days to one year
- C. ~~permanent or site integrated~~ long-term: when an artwork is displayed in the Capitol area more than one year as part of a site or structure that is expected to be in place for an extended period of time. must not be removed.

Subp. 50a. **Modification.** "Modification" means a process that changes the meaning, character, appearance, or interpretation of an artwork. Modification includes:

- A. relocation: the movement of an existing artwork to a different location in the Capitol area;
- B. structural modification: the addition, removal, or alteration of any physical aspect of an artwork; or
- C. recontextualization: the addition of interpretive material to an artwork, such as additional signage.

Subp. 50b. **Modification request.** "Modification request" means an application form that an applicant submits to the board regarding a specific artwork, describing ~~reasons~~ why the applicant is requesting to modify or relocate the artwork and ~~formally~~ requesting modification of the artwork.

Subp. 65a. **Removal.** "Removal" means the ~~deliberative review~~ process and decision under 2400.2703 to remove an artwork from its location on the Capitol grounds. ~~the commemorative artworks collection.~~

Subp. 65b. **Removal request.** "Removal request" means an application form that an applicant submits to the board regarding a specific artwork, describing ~~reasons~~ why the applicant is requesting to remove the artwork and ~~formally~~ requesting removal of the artwork.

Subp. 69a. **Spatial envelope.** "Spatial envelope" means the shared, multidimensional space surrounding an artwork.

2400.2703 STANDARDS FOR COMMEMORATIVE ARTWORK.**Subpart 1. Guiding principles for commemorative artwork.**

- A. Commemorative artwork on the Capitol grounds must reflect the state's diverse history and people.
- B. The board must:
 - (1) provide for public input, public access, and transparency in making decisions about commemorative artwork on the Capitol grounds;
 - (2) consider the historic, architectural, and artistic integrity of the Capitol building; and
 - (3) review existing commemorative artwork as needed or every ten years to:
 - (a) gather public input regarding the commemorative artwork collection;
 - (b) ensure that the artwork in the commemorative artwork collection meet the standards and intent of parts 2400.2040 to 2400.2703;
 - (c) ~~upon receipt of a modification or removal request, evaluate whether an artwork meets one or more conditions for modification or removal; or~~
 - (d) review parts 2400.2040 and 2400.2703 to ensure that they remain accessible to the public, accomplishable, and relevant to the board's work.
- C. All decisions about commemorative artwork must account for the historic, architectural, and artistic integrity of the Capitol building and grounds.

Subp. 2. Conditions for adding new artwork. The board ~~must shall~~ consider displaying new commemorative artwork in the Capitol area if the artwork meets all of the following conditions:

- A. there has been documented public support of the artwork;
- B. the artwork has lasting statewide significance for Minnesotans;
- C. the artwork is respectful of the diversity of Minnesotans;
- D. viewing the artwork provides a rich experience to broaden the understanding of Minnesota's shared history, heritage, and culture; and
- E. if an individual is the subject of an artwork, the individual must:
 - (1) have lived in Minnesota or the geographical area now identified as Minnesota for at least five years during the individual's life;
 - (2) have historical significance;
 - (3) be renowned widely recognized and admired by Minnesotans; and
 - (4) have been deceased for at least ten years.

Subp. 3. Application and review process for new artwork.

Applicants, designers, the board, and board staff must follow these steps when considering the addition of a new commemorative artwork:

- A. ~~The An~~ applicant requesting placement of a commemorative artwork in the Capitol area must submit the application form available from board staff. The board must also provide clear and accessible instructions for completing the form. When board staff receive a completed addition of a commemorative artwork request form, board staff must provide written confirmation of receipt to the applicant. Board staff ~~may must~~ not process incomplete applications and must notify an applicant if the application is incomplete.
- B. Board staff must determine if an addition request meets the conditions specified in subpart 2.
 - (1) If the addition request meets all of the conditions in subpart 2, board staff must notify the applicant, ~~and that the board has accepted the application. w~~Within 14 days ~~of application acceptance, board staff~~ must notify the Department of Administration of the addition request and post a proposal summary on the board website.
 - (2) If an application fails to meet all conditions in subpart 2, board staff must notify the applicant that the board has ~~declined rejected~~ the addition request and the reasons for rejection. After the board has rejected an applicant's application, the applicant may resubmit the application or request further review of the application by the full board.
- C. After accepting an application for an addition, board staff and architectural advisers must conduct a site selection study with the applicant for the proposal. The Department of Administration must review and comment on proposed sites where the board is considering displaying the commemorative artwork. Board staff and architectural advisers must recommend a site for the proposed artwork to the full board based on the criteria for location of new artwork in subpart 4.
- D. After board staff and advisers identify a site for the proposed artwork, the board ~~must shall~~ hold a public hearing and must affirm through board vote that the proposal meets all of the conditions under subpart 2. The board must notify the applicant of the board's final decision.
- E. If the board approves of the proposed artwork and the artwork's location, the applicant must raise enough money to pay for the cost of conducting a design competition. This money covers the design selection process elements, such as promotion, publicity, design review group expenses, and in the case of a formal competition, ~~and~~ awards or stipends for the competition finalists. ~~top three selected designs.~~
- F. The applicant must work with board staff and the architectural advisers to develop a design framework document that includes:
 - (1) the goals and objectives of the applicant;
 - (2) the applicable zoning, standards, project planning parameters, or design, ~~and programmatic~~ guidelines for the selected site;
 - (3) the proposed budget, schedule, location, site-specific conditions, and technical

