



IDAHO STATE LEGISLATURE

Capitol Building Usage Manual

October, 2021

<https://capitolcommission.idaho.gov/>

EXECUTIVE SUMMARY

This Manual provides information for Occupants and visitors regarding the use of space at the Idaho State Capitol. Idaho Code establishes who is responsible for use and maintenance of the Capitol. Idaho Administrative Rules govern the use of the Capitol. The Idaho Code and Administrative Rules provisions cited in this Manual are included in Attachment 1. In summary:

- The Legislature determines the use and allocation of space on the Garden Level, first, third, and fourth floors of the Capitol. The Legislature also maintains that space. (Idaho Code § 67-1602.)
- The Governor determines the use and allocation of space within the second floor of the Capitol. The Department of Administration maintains that space. (Idaho Code § 67-1602.)
- Public space within the interior of the Capitol, defined as the rotunda; the hallways on the first and second floors; the restrooms located adjacent thereto; the elevators; and the stairways between the first, second, third and fourth floors (except the interior stairways between the third and fourth floors within the legislative chambers), is maintained by the Department of Administration. (Idaho Code § 67-1602.)
- Use of the exterior of the Capitol is determined by the Director of the Department of Administration. (Idaho Code §§ 67-1603 and 67-5708.) The Department of Administration maintains the exterior.
- The Idaho Capitol Commission has the duty to review all proposals to reconstruct, remodel, or restore space within the Capitol and to review all proposals involving objects of art, memorials, statues, or exhibits to be placed on a permanent or temporary basis in Public Space in the Capitol or on the Capitol exterior. (Idaho Code § 67-1608.)

The Governor, the Legislature, and the Director of the Department of Administration work closely with the Idaho Capitol Commission to protect the Capitol and help ensure it is protected for generations of Idahoans to come. This Manual was developed to help accomplish that goal. The Manual:

- Describes guidelines for use of the Capitol by the public and Occupants of the Capitol. These guidelines supplement the rules governing the Capitol, at IDAPA 38.04.08.
- Provides contact information for repairs and maintenance and explains who should be notified when changes to interior space are performed. If you have any questions, please contact Facilities Services (208-332-1937), Legislative Services (208-334- 4850) or the Capitol Curator (208-891-7617).

Contents

SECTION I – INTRODUCTION.....	1
SECTION II – DEFINITIONS	1
SECTION III – PUBLIC USE	2
A. Locations of Public Use.....	2
B. Types of Public Use.....	2
i. Events.....	2
ii. Displays.....	2
C. Reservations by the Public	2
i. South Steps and Second Floor Rotunda.....	2
ii. First and Fourth Floor Rotunda.....	3
SECTION IV – EXHIBITS.....	3
A. Purposes and Implementation	3
B. Exhibit Locations	3
C. Signage	3
D. Temporary Exhibits.....	3
E. Permanent Exhibits	4
F. Relocation or Removal.....	4
SECTION V – OCCUPANTS OF THE CAPITOL.....	4
A. Guidelines for Assigned Space Contents.....	4
i. Furnishings.....	4
ii. Wall hangings	5
iii. Three-dimensional works of art	5
B. Routine Maintenance and Repair:	5
SECTION VI – IDAHO STATE CAPITOL COLLECTION	5
Attachment 1 – Governing Statute and Rules	
Idaho Code title 67, chapter 16 – Capitol Building and Grounds	
Idaho Code section 67-5709 – Management of State Facilities	
IDAPA 38.04.08 – Rules Governing Use of Idaho State Capitol	
Attachment 2 - Guidelines and Policies for Public Usage of Legislative Space	
Appendix A - Capitol Workflow Reference Chart	
Appendix B - Welcome to the Capitol Building!	
Appendix C - Capitol Wall Hanging Policy	
Appendix D - Capitol Maintenance and Repair Policy	
Appendix E - Capitol Exhibits Policy	
Appendix F - Capitol Collection Annual Inventory Policy	

SECTION I – INTRODUCTION

Approved by the Idaho Capitol Commission on October 14, 2021 and pursuant to Idaho Code sections 67-1602 and 67-1608 (Appendix A), this Manual applies to use of the Capitol; its preservation and maintenance; the placement of art, memorials, statues or exhibits on a temporary or permanent basis in Public Spaces of the Capitol or its grounds; and the Capitol Collection. Every attempt will be made to update these guidelines as needed.

The purpose of these guidelines is to:

- protect, preserve, and maintain the beauty and dignity of the Capitol; and
- consolidate statutes, rules, and guidelines relating to the Capitol.

SECTION II – DEFINITIONS

As used in these guidelines, the following definitions apply:

AHC Committee: the Arts, History, and Culture Committee, formed December 2007, serves as an advisory group to the Capitol Commission and provides recommendations, policies, procedures, and guidelines for exhibits in the Capitol and on its grounds.

Capitol: the Idaho State Capitol Building.

Capitol Collection: all historic furniture, antiquities, works of art, and objects of historic significance that are owned by the Idaho State Historical Society and identified by and under the care and custody of the Capitol Commission.

Capitol Curator: the person responsible for preservation, of the Capitol building, and its historic collections and interpretive exhibits pursuant to Idaho Code section 67-1608.

Capitol Commission: the Idaho State Capitol Commission, created pursuant to Idaho Code section 67-1606 within the Idaho Department of Administration.

Display: an attended exhibition or installation of physical items during an Event.

DPW: the Department of Administration, Division of Public Works.

Event: An activity, including, but not limited to, arts or cultural presentations, weddings, dinners, award ceremonies, memorials, and seminars.

Exhibit: Exhibitions or installations of physical items outside of an Event including, but not limited to, commemorative installations, floral decor, art objects, historical artifacts, and cultural objects.

Exterior: the exterior of the Capitol, the real property, the grounds, and the improvements on the exterior of the Capitol or on its grounds. *See* rules governing use of the Capitol.

Facilities Services: part of the Department of Administration, Division of Public Works that provides the Capitol Mall with building management services.

Leadership:

- for the Legislature, the presiding officer of a legislative body, as defined in IDAPA 38.04.08.010;
- for space occupied by an elected official, the elected official; and
- for an agency-assigned space within the Capitol, the head of the agency.

Legislative Use Guidelines: Guidelines and Policies for Public Usage approved by the Legislative Leadership in Attachment 2.¹

Master Plan: the master plan for the Capitol as provided for in Idaho Code section 67-1608.

Occupants: officials or agencies assigned the use of Private Space.

Private Space: the portion of the interior that is not Public Space, including office spaces and reception areas assigned to an official or agency and open to limited public access.

Public Space: the portion of the interior of the Capitol that is maintained by the Department of Administration pursuant to Idaho Code section 67-1602(1) and is not designated as closed to the public by being marked “private,” “no admission,” “staff only,” or similarly designated as not open to the public.

Temporary Exhibit: an Exhibit placed in the Capitol interior in a designated area for four-month intervals or at the discretion of the Capitol Commission.

SECTION III – PUBLIC USE

As approved by the Capitol Commission with support from the State Constitutional Officers and Legislature, the following procedures and protocols apply to the public use of the Capitol. Spaces are defined in Section II.

A. Locations of Public Use

Except as limited in IDAPA 38.04.08, the Public Space and the exterior of the Capitol are available for public use. Certain rooms of the Capitol within the Legislative Space are available for limited use by the public as described in the Legislative Use Guidelines.

