

**MINUTES OF THE MEETING
OF THE CAPITOL COMMISSION**

August 27, 1997

Members Present

Senator Doug Henry, Chairman
Riley Darnell, Secretary of State
William Snodgrass, Comptroller of the Treasury
Larry Haynes, Commissioner, Department of General Services
Ward DeWitt, Chairman, Tennessee Historical Commission
Alice Algood
Paula McCord

Others Present

Mike Fitts, State Architect
Georgia Martin, State Architect's Office
Elsie Smith, Department of General Services
Lois Riggins-Ezzell, State Museum
Evadine McMahan, State Museum
Jim Hoobler, State Museum
Charles Harrison, Comptroller's Office

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Chairman Henry called the meeting to order at 1:05 p.m. He welcomed everyone and introductions were made.

Resolution for Ex-Chairman Amon Carter Evans

A proposed Resolution for Amon Carter Evans was distributed and read by the members. Comptroller Snodgrass moved to adopt the Resolution, which was properly seconded. The motion carried. Chairman Henry asked Mr. Fitts to prepare and frame the Resolution and send to Mr. Evans. Mr. Fitts agreed to do so.

Non-Governmental Use of the Capitol

Chairman Henry asked Mr. Fitts to update the Commission on the policy for non-governmental use of the State Capitol. Mr. Fitts stated that non-governmental use has to be approved by the Capitol Commission with concurrence by the Governor, the Speaker

of the Senate, and the Speaker of the House, or their designated representatives. He said governmental use is the responsibility of the Executive or Legislative Arm of government depending upon the jurisdiction over the spaces used. He added that Elsie Smith is the staff person who has been handling these requests ever since the policy has been in place.

Chairman Henry stated that it was the responsibility of the Museum to maintain the artifacts of the Capitol. He added that, in a sense, the Capitol is an extension of the State Museum. He asked if there have been problems in the usage or misuse of the Capitol. Ms. Smith responded that there are an increasing number of weddings in the Capitol. She said she was also told by one bride that a bridal consultant mentioned that the Capitol was a good place to have a wedding.

Chairman Henry asked about the policy for food and drink. Ms. Smith responded that there is no prohibition of food or drink, except for red wine or anything that stains or harms the Capitol. Comptroller Snodgrass asked about the kinds of activities that are allowed and not allowed. Ms. Smith went over a list of recent usages of the Capitol which included commercials, movies, Museum fund-raising, youth Legislature, leadership groups, and weddings. Alice Algood asked what the leadership groups do when they meet and Ms. Smith responded that they use it like an auditorium. Lois Riggins-Ezzell stated that these groups generally schedule a tour before their meeting and it is a very good use of the Capitol because it creates ownership and educational use of the Capitol. She suggested looking at limiting it to educational use.

Ward DeWitt asked if they were trying to encourage or discourage new customers.

Chairman Henry responded that they were definitely not trying to encourage customers.

Mr. DeWitt stated that the Capitol would serve as a good source for leadership.

Chairman Henry said he thought they need to focus on use of the Capitol for social activities. Secretary of State Darnell said they should focus on commercial activities also.

Ms. Smith said it was hard to approve one and not another. Chairman Henry said that he has taken it upon himself that if someone wants to shoot a video, he asks to see a copy of the script to see that nothing inappropriate is done. Chairman Henry said he and Representative Callicott introduced a bill to give the Capitol Commission jurisdiction over the Bicentennial Mall, but the bill is still in Committee with some policy issues to be resolved. Ms. Algood asked if the State charged for a commercial video, and was told "no." Chairman Henry asked if the State could legally charge, and Mr. Fitts responded that he believed they could charge.

Comptroller Snodgrass commented that the former chairman was very protective of the Capitol building, and he has some lines he draws, too. He said that a department store wanted to use the Capitol for advertisement and he didn't think it should be used to sell

something. He said, in effect, a movie sells. He said he doesn't have a personal problem with weddings and discussed limitations for usage dependent upon who, when and how it would be used and costs for security and monitoring. He said those are all issues involved before they set a policy.