parameters;

- (4) the plan for informing and engaging ~~key~~ stakeholders and members of the public during the design competition; and
 - (5) additional competition guidelines including composition of the design selection group-jury makeup, designer qualifications, ~~jury selection~~ criteria to be used by the design selection group, and submission requirements.
- G. In accordance with Minnesota Statutes, Section 15B.21, subdivision 3, the board must provide testimony to the legislature on any commemorative artwork proposal in the Capitol area seeking legislative authorization or appropriation of funding. The applicant may be asked to testify on behalf of their proposal. This testimony must address the proposal's alignment with the Capitol mall design framework ~~and in~~ the Comprehensive Plan for the Minnesota Capitol Area, which is incorporated by reference, is not subject to frequent change, and is available on the Capitol Area Architectural and Planning Board website.
- H. Using the Capitol mall design framework in the Comprehensive Plan for the Minnesota Capitol Area ~~incorporated by reference under item G~~, the board must initiate either an open solicitation for design proposals or a request for qualification process to select a designer or design concept through a design competition. The board must assemble a design review group to assist the board in selecting a designer or design concept. A design review group ~~A jury~~ must include board members, board staff, architectural advisers, Minnesota Historical Society staff, designers, Department of Administration staff, the applicant, and any other members that the board determines necessary to help the board select a designer and design concept. The jury must review the design options and vote for a design concept.
- I. After the design group's vote, ~~t~~The board must review and approve of the design review group's jury's process and decision to ensure that the design review group jury followed the procedures in The Handbook of Architectural Design Competitions, which is incorporated by reference, is not subject to frequent change, and is available on the American Institute of Architects website.
- J. Upon selection of a designer and design concept by the design review group jury and before design and construction begin, the applicant must deposit with the Department of Administration enough money to complete the project as designed and an amount equal to 20 percent of the total estimated construction costs to cover the costs of operation, repairs and maintenance of the work over time. Board staff are available to offer funding advice and provide testimony to the legislature but may not directly raise money for the applicant.
- K. After funding is complete, board staff and advisers, a designer or an artist, an applicant committee, and a Department of Administration project manager must form a working group to monitor the design framework and budget through schematic design and design development phases. With guidance from the working group, the selected designer must enter into a contract with the Department of Administration that includes a project timeline and budget.

- L. The selected designer must proceed with the schematic design and design development phases with regular working group reviews. After approval by the executive secretary of the schematic design and design development phases, the project must proceed with construction documents and bidding under guidance of the working group. The board must issue final approval of bid documents for compliance with the Capitol mall design framework in the Comprehensive Plan for the Minnesota Capitol Area and parts 2400.2040 and 2400.2703.

Subp. 4. **Criteria for determining location of new artwork.** The board must use the following criteria to evaluate the proposed location for the commemorative artwork in the Capitol area:

- A. The site must be ~~visible and~~ accessible to all members of the public and visible to people nearby.
- B. The scale of the artwork must fit the artwork's location, providing familiarity to the viewer while not being overpowering. The artwork's size must not detract from the Capitol. The board must consider the artwork's visual and spatial relationships to the artwork's surroundings.
- C. The use of the site must not interfere with any existing artwork.
- D. The use of the site must maintain and protect existing open space and the space's public use.
- E. The location must follow all applicable zoning, environmental, code, and public safety rules and regulations. The artwork must fit within the thematic organization of the Capitol grounds and the Capitol mall design framework found in the Comprehensive Plan for the Minnesota Capitol Area, ~~which is incorporated by reference, is not subject to frequent change, and is available on the Capitol Area Architectural and Planning Board website~~. The board must consider the site's relationship to other artwork and the Capitol.