B. Types of Public Use

i. Events

The public may use the Public Space and the Exterior of the Capitol for Events as described in IDAPA 38.04.08. Certain uses are prohibited by IDAPA 38.04.08.200.02. Prohibited uses include commercial activity, camping, and private events. Users should refer to the current rule for a current and full description of prohibited uses. Public use of the Legislative Space is described in the Legislative Use Guidelines.

ii. Displays

Except as limited in IDAPA 38.04.08, the public may use the Public Space and the Exterior of the Capitol for Displays during an Event. Public use of the Legislative Space, including Displays, is described in the Legislative Use Guidelines.

C. Reservations by the Public

i. South Steps and Second Floor Rotunda

The south front steps on Jefferson St. and the second-floor rotunda space of the Capitol are available to reserve for Events held by the public. Requests are made through the Facilities Services website: <https://cms.idaho.gov/events/>.

¹ The Legislative Guidelines attached to this Manual are current as of the date on the cover of the Manual. Users should refer to the Legislature’s website to determine if a new version has been adopted.

ii. First and Fourth Floor Rotunda

The first and fourth floor central rotunda areas of the Capitol are available for short-term use by the public during the legislative session, as described in the Legislative Use Guidelines.

SECTION IV – EXHIBITS

A. Purposes and Implementation

The guidelines in this section apply to the placement of Exhibits, on a temporary or permanent basis, in the Public Space in the Capitol or on its grounds. The purpose of these guidelines is to:

- maintain consistency with the principles and policies of the Idaho State Capitol Master Plan, dated July 19, 2000.
- ensure that Exhibit proposals reflect subjects of statewide historical significance.
- preserve the beauty and dignity of the Capitol and grounds.
- preserve views of the Capitol and its architecture.
- protect and maintain open space at the Capitol and grounds.
- conserve options for placement of Exhibits by future generations; and
- ensure the safety of the Capitol and its users.

Recognizing the purpose of the guidelines, the AHC Committee shall:

- encourage related or similar interests be combined into a single Exhibit proposal.
- promote cooperation with local authorities to develop opportunities for placement of Exhibit projects outside the Capitol, but within the capitol community of Boise.

All interpretive Exhibits, including objects from the Capitol Collection exhibited or used in the Capitol, are managed by the Idaho State Historical Society and coordinated by the Capitol Curator. The Capitol Curator oversees the handling and moving of interpretive Exhibits and produces or obtains documentation related to the Exhibit.

B. Exhibit Locations

To preserve safe ingress and egress from the Capitol, the Capitol Commission will not consider or approve Exhibits on sidewalks, pathways or the entrance landings and steps of the Capitol, including the landing and steps extending from the Capitol exterior wall to the last step before the hard surface between the Capitol steps and Jefferson Street. Exhibits on the hard surface between the Capitol steps and Jefferson Street are limited to a tree supported by use of the “well” constructed within such area and the copy Liberty Bell installed between the Capitol steps and Jefferson Street.

C. Signage

Only signage placed by Facilities Services for identification and orientation of the Capitol spaces are to be displayed in the Public Space. The Idaho State Historical Society may display banners on the historic light poles representing an annual theme related to Idaho history. Temporary exhibition spaces may have interpretive exhibit-related signage placed by the Capitol Curator. Signage is not to cause surface damage or be permanently adhered to the building.

D. Temporary Exhibits

The Capitol Commission will consider the following for Temporary Exhibits:

- interpretive exhibits featuring objects in the Capitol Collection, and/or objects within the collection of the Idaho State Historical Society.
- commemorative installations and floral installations related to a death or event recognized by an executive order of the Governor or a joint resolution of the Legislature.
- seasonal décor owned by the Department of Administration.
- the flag of the United States of America and the flag of the State of Idaho.

Proposals for temporary Exhibits may be made by members of the Capitol Commission, an Occupant’s Leadership or the Idaho State Historical Society. Proposals for interpretive exhibits must be submitted to the Capitol Curator. The Capitol Curator may require proposers to provide information and materials prior to presenting a proposal for review by the AHC Committee. The AHC Committee presents its recommendations to the Capitol Commission for final approval. The AHC Committee may approve commemorative installations and floral installations with a duration of 14 or fewer days without submission to the Capitol Commission. Proposals for Temporary Exhibits are reviewed by the ACH Committee and the Commission for compliance with subsection A of this section IV- Exhibits.

E. Permanent Exhibits

Permanent Exhibit proposals may be made by members of the Capitol Commission, an Occupant’s Leadership or the Idaho State Historical Society. Proposals for interpretive exhibits must be submitted to the Capitol Curator. The Capitol Curator may require proposers to provide information and materials prior to presenting a proposal for review by the AHC Committee, who presents its recommendations to the Capitol Commission for final approval. Contact the Capitol Curator with questions regarding permanent interpretive Exhibit proposals. Proposals for permanent Exhibits are reviewed by the ACH Committee and the Capitol Commission for compliance with subsection A of this Section IV – Exhibits.

F. Relocation or Removal

The Capitol Commission may relocate or remove any Exhibit in its sole discretion. Relocation planning may be done in consultation with the Capitol Curator and affected parties whenever practical. The Capitol Commission will follow its approved procedures for removal of objects from the Capitol Collection.

SECTION V – OCCUPANTS OF THE CAPITOL

The following procedures and protocols apply to the maintenance and management methods to be used in the care and preservation of the Capitol. These procedures and protocols are to be reviewed and updated as needed every three years or as better preservation and care methodologies are implemented. The Capitol Curator will work with DPW to ensure the historic nature and intent of the building are preserved. Capitol building spaces are defined in Section II.

A. Guidelines for Assigned Space Contents

Occupants of the Capitol are to observe the following guidelines for their assigned space. If there are questions regarding these guidelines, please contact the Capitol Curator at capitolcurator@ishs.idaho.gov. For further details and for reproduction use, see “Welcome to the Capitol” (Appendix B).

i. Furnishings

No assigned furniture shall be removed from the building. To better ensure tracking of assigned furniture, the appropriate agency personnel must provide to the Capitol Curator annually, an

inventory of furniture in agency assigned space. Occupants shall follow the Capitol Collection Annual Inventory Policy located in Appendix F.

Routine care and maintenance: Contact the Capitol Curator for anything more than routine care and maintenance. The furniture provided in each assigned space shall not be altered or have tape or any adhesive materials placed on the surface finish. Wood surfaces shall be protected from moisture and general everyday use with the appropriate barrier. Spills and general everyday mishaps are to be cleaned with a soft cloth. Furniture is to be dusted with a dry dust cloth and glass surfaces with a damp soft cloth; liquid cleaners are not to be sprayed directly onto glass surfaces. No chemical cleaners are to be used on wood surfaces (such as Pledge or multi-surface Windex cleaners, etc.).

ii. Wall hangings

Wall hangings shall comply with the Capitol Wall Hanging Procedure located in Appendix C.

iii. Three-dimensional works of art

The Capitol Curator will have on file the approved pedestal style and vitrine specifications and proper cleaning implements. The Capitol Curator will assist Facilities Services with the placement of the object by request or if the object is from the Capitol Collection or a loan from a public entity. Occupants will have the option of displaying three-dimensional objects on a pedestal with a vitrine cover pending location and space. The height and size of the pedestal and vitrine can be ordered to suit the space. The Capitol Curator will facilitate the order on behalf of the requesting entity, and associate cost will be the responsibility of the requestor.

B. Routine Maintenance and Repair:

Occupants must coordinate routine maintenance and repairs through Facilities Services' online work request system at <https://cms.idaho.gov/maintenance>. Maintenance and repairs, including painting, carpeting, and remodeling shall comply with the Capitol Maintenance and Repair Policy located in Appendix D. Occupants should also refer to the Capitol Workflow Reference Chart located in Appendix A.