Ms. Riggins-Ezzell commented that when the Film Commission wants to film, the State Museum sends a curator for the entire time. She said they control the limitations of lights on the paintings, and handle the event with the best of proper restrictions. Also, the company is required to pay the representative overtime. Comptroller Snodgrass clarified that the Museum is paid for their services and the individual is then paid by the Museum. Ms. Riggins-Ezzell said they do their best to monitor this type of usage.

Mr. DeWitt stated that he assumed the party using the Capitol is responsible for cleaning up and was told "yes." He asked what they were going to do when they become flooded with wedding requests. Mr. Fitts suggested a minimum fee be set for anything other than educational use, plus costs for clean up, insurance and security should be factored in. Chairman Henry said the commercial people are already active around the Capitol and the party people are active. He asked Mr. Fitts, Ms. Smith and Ms. Riggins-Ezzell to draft a policy for the Commission to consider at a later meeting taking into account the discussions of the Commission.

Secretary of State Darnell said he would feel a lot more comfortable if there was no commercial use of the Capitol. He said it demeans the Capitol to have a commercial use the Capitol as a sales tool. He said a movie is a commercial but there is a trade-off because we get folks to come here and spend their sales tax. He said it would be a lot easier if they had a blanket policy. He said it was hard to say "no" to people and would be so much easier if they had a policy.

Chairman Henry asked Commissioner Haynes what the procedure was if someone wanted to shoot a video on the War Memorial Plaza. Commissioner Haynes said they needed to give them a schedule and have insurance. Ms. Algood suggested they put restrictions on commercial use of the Capitol. She added that commercial ventures which would be documentary might be a proper usage of the Capitol. She said if they draft something, it should include educational usage. Commissioner Haynes commented that if they created a fee schedule that was high enough, it might take care of the problem. He said if they allow one person, they have to allow everybody. He stated that, with the War Memorial Building, they have to open up to about everything and there are things that are disturbing to him. He added that commercial use of that facility is going on year round, and non-profit entities are charged \$150.00 per hour and for-profit entities are charged \$300.00 per hour.

Mr. DeWitt asked what other states are doing at their Capitols. Ms. Smith responded that they did a survey and found that most states did not allow private parties of any kind. Chairman Henry asked if there was any inclination by the Commission to bar weddings. Mr. DeWitt commented that he thought it would be detrimental if they were flooded with weddings and he would hate to see this get out of hand. Ms. Algood stated that she really found herself troubled with using the Capitol as a wedding chapel. She said there are many historic sites and other places to get married, and if you are going to have a wedding in the Capitol, why not a shower? She said the Tennessee Waltz is a fund-raising event for the public use of the State Capitol.

Comptroller Snodgrass commented that the Governor and Speakers are given prerogatives in most areas and they have to be mindful of this. He said that if they set a policy that says there are to be no weddings, and the Governor wants to perform a wedding in his office, it might be difficult to deny the Governor's request. Chairman Henry stated that one possibility would be to draw up a policy that would provide that the Governor is authorized to perform weddings in his office and the Speakers in their chambers. Comptroller Snodgrass asked if they made exception of their performing weddings in the policy, would there be any fallout.

Chairman Henry said it was the sense of the Commission that Mr. Fitts, Ms. Riggins-Ezzell and Ms. Smith try their hand at a draft policy. Secretary of State Darnell said he thought they should prohibit parties including weddings, as well as commercial use of the Capitol for selling clothes, cars, etc. Ms. Algood made a motion that State Architect Michael A. Fitts, Lois Riggins-Ezzell and Elsie Smith develop a draft of a policy for usage of the Capitol by non-governmental entities reflecting the general consensus of the discussion. Mr. DeWitt seconded the motion and the motion passed without objection.

There being no further business, the meeting adjourned at 1:55 p.m.

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