Subp. 5. **Criteria for design of new artwork.** The board must use the following criteria to evaluate and guide the design of a proposed commemorative artwork:

- A. The artwork must encourage ~~public~~ engagement by the public and provide amenities such as seating, ~~when appropriate~~.
- B. The design and setting of an artwork must consider climatic elements like sunlight, shade, wind, and the varied Minnesota seasons.
- C. An artwork must seek to enhance the beauty of the Capitol area, while respecting the State Capitol's art and architecture. To the extent possible, aAn artwork must embrace a design scheme that is the Capitol area's historic features.
- D. An artwork's illumination must not compete with or distract from the sight of the Capitol. If the artwork uses evening illumination, the artwork must integrate the illumination into the artwork's design and not obstruct the view of other artwork.
- E. The landscape design of an artwork must incorporate hardy, low-maintenance plantings that are not prone to overgrowth.
- F. The intended message of the artwork must be clear and understandable. The artwork must convey a meaning of enduring value for future generations. The artwork may incorporate

signage.

- G. Materials for the artwork must be durable, visible to people nearby, and compatible with the artwork's setting. To address durability concerns, the board must give preference to an artwork made of bronze over stainless steel. The board must give preference to an artwork using stone, such as granite or limestone, for key features, vertical elements, flooring, and surfaces. If an artwork uses concrete, the board must consider the artwork's color, texture, scoring, aggregate, and density. ~~The board prohibits an artwork~~ may not include from incorporating metal seating that could cause burns. If water features and in-ground lighting are included in an artwork, ~~an applicant must the board requires the applicant to~~ deposit a maintenance and operating fund that is at least larger than the standard 20 percent of construction costs.
- H. Artworks must be designed to be compatible with its immediate surrounding spaces, with respect to the Capitol mall landscape design and with respect to the intended public functions and activities of the mall. The space surrounding an artwork must provide a compatible setting while
- I. ~~respecting the surrounding Capitol mall landscape design and intended public functions.~~ The proposed artwork must not interfere with any existing artwork. Any element of the artwork other than trees must not exceed 20 feet in height.
- J. The size of the artwork must reflect the artwork's importance and adhere to the Capitol mall design framework and in the Comprehensive Plan for the Minnesota Capitol Area, ~~which is incorporated by reference, is not subject to frequent change, and is available on the Capitol Area Architectural and Planning Board website.~~ Due to limited open space, the board must give preference to smaller commemorative artwork.
- K. A freestanding artwork must affect the space in which the artwork stands. The size of the surrounding spatial envelope must be compatible with the scale of the artwork.
- L. The artwork's design, construction, materials sourcing, and maintenance must conserve energy and water resources.
- M. The design and placement of an artwork must consider contextual issues, such as orientation and background. The artwork's height and scale must be appropriate to the artwork's location on the Capitol mall.

Subp. 6. **Conditions for modification or removal of an existing artwork.** ~~The board must consider requests for the modification or removal of an existing commemorative artwork if one or more of the following conditions apply:~~

- A. there has been sustained, overwhelming, and documented public objection to the artwork;
- B. the artwork does not meet the guiding principles or violates parts 2400.2040 and 2400.2703;
- C. the artwork has ~~serious~~ faults in construction or requires ~~extreme~~ maintenance such that the Department of Administration is unable to properly care for or store the artwork;
- D. the site for the artwork is no longer safely accessible to the public or is due to be demolished;

or

- E. significant changes in the use, character, or design of the site require re-evaluation of the relationship of the artwork to the site.

Subp. 7. Application and review process for modification or removal of artwork.

Applicant, designers, the board, and board staff must follow these steps when considering the modification or removal of an existing commemorative artwork:

- A. ~~The~~An applicant requesting the modification or removal of a commemorative artwork in the Capitol area must submit the application form available on the board website. The board must also provide clear and accessible instructions for completing the form. When board staff receive a modification or removal request, board staff must provide written confirmation of receipt to the applicant. Board staff ~~may~~ must not process incomplete applications and must notify the applicant if the application is incomplete.
- B. Board staff must determine if the modification or removal request meets one or more of the conditions in subpart 6.
- (1) If the modification or removal request meets one or more conditions in subpart 6, board staff must notify the applicant, ~~and that the application has been accepted. W~~within 14 days ~~of completing the review of an application for modification or removal of an existing artwork, board staff must~~ notify the Department of Administration of the modification or removal request and post a proposal summary on the board website.
 - (2) If the modification or removal request does not meet any of the conditions in subpart 6, board staff must notify the applicant that the application is declined. board rejected the application and the reasons ~~for the rejection~~. The applicant may submit another application or request further review of the application by the full board.
- C. If the board executive secretary receives a complete request form and determines that the request meets one or more conditions in subpart 6 for modification or removal, the board executive secretary must convene a select commemorative artwork review committee that includes the following members appointed by the chair of the board:
- (1) one board member;
 - (2) one member of the architectural advisers committee;
 - (3) one person appointed by the commissioner of the Department of Administration to represent the agency;
 - (4) two professionals experienced in the fields of visual art, public art, art history, architecture, or history. One of the professionals must have knowledge of artwork conservation;
 - (5) up to five additional committee members as needed for technical expertise or to represent the public interest; and