SECTION VI – IDAHO STATE CAPITOL COLLECTION

The Capitol Collection is comprised of historic furniture, photographs, and Capitol art and artifacts. The Capitol Collection is owned by the Idaho State Historical Society and maintained and managed by the Capitol Curator. For questions about maintenance, repairs, and use of the Capitol Collection, such as historic furniture, contact the Capitol Curator at capitolcurator@ishs.idaho.gov. The Capitol Collection is managed under the Capitol Collection Management Policy located in Appendix E. An inventory of the Capitol Collection is conducted under the Capitol Collection Annual Inventory Policy located in Appendix F.

**Attachment 1
Governing Statutes
& Rules**



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 57

DEPARTMENT OF ADMINISTRATION

67-5709. MANAGEMENT OF STATE FACILITIES. (1) In addition to the authority granted by section 67-1603, Idaho Code, the director of the department of administration shall have exclusive control of the capitol mall properties identified in subsection (2) of this section and, where not otherwise established by law, multi-agency facilities owned or leased by the state of Idaho. The department of administration shall have authority to promulgate rules relating to use of those properties, including the authority to promulgate rules requiring a permit for various uses of the properties. Violations of rules promulgated under this section shall be infractions. The director shall have authority to sue to enjoin any threatened or continuing violation of such rules.

(2) Except as otherwise provided by law, the capitol mall properties shall include state of Idaho lands and buildings, together with any appurtenant grounds and systems including, but not limited to, electrical, plumbing, sewer, water, heating, ventilation and air conditioning systems as well as geothermal systems and tunnels, located between blocks one (1) and one hundred thirty-six (136) as shown on the Boise City original townsite plat filed in the Ada County recorder's office in book 1 on page 1. Subject to the following, the capitol mall properties shall be identified in rules promulgated pursuant to this section:

(a) At a minimum, the capitol mall properties shall consist of the following grounds, buildings, improvements and real property in Boise, Idaho: Joe R. Williams (700 W. State street), Len B. Jordan (650 W. State street), Pete T. Cenarrusa (450 W. State street), Division of Public Works (502 N. 4th street), Alexander House (304 W. State street), State Library (325 W. State street), Secretary of State (450 N. 4th street), 954 Jefferson (954 W. Jefferson street), Capitol Annex (514 W. Jefferson street), Borah Building (304 N. 8th street), and Steunenberg Monument Park (intersection of Capitol boulevard and Bannock street), and the Idaho Supreme Court (451 W. State street); provided, that the Idaho supreme court may regulate uses at the Idaho supreme court building and its grounds.

(b) The parking facilities, including appurtenant grounds and systems, at the following locations in Boise, Idaho, shall also be within the capitol mall properties: West State street parking facility, occupying block 101 as shown on the Boise City original townsite plat; 3rd street and Washington street parking facility, occupying a portion of block 105 as shown on the Boise City original townsite plat; 6th street and Washington street parking facility, occupying a portion of block 96 as shown on the Boise City original townsite plat; 8th street and Jefferson street parking facility, occupying a portion of block 66 as shown on the Boise City original

townsite plat; and 10th street and Jefferson parking facility, occupying a portion of block 68 as shown on the Boise City original townsite plat.

(c) The space within the interior of the capitol building shall be allocated and controlled as set forth in section 67-1602, Idaho Code; provided however, that the executive and legislative departments may subject all or a part of such space to the rules promulgated pursuant to this section as set forth in subsection (3) of this section.

(3) Rules promulgated pursuant to this section shall apply to properties not described in subsection (1) of this section upon the request of the state of Idaho public entity owning or controlling the property. When such a request has been made, the property subject to the request shall be identified by the director of the department of administration in rules promulgated under this section. Violations of the rules adopted under this section shall be infractions. The director of the department of administration and the governing authority of the requesting entity shall have the authority to sue to enjoin any threatened or continuing violation of such rules. All state law enforcement personnel, any sheriff or deputy sheriff in a county in which the property is located and any police officer in a city in which the property is located shall have authority to enforce the rules for that property.

(4) Responsibility for law enforcement at the capitol mall properties is vested in the director of the Idaho state police. In coordination with the director of the Idaho state police, Ada County and the city of Boise are granted jurisdiction to enforce the laws of the state of Idaho, the ordinances of Ada County, the ordinances of the city of Boise and the rules promulgated pursuant to this section. The director of the department of administration, or his designee, shall be responsible for security at the capitol mall properties and has the authority to contract with private contractors to provide security for persons and property at the capitol mall properties.

(5) The director of the department of administration may pay personnel costs and operating expenditures incurred in the operation and management of the capitol mall properties and the multiagency facilities from the rents received therefrom. In addition to funding annual operating costs, rental rates at multiagency facilities shall include a provision sufficient to provide for the long-term maintenance and upkeep of the facilities, subject to the review and approval of the permanent building fund advisory council. Proceeds accruing from such rental contracts and lease agreements after payment of personnel costs and operating expenditures which are in excess of two hundred thousand dollars (\$200,000) at the end of the fiscal year shall be deposited to the credit of the permanent building fund and accounted for separately for each property. Proceeds from the rental of parking spaces at the capitol mall shall be deposited upon receipt to the credit of the permanent building fund. Said proceeds shall not be expended without an appropriation and shall only be appropriated for the security, maintenance and upkeep of the property generating the proceeds.

(6) Nothing contained in this section shall be deemed to give the department of administration control or management over the garden level, the first, third or fourth floors of the state capitol building, which are vested with the legislative branch of government.

History:

[67-5709, added 1974, ch. 34, sec. 2, p. 988; am. 1981, ch. 186, sec. p. 332; am. 1998, ch. 149, sec. 3, p. 520.; am. 2012, ch. 194, sec. 1, p. 523; am. 2018, ch. 127, sec. 1, p. 266; am. 2018, ch. 180, sec. 1, p. 393.]

How current is this law?

Search the Idaho Statutes and Constitution



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 16

CAPITOL BUILDING AND GROUNDS

67-1604. IDAHO STATE CAPITOL – ACCESS AND USE. The director of the department of administration may promulgate rules, pursuant to chapter 52, title 67, Idaho Code, governing access to and use by the public of the capitol building and its grounds. In determining whether to promulgate rules and in the promulgation of any rules, the director shall consult with the governor, the presiding officers of the senate and house of representatives and the commission created by this chapter.

History:

[67-1604, added 1998, ch. 306, sec. 2, p. 1008.]

How current is this law?

Search the Idaho Statutes and Constitution

IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION

Division of Public Works / Facility Services

38.04.08 – Rules Governing Use of Idaho State Capitol

Who does this rule apply to?

This rule applies to the general public and state employees who access the Idaho State Capitol and grounds immediately adjacent to the capitol building.

What is the purpose of this rule?

This rule provides enforceable guidelines for the safe operation of the Idaho State Capitol and grounds adjacent to the capitol building and defines a reservation system.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

- [Section 67-1604, Idaho Code](#) – Idaho State Capitol – Access and Use
- [Section 67-5709, Idaho Code](#) – Management of State Facilities

Who do I contact for more information on this rule?

