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HOUSE BILL NO. 1099

Offered January 10, 2018
Prefiled January 10, 2018

A BILL to establish the Commission for Historical Statues in the United States Capitol to provide for the replacement of the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol, to recommend to the General Assembly as a replacement a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service to be commemorated in the National Statuary Hall Collection, to provide for the selection of a sculptor for the new statue, and to provide for submission of the Commonwealth's request to the Joint Committee of Congress on the Library for approval to replace the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol.

Patron—Levine

Referred to Committee on Rules

Whereas, pursuant to 2 U.S.C. § 2131, each state is permitted to provide and furnish to the United States Capitol two statues, in marble or bronze, of deceased persons who have been prominent citizens of the state for placement in the National Statuary Hall Collection; and

Whereas, currently, Virginia has two statues, of George Washington and Robert E. Lee, in the National Statuary Hall Collection; and

Whereas, pursuant to 2 U.S.C. § 2132, a state may request that the Joint Committee of Congress on the Library approve the replacement of any statue the state has provided for display in the National Statuary Hall Collection at the United States Capitol; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Commission for Historical Statues in the United States Capitol (the Commission) is established to provide for the replacement of the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol and to recommend to the General Assembly as a replacement a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service to be commemorated in the National Statuary Hall Collection. The Commission shall consist of six members as follows: one member of the House of Delegates to be appointed by the Speaker of the House of Delegates; one member of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members who are Virginia or American historians to be appointed by the Governor; one nonlegislative citizen member appointed upon the vote of the Commission members appointed by the Speaker of the House of Delegates, the Senate Committee on Rules, and the Governor; and the Director of the Department of Historic Resources, who shall serve with nonvoting privileges.*

§ 2. Legislative members and the Director of the Department of Historic Resources shall serve terms coincident with their terms of office. Appointments to fill vacancies shall be filled in the same manner as the original appointments.

§ 3. The members of the Commission shall select a chairman and a vice-chairman. The chairman shall be a member of the General Assembly. A majority of the voting members shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a majority of the voting members request.

§ 4. Members of the Commission shall be compensated for their service and reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in the general appropriation act.

§ 5. The Commission shall have the following duties:

1. To provide for the replacement of the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol.

2. To recommend to the General Assembly as a replacement a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service that is compatible with the historical character and design of the United States Capitol. Prior to any final recommendation to the General Assembly, the Commission shall hold at least one public hearing to receive input and comments relating to its developed plans for the new statue.

3. To select a sculptor in accordance with any guidelines prescribed pursuant to 2 U.S.C. § 2131 with preference given to a sculptor from Virginia to design a statue of the prominent Virginia citizen selected pursuant to subdivision 2.

4. To estimate the costs associated with the replacement of the Robert E. Lee statue, including the costs to design, construct, transport, and place the new statue; the removal and transfer of the Robert

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E. Lee statue; and any unveiling ceremony for the new statue.

5. To recommend to the General Assembly a suitable state, local, or private nonprofit history museum in the Commonwealth for placement of the Robert E. Lee statue.

§ 6. In carrying out its duties, the Commission may hold meetings at any place within the Commonwealth; enter into contracts, memorandums of understanding, and collaborative arrangements; participate in fundraising to procure a new statue; seek private funding for the operation and support of the Commission; and undertake all other lawful acts that are consistent with effectuating the purposes of this act.

§ 7. The costs of implementation of the Commission and its work shall be borne by the Commission from such private funds raised, bequeathed, or granted to the Commission and general funds as are appropriated by the General Assembly to cover the costs of its operation and work.

§ 8. The Department of Historic Resources shall provide staff support to the Commission, including research, policy analysis, and other services as requested by the Commission. The Office of the Clerk of the chairman shall provide administrative staff support. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

§ 9. Until completion of the Commission's work, the Commission shall report by December 1, 2018, and by December 1 annually thereafter the status of its work, including any findings and recommendations, to the Governor and the General Assembly. If known at the time, the report shall include (i) the prominent Virginia citizen selected for commemoration in the National Statuary Hall Collection at the United States Capitol, (ii) an estimate of the total costs associated with replacement of the Robert E. Lee statue, including the costs to design, construct, transport, and place the new statue; the removal and transfer of the Robert E. Lee statue; and any unveiling ceremony for the new statue, and (iii) the name of the sculptor and the process used to select the sculptor. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 10. In accordance with 2 U.S.C. § 2132, upon the selection of a prominent Virginia citizen and a sculptor under § 5, the General Assembly shall request by memorializing resolution that the Joint Committee of Congress on the Library approve the request to replace the statue of Robert E. Lee and that the Architect of the Capitol carry out the request. Upon adoption of the memorializing resolution by the General Assembly and approval of the request in writing by the Governor, the memorializing resolution shall be submitted to the Joint Committee of Congress on the Library.