- (6) board staff that oversee and support the committee's work.
- D. The commemorative artwork review committee must open a 30-day comment period and hold at least one public meeting to gather public input on a proposed modification or removal. The committee may also decide to hold additional public meetings or gather community input using other methods. If the applicant ~~cannot be located no longer exists~~, the committee must give timely notice of this meeting to a member of the public who represents the applicant's perspective. In addition, the committee must give at least 10 days ~~timely~~ notice to the applicant requesting modification or removal of the artwork. The committee must give both applicants the opportunity to testify at the public hearing.
- E. The board executive secretary must prepare and post to the board website a report that includes:
- (1) a written description and images of the artwork, information about and images of the artwork's site, and a warranty of originality of the artwork;
 - (2) the origin, derivation, history, and past ownership of the artwork; the original acquisition method and purchase price; the original intent of the artwork by the artist or organization that advanced the artwork; and evidence of public debate, if applicable;
 - (3) a summary of the proposed modification or removal; and
 - (4) an analysis of the reasons for the proposed modification or removal and the proposal's impact on the commemorative artwork collection.
- F. Board staff must provide the commemorative artwork background report to the commemorative artwork review committee for review and present the report to the public in a public hearing. Each committee member must present the committee member's views and participate in the discussion. The committee must make the committee's recommendation to the full board for a final decision. The board must determine if an additional 30-day comment period and second public hearing are necessary to gather further input. Upon final decision concerning the request, the board must send a written copy of the decision to the applicant.
- G. The board executive secretary must prepare and post to the board website a report that includes:
- (1) a summary of feedback received from the public hearing and any additional input gathered using other methods;
 - (2) ~~a synthesis of~~ opinions gathered from committee experts or other independent professionals, such as conservators, engineers, architects, critics, and safety experts who are professionally qualified to comment on the artwork and on the concern prompting review; and
 - (3) a detailed budget for all aspects of the modification or removal request, options for funding the request, and a recommendation on who should be responsible for funding the request.
- H. If the board approves the application for modification or removal based on its ability to meet

the applicable conditions and criteria of this chapter, and before implementation begins, the applicant must demonstrate that funding for the project, consistent with the estimated budget, is committed. Board staff are available to offer funding advice and provide testimony to the legislature but may not directly raise money to fund the project.

- I. If the board ~~decides to modify~~ approves modification of an existing artwork, the board must work with the Department of Administration and the Minnesota Historical Society to initiate a request for qualification or request for proposal (~~RFP~~) process to select a design.
- J. If the board approves removal of ~~decides to remove~~ an artwork then pursuant to Minnesota Statutes Section 138.68, the Minnesota Historical Society must determine the final disposition of the artwork. The Minnesota Historical Society reserves the first right of refusal for removed artwork of historic value. If the Minnesota Historical Society does not accept the artwork, the artwork's disposition must be determined by according to Minnesota Statutes, ~~chapter section~~ 138.68.

Subp. 8. **Criteria for modification of an existing artwork.**

The board must use the following criteria to evaluate requests for the modification of a commemorative artwork:

- A. The proposed modification must make the artwork more welcoming and engaging to nearby and statewide communities. The applicant, with support from CAAPB staff, ~~The proposed modification~~ must involve nearby and statewide communities in the proposed modification's conceptualization and development.
- B. The proposed modification must embrace historical complexity and create space for a productive range of responses, conversations, and interpretations.
- C. The proposed modification must consider the social and cultural conditions at the time of the artwork's addition.
- D. The proposed modification must prompt reflection, conversation dialogue, and awareness of the stories, perspectives, and experiences of historically marginalized or oppressed communities.
- E. The proposed modification must incorporate the views of all interested groups and individuals and consider the relationship of these groups' collective history, heritage, and values to the artwork.
- ~~F. The proposed modification must implement the lifespan assigned to the artwork when the artwork was installed or must assign a lifespan to the artwork that considers the vision statement and guiding principles of parts 2400.2040 to 2400.2704.~~
- F. The proposed modification must create an opportunity to increase public understanding of and dialogue about Minnesota's history.
- G. The proposed modification must enhance the artwork's function as a source of collective identity and belonging for all Minnesotans. The proposed modification must generate, contribute to, or enhance existing social activity in the surrounding public space.
- H. The proposed modification must ~~accurately~~ represent or commemorate a significant event,

group, or individual in Minnesota's history.