Idaho Department of Administration
650 West State, Room 100
Boise, ID 83706
Phone: (208) 332-1812
Fax: (208) 334-2307
Email: kim.rau@adm.idaho.gov
<https://adm.idaho.gov/>

Table of Contents

38.04.08 – Rules Governing Use of Idaho State Capitol

000. Legal Authority.	3
001. Scope.	3
002. -- 009. (Reserved)	3
010. Definitions.	3
011. -- 199. (Reserved)	4
200. Use Of Idaho State Capitol.	4
201. (Reserved)	5
202. Equipment And Supplies.	5
203. Establishment Of Perimeters.	5
204. Area Closures.	5
205. -- 299. (Reserved)	6
300. Restrictions And Limitations On Use.	6
301. Uses Interfering With Access Or Use Of Facility.	6
302. Locations And Hours.	6
303. Maintenance And Improvements.	6
304. Motorized Vehicles.	6
305. Bicycles, Skates, Skateboards, Scooters, And Other Non-Motorized Transportation.	6
306. Animals.	6
307. Landscaping And Improvements.	7
308. Food And Beverages.	7
309. Smoking And Vaping.	7
310. Fires, Candles, And Flames.	7
311. Posters, Placards, Banners, Signs, Equipment, Tables, Materials, And Displays.	8
312. Items Subject To Search.	8
313. Prohibited Items.	9
314. Utility Service.	9
315. Law Enforcement And Facility Exigency – Removal For Non-Compliance.	9
316. Compliance With Law.	9
317. Health, Safety And Maintenance Of State Facilities.	9
318. Removal Of Items.	10
319. -- 399. (Reserved)	10
400. Permits.	10
401. Approvals And Denials Of A Permit Application.	11
402. Revocation Of A Permit.	12
403. Appeals.	12
404. -- 499. (Reserved)	12
500. Liability.	12
501. -- 999. (Reserved)	12

38.04.08 – RULES GOVERNING USE OF IDAHO STATE CAPITOL

000. LEGAL AUTHORITY.

Section 67-1604, Idaho Code, gives the Director of the Department of Administration authority to promulgate rules governing access to and use by the public of the capitol building and its grounds after consultation with the governor, the presiding officers of the senate and house of representatives, and the Capitol Commission. Section 67-5709, Idaho Code, gives the Director authority to promulgate rules governing certain public facilities, subject to the provisions of Section 67-1602, Idaho Code, which determines the control and allocation of space in the Idaho State Capitol, and after making the consultations required in Section 67-1604, Idaho Code. (4-6-23)

001. SCOPE.

These rules contain the provisions for use of the Idaho State Capitol. (4-6-23)

01. Application to Space Controlled by the Idaho Legislature. The Idaho legislature is exempt from the application of the Idaho Administrative Procedure Act, pursuant to Section 67-5201(2), Idaho Code. Space within the Idaho State Capitol controlled by the Idaho legislature is governed by Section 67-1602(3), Idaho Code, and rules enacted under the procedures of the Idaho legislature. (4-6-23)

002. -- 009. (RESERVED)

010. DEFINITIONS.

- 01. Camping.** Any activity prohibited under Section 67-1613, Idaho Code. (4-6-23)
- 02. Capitol Commission.** The Idaho State Capitol Commission established in Section 67-1606, Idaho Code. (4-6-23)
- 03. Commemorative Installation.** Any statue, monument, sculpture, memorial or landscape feature designed to recognize a person, group, event or element of history. (4-6-23)
- 04. Department.** The Department of Administration. (4-6-23)
- 05. Director.** The Director of the Department of Administration or his designee. (4-6-23)
- 06. Display.** An attended exhibition or installation of physical items during an Event. (4-6-23)
- 07. Event.** Any activity including, but not limited to, arts or cultural presentations, weddings, dinners, award ceremonies, memorials, and seminars. (4-6-23)
- 08. Exhibit.** Exhibitions or installations of physical items outside of an Event including, but not limited to, commemorative installations, floral displays, art objects, historical artifacts, and cultural objects. (4-6-23)
- 09. Exterior.** The exterior of the Idaho State Capitol, the real property, the grounds, and the improvements on the exterior of the Idaho State Capitol or on its grounds. (4-6-23)
- 10. Idaho State Capitol.** The building and grounds governed by chapter 16, title 67, Idaho Code, and located at capitol square as identified on the Boise City original townsite plat filed in the Ada County Recorder's office in book 1 on page 1. The Idaho State Capitol is bounded by the following streets: State Street, Sixth Street, Jefferson Street, and Eighth Street. (4-6-23)
- 11. Interior.** The interior spaces within the Idaho State Capitol. (4-6-23)
- 12. Jefferson Steps.** The building entrance at the second floor of the Idaho State Capitol, the steps extending from the entrance, and the hard surface extending between the steps and the sidewalk along Jefferson Street. (4-6-23)
- 13. Law Enforcement.** An officer of the Idaho state police, Ada County sheriff's office, or Boise City police granted authority to enforce the laws of the state of Idaho and ordinances for the Idaho State Capitol pursuant to Section 67-1605, Idaho Code, or any peace officer as defined in Section 19-5101, Idaho Code, or an equivalent law enforcement officer in the service of the United States who is authorized by law or the Idaho State Police to exercise jurisdiction at the Idaho State Capitol. (4-6-23)
- 14. Legislative Galleries.** The areas of the Interior overlooking the Senate and the House and accessed

from the fourth floor of the Interior. (4-6-23)

15. Legislative Hearing Rooms. A room in the Interior holding a meeting of a committee of the Idaho legislature. (4-6-23)

16. Permit. A written authorization issued by the Director allowing use of the Idaho State Capitol as set forth in the Permit. A Permit serves as a reservation to use a portion of the Idaho State Capitol with the priority for use set forth in Subsection 200.04 of these rules. (4-6-23)

17. Presiding Officer. The Presiding Officer of the Senate is the President Pro Tempore. The Presiding Officer of the House is the Speaker. The Presiding Officer of a standing, joint, or special legislative committee is the legislator chairing the committee hearing. (4-6-23)

18. Private Event or Private Exhibit. Any activity sponsored or initiated by a member of the public that is open only to invited or qualifying individuals or groups. Private Events and Private Exhibits include, but are not limited to, weddings, dinners, award ceremonies, memorials, and seminars. (4-6-23)

19. Private Space. The portion of the Interior that is not Public Space. (4-6-23)

20. Public Space. The portion of the Interior that is maintained by the Department pursuant to Section 67-1602(1), Idaho Code, and is not designated as closed to the public by being marked "private," "no admission," "staff only," or similarly designated as not open to the public. (4-6-23)

21. Public Use. Use that is not: (4-6-23)

a. A State Event or Exhibit; (4-6-23)

b. Use by a public officer, official, employee, contractor, agency, or board or commission for state of Idaho business; or (4-6-23)

c. State Maintenance and Improvements. (4-6-23)

22. Security Personnel. A state of Idaho employee or a staff member of a state of Idaho contractor whose job duties include monitoring compliance with and enforcing these rules. (4-6-23)

23. State Business Day. Monday through Friday, excluding the holidays set forth in Section 73-108, Idaho Code. (4-6-23)

24. State Events and Exhibits. All functions initiated and controlled by any state of Idaho agency, board, commission, officer or elected official acting on behalf of the state of Idaho. (4-6-23)

25. State Maintenance and Improvements. Maintenance or improvement of the Idaho State Capitol by the state of Idaho or its contractors. Maintenance for the purpose of this definition includes, but is not limited to, grounds maintenance such as mowing, watering, landscaping, aerating, resodding, fertilizing and planting; and structural maintenance such as pressure washing, painting, window cleaning, and re-glazing. Improvement for the purpose of this definition includes, but is not limited to, the following: construction of new buildings or portions of buildings; renovations to existing buildings; the installation of permanent structures and equipment such as benches, sprinklers, flagpoles, monuments and memorials; and, the installation of temporary equipment and structures such as construction fencing, generators and portable buildings. (4-6-23)

011. -- 199. (RESERVED)

200. USE OF IDAHO STATE CAPITOL.

01. Authorized Uses by the Public. (4-6-23)

a. Except as provided otherwise in these rules, the Exterior and the Public Space is available for

Public Use. (4-6-23)

b. Public access to Private Space occupied by a state of Idaho officer, official, agency, board or commission, including an elected official other than a legislator, is limited to the conduct of business with the occupant of the space. (4-6-23)

c. Unless otherwise directed by the Presiding Officer, public access to space controlled by the Idaho legislature is limited to the Legislative Galleries, Legislative Hearing Rooms, and the conduct of legislative business with a legislator. (4-6-23)

d. Temporary and permanent placement of Exhibits in the Public Space shall be reviewed by the Capitol Commission in accordance with Section 67-1608(3), Idaho Code. Placement of Exhibits does not include Displays during a Public Use permitted by these rules. (4-6-23)

02. Prohibited Uses. The following uses are prohibited at the Idaho State Capitol: (4-6-23)

a. Commercial Activity. The Exterior and the Public Space shall not be used for any activity conducted for profit and persons may not solicit to sell any merchandise or service on the Exterior or in the Public Space. Events promoting an industry, product or service in the Public Space under a Permit are not prohibited by this rule if the Event is limited to Displays, distribution of information, including literature, or both and participants are not soliciting orders or contracts for a product or service. (4-6-23)

b. Camping. (4-6-23)

c. Private Events and Private Exhibits. (4-6-23)

03. Priority of Uses. State Maintenance and Improvements has priority over all other use of the Idaho State Capitol. The conduct of business by the public entity or official occupying or controlling Private Space shall have priority over Public Use of the Idaho State Capitol. Public Use held under a Permit has priority over other Public Use. (4-6-23)

04. Use of Space Controlled by the Idaho Legislature. Use of space controlled by the Idaho legislature, including Public Use, is governed by chapter 16, title 67, Idaho Code, and the rules adopted by the Idaho legislature as described in Subsection 001.03 of these rules. (4-6-23)

201. (RESERVED)

202. EQUIPMENT AND SUPPLIES.

Except as provided in these rules, the Department will not provide equipment or supplies for use on the Idaho State Capitol. Where requested in a Permit application for use of the Jefferson Street Steps or the Public Space, the Department shall provide a podium and a public address system, unless such equipment is being repaired or replaced. (4-6-23)

203. ESTABLISHMENT OF PERIMETERS.

Security Personnel and Law Enforcement may establish perimeters separating participants in Public Use of the Idaho State Capitol or State Events or Exhibits. Participants in and observers of any Public Use or State Events or Exhibits shall observe perimeters set pursuant to this section. (4-6-23)

204. AREA CLOSURES.

The Director may direct that any portion of the Idaho State Capitol be closed for Public Use upon a finding that the closed portion of the Idaho State Capitol has sustained damage or is in imminent danger of sustaining damage. The closure directive shall identify the portion of the Idaho State Capitol closed, the damage that has occurred or that will occur without closure, and the estimated period of closure to restore or prevent the damage. A notice of closure and information on how to obtain a copy of the closure directive shall be posted at the closed portion of the Idaho State Capitol. Circumstances presenting an imminent danger of damage to the Exterior include, but are not limited to, the saturation of soil, turf, or landscaped areas with water, excessive foot traffic over landscaped areas, preventing turf or plants from obtaining adequate sunlight, and the buildup of ice or snow on landscaped areas. (4-6-23)

205. -- 299. (RESERVED)

300. RESTRICTIONS AND LIMITATIONS ON USE.

The restrictions and limitations on use of the Idaho State Capitol set forth in Sections 301 through 399 of these rules shall apply to all Public Use of the Idaho State Capitol. (4-6-23)

301. USES INTERFERING WITH ACCESS OR USE OF FACILITY.

01. Interference With Primary Use of Idaho State Capitol. Events, Exhibits, and Public Use of the Idaho State Capitol shall not interfere with the primary use of the Idaho State Capitol. The primary uses of the Idaho State Capitol are legislative proceedings, public meetings and hearings, court proceedings, and the conduct of public business by agencies or officials of the state of Idaho that normally occupy and use the Idaho State Capitol. (4-6-23)

02. Interference With Access. Public Use of the Idaho State Capitol shall not block fire hydrants, fire or emergency vehicle lanes, vehicular drives, pedestrian walkways, doorways, steps or similar access routes through, in or out of the Idaho State Capitol. (4-6-23)

302. LOCATIONS AND HOURS.

01. Interior Hours. The hours for Public Use and public access to the Interior shall include the periods in which public meetings and other activities open to the public are held within the Interior. The hours for Public Use will be posted, where feasible, to the website containing official Idaho State Capitol information. Participants in Public Use of the Interior shall exit the Interior at the conclusion of the hours for Public Use. Public hours shall not be reduced during Public Use authorized under these rules unless an emergency or threat exists under Section 315 of these rules. (4-6-23)

02. Exterior Use Locations. In addition to limitations on the interference with access set forth in Section 301 of these rules and compliance with all fire, health, and safety codes, Public Use on the Exterior shall be: (4-6-23)

a. On the Jefferson Street Steps or on hard surfaces, including concrete and granite, on the Exterior; (4-6-23)
and

b. At least fifteen (15) feet from the exterior walls and windows of the Idaho State Capitol. (4-6-23)

303. MAINTENANCE AND IMPROVEMENTS.

Public Use shall not interfere with State Maintenance and Improvements. The regular maintenance and improvement schedule may be modified due to weather, staffing, emergency repairs, equipment failures, funding changes, contract modifications, State Events and Exhibits or other causes. (4-6-23)

304. MOTORIZED VEHICLES.

Motorized vehicles not owned or operated by the state of Idaho or Law Enforcement must remain on designated roadways and parking areas. Parking of motorized vehicles is governed by IDAPA 38.04.04, "Capitol Mall Parking Rules." Wheelchairs, motorized scooters, and other equipment providing individual mobility to individuals with a disability are not motorized vehicles for the purposes of this section. (4-6-23)

305. BICYCLES, SKATES, SKATEBOARDS, SCOOTERS, AND OTHER NON-MOTORIZED TRANSPORTATION.

Bicycles, skates, skateboards, and scooters may not be used at the Idaho State Capitol. Users of all other non-motorized transportation must remain on designated pathways during use of the Exterior. Where indicated by a posted notice or where requested by Security Personnel, Law Enforcement or a state employee or agent supervising the Idaho State Capitol, users must store non-motorized transportation in a designated storage area on the Exterior. Wheelchairs and other equipment providing individual mobility to individuals with a disability are not non-motorized transportation for the purposes of this section. (4-6-23)

306. ANIMALS.

The following apply to animals on the Idaho State Capitol: (4-6-23)

01. Wildlife. Unless authorized by the Director persons may not: (4-6-23)

a. Interfere with, hunt, molest, harm, frighten, kill, trap, chase, tease, annoy, shoot or throw any object at a wild animal on the Exterior. (4-6-23)

b. Feed, give or offer food or any noxious substance to a wild animal on the Exterior. (4-6-23)

02. Domestic Animals. (4-6-23)

a. Domestic animals are not allowed on the Exterior unless leashed and under the control of the person bringing the animal to the Exterior. (4-6-23)

b. Domestic animals are not allowed in the Interior unless the animal is a service animal necessary to assist individuals with disabilities or an animal in the service of Law Enforcement. Animals allowed under this rule must be leashed and under the control of the person bringing the animal to the Interior. (4-6-23)

c. The person bringing the domestic animal to the Exterior Idaho State Capitol shall have in his possession the equipment necessary to remove the animal's fecal matter and immediately remove all fecal matter deposited by the animal. The person bringing the animal to the Interior shall have in his possession the equipment necessary to remove the animal's urine and feces and immediately remove all urine and feces deposited by the animal. (4-6-23)

307. LANDSCAPING AND IMPROVEMENTS.

Persons other than state employees or contractors designated by the Director may not: (4-6-23)