- I. The proposed modification must respect the contributions and perspectives of the artwork's creators and the group or individuals depicted in the artwork and the group's or individuals' communities.
- J. The proposed modification must seek to achieve peace, reconciliation, truth, and justice for individuals, groups, and communities that are not represented or who are misrepresented in the historical record.
- K. The proposed modification must acknowledge evolving social values and account for the views and needs of the contemporary community.

Subp. 9. Criteria for evaluating removal of an existing commemorative artwork.

The board must use the following criteria to evaluate a request for the removal of an existing commemorative artwork:

- A. The degree to which the artwork misrepresents the state's history or has the effect of significantly intimidating or adversely affecting a group of people.
- B. Community feedback about the artwork, the artwork's site, and the artwork's condition collected at public meetings.
- C. The method by which the artwork was acquired and accessioned in the commemorative artwork collection, such as by donation, loan, or commission.
- D. The qualifications and professional reputation of the artist, and the artwork's craftsmanship, conceptual content, style, and form.
- E. The availability of necessary funding for conservation, maintenance, and repair of the artwork; exhibition and storage space; real property for siting artwork; and staff support.
- F. The degree to which removal of the artwork would detract from the overall artistic and architectural integrity of the Capitol or Capitol area.
- ~~H. the lifespan assigned to the artwork when the artwork was installed or, if no lifespan was assigned when the artwork was installed, a lifespan that considers the vision statement and guiding principles of parts 2400.2040 to 2400.2704;~~
- G. The artwork's style, form, scale, diversity, quantity, quality, longevity, and compatibility with the existing commemorative artwork collection, and goals of the board.
- H. Accessibility, public safety, and the social, cultural, historical, ecological, physical, and functional context of the artwork in relation to the site, both existing and planned.
- I. Issues related to liability, insurance, intellectual property rights, warranties, ownership, theft, vandalism, loss, indemnification, and public safety.
- J. Safety, the avoidance of emergencies caused by hazards, relevant construction schedules, and the allowance of enough time for a ~~normal~~-review process.

K. The value of the artwork as determined by a professional appraiser.

~~**2400.2704 ARCHITECTURAL ADVISERS COMMITTEE.**~~

~~Subpart 1. **Committee members.** The architectural advisers committee is comprised of three members who are appointed as follows:~~

~~A. one member appointed by the Minnesota State Arts Board;~~

~~B. one member appointed by the board; and~~

~~C. one member appointed by the Minnesota Society of the American Institute of Architects.~~

~~Subp. 2. **Length of term.** Each committee member serves a four year term.~~

2400.2705 STANDARDS FOR CIVIC AND INSTITUTIONAL USES.

Subpart 1. **Monuments, memorials, and commemorative works artwork.**

Monuments, memorials, and commemorative ~~works~~ artwork structures must be approved for placement ~~under, modification, or removal according to part 2400.2703 and Minnesota Statutes, section 15B.05, subdivision 3.~~

~~A. All commemorative works for the Capitol area must meet the following objectives:-~~

~~(1) to preserve the integrity of the Capitol area;~~

~~(2) to ensure that such works are appropriately designed, constructed, and located;~~

~~(3) to maintain the dignity of existing memorials;~~

~~(4) to ensure that the subject is of lasting significance to the people of the state; (5) to reflect the diversity of the state's people and culture, yet not be partisan in nature; and~~

~~(5) to provide an enriching experience that illuminates underlying values and broadens understanding of the state's heritage and culture.~~

~~B. The commemorative work must be consistent with and meet the conditions of the following board documents:-~~

~~(1) Comprehensive Plan for the State Capitol Area, 1998, as amended in 2009;-~~

~~(2) Specific Actions for Implementation of the Comprehensive Plan for the State Capitol Area, February 1998; and~~

~~(3) Commemorative Works in the Capitol Area: A Framework for Initiation, Evaluation and Implementations of Commemorative Works in the Capitol Area, May 1993. These documents are incorporated by reference and are available at the board's office and website and the State Law Library. They are not subject to frequent change.~~