01. Plants. Damage, cut, carve, transplant or remove any plant including, but not limited to, trees, on the Exterior. (4-6-23)

02. Grass. Dig in or otherwise damage grass areas on the Exterior. (4-6-23)

03. Irrigation Equipment. Interfere with, damage or remove irrigation equipment on the Exterior. (4-6-23)

04. Landscaping Materials. Move or alter landscaping materials on the Exterior including, but not limited to, rock, edging materials, and bark or mulch. (4-6-23)

05. Climbing. Climb or scale buildings, Commemorative Installations, trees, fences, posts or other improvements at the Idaho State Capitol. (4-6-23)

308. FOOD AND BEVERAGES.

Consumption of food and beverages at the Idaho State Capitol is subject to the following: (4-6-23)

01. Consumption May Be Prohibited. The consumption of food and beverages, including water, may be prohibited by a notice posted at the entrance to all or a portion of the Exterior. Each authority granted control of a portion of the Interior as described in Section 67-1602, Idaho Code, may prohibit the consumption of food and beverages, including water, in that portion of the Interior by posting a notice at one (1) or more of the entrances to the portion of the Interior under its control. (4-6-23)

02. Alcohol. Alcohol may not be consumed or distributed on the Exterior or the Public Space. (4-6-23)

309. SMOKING AND VAPING.

All persons shall observe the smoke free entrance notices and shall smoke or vape only in designated areas of the Exterior. Smoking and vaping is not allowed in the Interior. (4-6-23)

310. FIRES, CANDLES, AND FLAMES.

No fires, candles or other sources of open flame are permitted at the Idaho State Capitol. (4-6-23)

311. POSTERS, PLACARDS, BANNERS, SIGNS, EQUIPMENT, TABLES, MATERIALS, AND DISPLAYS.

01. Electrical Cords. Electrical cords must be protected by cord covers or gaffers tape to prevent an electrical or trip hazard. (4-6-23)

02. Railings. Items may not be placed on railings and persons may not sit or stand on railings. (4-6-23)

03. Tossing or Dropping Items. Items may not be tossed or dropped over railings or from one (1) level of the Idaho State Capitol or improvements at the Idaho State Capitol to another level or to the ground. (4-6-23)

04. Ingress or Egress. No item, including tables, chairs, exhibits, equipment, materials, and displays shall be located so as to block ingress or egress to any portion of the Idaho State Capitol, or to restrict the flow of individuals using the facility, or to restrict emergency egress or ingress. (4-6-23)

05. Attaching, Affixing, Leaning or Propping Materials. Posters, placards, banners, signs, and Displays, including any printed materials, shall not be affixed on any surface of the Idaho State Capitol or on any Exhibit or Commemorative Installation, post, railing, fence or landscaping, including trees. All posters, placards, banners, signs, and Displays must be free-standing or supported by individuals. Items may not be leaned or propped against any surface of the Idaho State Capitol or embedded into the ground including, but not limited to, placement of a stake, post or rod into the ground to support materials. (4-6-23)

06. Materials Causing Damage to Surfaces. Stages, risers, chairs, tables, sound equipment, props, materials, displays, and similar items shall be constructed and used in a manner that will not damage, scratch, dent, dig or tear any surface on the Idaho State Capitol or any systems or utilities of the Idaho State Capitol including, but not limited to, fire suppression systems, storm drains, ventilation systems, and landscape watering systems. (4-6-23)

07. Free Distribution of Literature and Printed Material. All literature and printed material must be distributed at no charge. The party distributing literature and printed material shall ensure periodically and at the conclusion of its use of the Idaho State Capitol that such material is not discarded outside of designated trash receptacles. (4-6-23)

08. Surface Markings. Users shall not use any material to mark on any surface of the Idaho State Capitol including chalk, paint, pens, ink, or dye. (4-6-23)

09. Capacity. The number of users in the Interior is limited to the capacity designated by health and safety officials including, but not limited to, the state fire marshal, the division of building safety, and the department of health and welfare. (4-6-23)

10. Moving Furniture and Items. The public shall not move furnishings owned by the state of Idaho or placed by agents or employees of the state of Idaho at the Idaho State Capitol, including chairs, benches, tables, signs, art, memorials, statues, or Exhibits. (4-6-23)

11. Sound Amplification. Except for amplification provided by the Department under a Permit and use by Law Enforcement or Security Personnel or by state employees and officials under Subsection 315.01 of these rules, sound amplification devices shall not be used in the Interior. (4-6-23)

312. ITEMS SUBJECT TO SEARCH.

To enhance security and public safety, Security Personnel and Law Enforcement may inspect: (4-6-23)

01. Packages and Bags. Packages, backpacks, purses, bags, and briefcases reasonably suspected of concealing stolen items or items prohibited by law, including these rules. (4-6-23)

02. Items. Items brought to the Idaho State Capitol, if there is a reasonable suspicion that an item may be capable of injuring, damaging or harming persons or property at the Idaho State Capitol of disrupting the primary

uses of the Idaho State Capitol in violation of law, including these rules. (4-6-23)

313. PROHIBITED ITEMS.

The following, as defined in title 18, chapter 33, Idaho Code, are not permitted at the Idaho State Capitol: bombs, destructive devices, shrapnel, weapons of mass destruction, biological weapons, and chemical weapons. Security Personnel or Law Enforcement may direct that any person at the Idaho State Capitol immediately remove from the Idaho State Capitol any club, bat, or other item that can be used in violation of law, including these rules, to injure, damage, or harm persons or property or to disrupt the primary uses of the Interior. (4-6-23)

314. UTILITY SERVICE.

The public may not use the utility services of the Idaho State Capitol other than restrooms and drinking fountains; provided, however, the Director may authorize limited use of electrical service for the duration of Public Use authorized by these rules. Utility services include, but are not limited to, electrical, sewage, water, heating, and geothermal services. The Director may terminate the use of utilities if such use interferes with the utility services of the Idaho State Capitol or the equipment or apparatus using utility service fails to comply with applicable rules or codes. (4-6-23)

315. LAW ENFORCEMENT AND FACILITY EXIGENCY – REMOVAL FOR NON-COMPLIANCE.

01. Emergency or Threat. In case of a fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, or endangering public property, Law Enforcement, Security Personnel and state employees or officials may direct all persons off of or out of the Idaho State Capitol and delay or postpone any activity until the emergency or threat is abated. (4-6-23)

02. Removal. The Director, the Presiding Officer, or their designees are authorized to request that Law Enforcement remove or exclude any person from the Interior who engages in any of the following: (4-6-23)

a. Violation of law, including these rules, where such violation: (4-6-23)

i. Interferes with the primary uses of the Idaho State Capitol, injures persons or property, or is likely to injure persons or property, or, (4-6-23)

ii. Law Enforcement, Security Personnel, the Presiding Officer, or the Director or his designee has requested compliance with the applicable law, including provisions of these rules, and the person has refused to comply. (4-6-23)

b. Engaging in a riot, unlawful gathering or a gathering designed to impede the business of the state of Idaho in violation of Sections 18-6401 or 18-6404, Idaho Code. (4-6-23)

316. COMPLIANCE WITH LAW.

All use of the Idaho State Capitol shall comply with applicable law including, but not limited to, fire, health, and safety codes. (4-6-23)

317. HEALTH, SAFETY AND MAINTENANCE OF STATE FACILITIES.

01. Clean Condition After Use. Users shall leave the Idaho State Capitol in reasonably clean condition after use, including depositing all trash in designated receptacles. (4-6-23)

02. Return of Items to Proper Location. Users shall return all items including, but not limited to, movable furniture and trash receptacles, to their location at the conclusion of use. (4-6-23)

03. Public Health. Persons may not excrete human waste at the Idaho State Capitol except in designated restroom facilities. For purposes of this section, excrete means the discharge of human waste from the body, including the acts of defecation and urination. For purposes of this section, human waste means human feces or human urine. (4-6-23)

04. Fireworks. Persons may not possess or use fireworks at the Idaho State Capitol. (4-6-23)

05. Attire. Persons in the Interior shall be fully clothed. Fully clothed means wearing shoes and one (1) or more garments extending from the wearer's shoulders to the wearer's legs. (4-6-23)

318. REMOVAL OF ITEMS.

All items brought to the Idaho State Capitol by the public shall be removed at the conclusion of the person's use of the Idaho State Capitol. Unless items are subject to report and transfer to the state treasurer as unclaimed property pursuant to Idaho law, the Director may authorize disposal of items left at the Idaho State Capitol. (4-6-23)

319. -- 399. (RESERVED)

400. PERMITS.

01. Use Without a Permit. A Permit grants a reservation providing priority for use of the area specified in the Permit as set forth in Subsection 200.04 of these rules. Applicants desiring to obtain a Permit for use of the Exterior or the Public Space outside of the Permit areas, hours or duration or who have not submitted an application within the application period may use the Exterior or the Public Space, subject to the provisions of these rules, on a first-come, first used basis. Permits will be issued to groups of two (2) or more people. (4-6-23)

02. Permit Areas, Hours and Duration, and Number of Participants. (4-6-23)

a. The Director will consider and grant Permits only for: (4-6-23)

i. Public Use of the Jefferson Street Steps; and (4-6-23)

ii. Public Use of the Public Space on the second floor rotunda. (4-6-23)

b. The Director will issue Permits for the following periods: (4-6-23)

i. Reserving use of the Jefferson Street Steps only for the period between the hours of 7 a.m. and 6 p.m.; and (4-6-23)

ii. Reserving the Public Space on the second floor rotunda during the hours of use in Section 302 of these rules. (4-6-23)

c. The duration of a Permit for the Jefferson Street Steps will not exceed four (4) consecutive hours. The duration of a Permit for the Public Space will not exceed eight (8) consecutive hours. (4-6-23)

d. The Director will issue a Permit only for Public Use involving two (2) or more persons. (4-6-23)

03. Application Period. Permit applications must be received and complete at least two (2) State Business Days prior to the requested date and time period of the Permit. The Department will not accept applications submitted more than six (6) months prior to the requested date of the Permit. (4-6-23)

04. Validity. Permits are valid only for the dates, times, and locations specified on the Permit as approved by the Director. (4-6-23)

05. Distribution. Permits shall be granted by the Director on a first-come, first-served basis, subject to Subsection 200.03 of these rules. Only one (1) Permit will be granted for the Jefferson Street Steps or the Public Space during any period of time. (4-6-23)

06. Application Requirements. Applications for a Permit shall be in writing on a form prescribed by the Director and available at the office of the Division of Public Works and the Department's [website](#). The Director will only process applications that are complete and signed by the individual making a request or an authorized representative of the entity or organization making the request. The Director may make reasonable inquiry to confirm the accuracy of the application and the authority of the party signing the application. (4-6-23)

07. Conditions. The Director may impose reasonable conditions on the use of the Idaho State Capitol in the Permit for the purpose of protecting persons and property. (4-6-23)

08. Transferability. Permits are non-transferable. (4-6-23)

401. APPROVALS AND DENIALS OF A PERMIT APPLICATION.

01. Period for Approval or Denial. The Department will approve or deny a complete application within two (2) State Business Days of the submission of the application. (4-6-23)

02. Basis for Denial. Permits may be denied for one (1) or more of the following: (4-6-23)

a. A Permit has been granted for all or part of the requested location during all or part of the requested time period. (4-6-23)

b. A public entity or official will be using all or part of the requested location during all or part of the requested time period. (4-6-23)

c. The requested use would violate any provision of these rules or applicable law. (4-6-23)

d. These rules do not authorize the use for the location or times requested or do not authorize the issuance of a Permit for the location requested. (4-6-23)

e. The Permit application is incomplete, contains a material falsehood, or contains a material misrepresentation. (4-6-23)

f. The Permit applicant has not certified that the applicant will comply with these rules or applicable law. (4-6-23)

g. The party signing the application is not legally competent to bind themselves or the organization or entity submitting the application. (4-6-23)

h. The individual, organization or entity submitting the application: (4-6-23)

i. Failed to pay costs or damages arising from an earlier use of any state facility; (4-6-23)

ii. Made a material misrepresentation regarding the nature or scope of the use on a prior Permit application; (4-6-23)

iii. Violated the terms of prior Permits issued to the individual, organization or entity; or (4-6-23)

iv. Violated any applicable law in the course of previous Public Use of state of Idaho facilities. (4-6-23)

i. The requested use would cause a clear and present danger to the orderly processes of state of Idaho government or to the use of the Idaho State Capitol due to advocacy of: (4-6-23)

i. The violent overthrow of the government of the United States, the state of Idaho, or any political subdivision thereof; (4-6-23)

ii. The willful damage or destruction, or seizure and subversion of public property; (4-6-23)

iii. The forcible disruption or impairment of or interference with the regularly scheduled functions of the state of Idaho; (4-6-23)

iv. The physical harm, coercion, intimidation or other invasions of the lawful rights of public officials or the public; or (4-6-23)

- v. Other disorders of a violent nature. (4-6-23)

402. REVOCATION OF A PERMIT.

A Permit may be revoked by the Director for the violation of any term or condition of the Permit or the violation of law including, but not limited to, the violation of any provision of these rules. (4-6-23)

403. APPEALS.

01. Time for Appeal. The individual or the organization or entity submitting an application may request that the Department initiate a contested case within the period set forth below. The Department will not initiate a contested case after the following periods: (4-6-23)

- a. Seven (7) State Business Days following the written denial of an application for a Permit; (4-6-23)
- b. Seven (7) State Business Days following the revocation of a Permit; and (4-6-23)
- c. Seven (7) State Business Days following the date the Department was required to approve or deny the application for a Permit pursuant to Section 401 of these rules. (4-6-23)

02. Requesting an Appeal. The individual or the organization or entity submitting an application shall request an appeal in writing, with a physical copy delivered to the Director at the street address set forth on the Department's [website](#) containing the following: (4-6-23)

- a. The name, address, and contact information of the appellant; (4-6-23)
- b. A concise statement of the reason the appeal should be granted; (4-6-23)
- c. Whether the appellant requests informal disposition to expedite the contested case; and (4-6-23)
- d. A description of the Permit sought. (4-6-23)

03. Informal Disposition. If an appellant requests informal disposition, the Director will accept written evidence submitted within five (5) State Business Days of the appeal request, or as otherwise agreed by the Director and the appellant. The Director will issue a final written order affirming, reversing or modifying the denial or revocation of the Permit. (4-6-23)

04. Contested Cases. If an appellant does not request informal disposition, the Director will schedule a hearing and proceed as set forth in chapter 52, title 67, Idaho Code. Contested cases will be governed by the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (4-6-23)

05. Judicial Review. Judicial review of orders issued in an appeal is provided as set forth in chapter 52, title 67, Idaho Code. (4-6-23)

404. -- 499. (RESERVED)

500. LIABILITY.

01. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, chapter 9, title 6, Idaho Code. (4-6-23)

02. No Endorsement. The grant of a Permit and any action or inaction of the Department does not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in Public Use of the Idaho State Capitol. (4-6-23)

501. -- 999. (RESERVED)

APPENDIX A

CAPITOL WORKFLOW QUICK REFERENCE



SUBMIT A FACILITIES WORK REQUEST

- Painting, plumbing, heating & cooling, electrical, and custodial
 - Report damage or problems
 - Wall hanging (shelving, framed art, etc.)
- cms.idaho.gov/maintenance



CAPITOL MALL FACILITIES SERVICES

- Work Requests
- Custodial Services
- Maintenance & repairs
- Works with Capitol Curator on all hanging requests



DESIGN & CONSTRUCTION COMMITTEE

- Capitol preservation
- Building maintenance
- Installation & maintenance of security/technology
- Renovation & repair



IDAHO STATE CAPITOL COMMISSION

- Directly manages Capitol & grounds with support from State Constitutional Officers & Legislature
- Balances Capitol preservation with occupant needs
- Advised by the Design & Construction Committee
- Advised by the Arts History & Culture Committee

CONTACT THE CAPITOL CURATOR

- Permanent & Temporary Exhibits
 - Historic furnishings
 - Capitol Collection
 - Inventory inquiries
- capitolcurator@ishs.idaho.gov



CAPITOL CURATION PROGRAM

- Resource for occupants regarding preservation policies
- Maintenance & growth of collections
- Develop & manage public exhibits
- Works with DPW & Capitol Mall Facilities Services as needed



ARTS, HISTORY, & CULTURE COMMITTEE

- Permanent & Temporary Exhibits
- Art, memorials, & statuary
- Capitol Collection
- State gifts & donations

For inquiries beyond those noted under "Capitol Occupants," the Capitol Commission & Leadership as defined in the Capitol Usage Manual will be contacted.



IDAHO STATE HISTORICAL SOCIETY

OTHER RESOURCES:
 LEGISLATIVE SERVICES OFFICE: (208) 334-4850
 CAPITOL MALL SECURITY: (208) 334-222



APPENDIX B



IDAHO STATE
HISTORICAL
SOCIETY



WELCOME TO THE CAPITOL BUILDING!

As approved by the Capitol Commission* on August 18, 2021,
please observe the following guidelines for your assigned space:

*For a full review of statutes and policies governing the use and maintenance of the Statehouse, consult the Capitol Building Usage Manual.

Furnishings

Furnishings throughout the statehouse are historic and custom made to maintain the character of Idaho's Capitol of Light.

- Your assigned space has its own furniture. Please do not remove the pieces provided.
- Furnishings cannot be altered.
- Do not use tape or any adhesives on the furnishings.
- Potted plants must have a water guard between the pot and furniture surface.
- Use coasters or guards between cups and wooden surfaces.
- For wooden writing surfaces, use an ink blotter to protect the piece from damage.

Routine Care and Maintenance:

- Spills and everyday mishaps can be cleaned with a water damp soft cotton cloth and a dry cotton cloth.
- Dust furniture with a dry and clean dust cloth, brush, or wipe.
- Do not use chemical cleaners on wood surfaces (Pledge, multi surface cleaners, etc.).
- To clean glass, spray glass cleaner on a soft cloth, then wipe glass. Do not spray cleaner directly on glass.



**REPORT ALL DAMAGE AND REQUESTS
TO MOVE FURNISHINGS TO
THE CAPITOL CURATOR.**

Wall Hangings

To assist in protecting the Capitol's historic structure, please do not hang an object without the assistance of the Capitol Curator and/or Capitol Mall Facilities Services.

- **Submit all hanging requests to Capitol Mall Facilities Services at cms.idaho.gov/maintenance**
- Please use discretion when selecting the number and type of objects you would like to hang in your assigned space.
- Framed objects are encouraged.
- Existing nails/hangers or non-invasive hanging methods should be used on Historic Walls.

3D Objects

Please contact the Capitol Curator before displaying three-dimensional objects in your assigned space.

- If a case or pedestal and vitrine cover is needed, the Capitol Curator will facilitate the order with the cost being the responsibility of the requester.
- If an object from the Capitol Collection is requested, the Capitol Curator will facilitate its transportation and assist in placement.
- Additional chairs or desks can be requested for use in appropriate spaces if needed.

**For additional information, consult Appendix F of
the Capitol Building Usage Manual.**

Interested in accenting your space with a piece of the past? Find thousands of historic images from the Idaho State Archives at:
history.idaho.gov/photo-reproduction

Thank you and enjoy your assigned space in the Capitol!

For questions in regards to these guidelines, please contact the Capitol Curator,
Capitol Building Usage Guide, October 2021
Nicole Inghilterra, at capitolcurator@ishs.idaho.gov

APPENDIX C

Purpose

1.1 To standardize the response to wall hanging requests from building occupants of the Idaho State Capitol pursuant to Idaho Statute 67-1608;

“(4) Work cooperatively with the Idaho state historical society to support a capitol curator to preserve, manage and protect the capitol building, and its historic collections and exhibits.”

Scope

2.1 This policy applies to all requests for hanging materials on walls identified as part of the original construction of the Capitol as is reflected on the floorplans generated by CSHQA for the 2008-2010 Idaho State Capitol Restoration.

2.1.2 This policy will be updated to reflect subsequent renovations to the Capitol as work is completed and new floorplans are made available.

Definition

3.1 Capitol Occupants

3.1.1 Officeholders and staff who have been assigned a workspace within the Idaho State Capitol Building.

3.2 Historic Wall

3.2.1 Walls within the Capitol constructed of original, historic materials. Throughout the restoration, these walls were rehabilitated with materials and techniques reflecting the original construction of the building.

3.3 New Wall

3.3.1 Walls within the Capitol constructed of drywall or original walls which were overlaid with drywall during the 2008-2010 Idaho State Capitol Restoration.

Initiating a Hanging Request

4.1 Occupants can initiate a hanging request by submitting a [Capitol Mall Service Request](#).

4.2.1 Capitol Mall Facilities Services will inform the Capitol Curator of the request to assess impacts to the historic structure.

4.2 Include the dimensions, weight, and desired location for hanging, as well as the office/room number in all requests.

4.3 Do not hang an object without the assistance or direction of the Capitol Curator and Capitol Mall Facilities Services.

Assessing a Hanging Request

5.1 Once the request is made, the Capitol Curator and Capitol Mall Facilities will collaborate to assess the site and objects proposed for hanging.

5.2 The following factors should be considered before hanging an object on a wall:

5.2.1 Wherever possible, existing holes, nails, or hangers should be used.

5.2.2 Marble or woodwork is not to be used. Exceptions may be made for installation of permanent additions to the Capitol after approval by the Capitol Commission: Arts, History, and Culture Committee.

5.2.3 Framed objects are encouraged to minimize impact to the walls surface and support structures.

5.2.4 Objects strung with picture hanging wire, fitted with tooth-hangers, or other comparable fasteners are preferred.

5.2.5 Objects will be hung on appropriate hangers.

5.2.5a Hangers should consist of a nail that minimizes wall damage and a picture hook that has a precision guide nail hole providing the correct angle of insertion and reinforced hole groove.

5.2.5b Non-invasive, removable, adhesive based hangers (such as Command Strips) can be used on walls with light texture.

5.2.5c Hangers should be matched to the correct weight allowance for the object.

5.2.5d Hangers used in public spaces should be child safety and tremor proof with an additional cover latch/elbow over the open hook.

Fulfilling Hanging Requests

6.1 Hanging requests for New Walls:

6.1.1 Wherever possible, the use of existing nails and hangers are encouraged.

6.2 Hanging requests for Historic Walls:

6.2.1 When non-invasive hanging methods cannot be used, objects must be hung on existing hangers or nails.

6.2.2 New objects proposed to be permanently hung in a space will be reviewed by the Capitol Curator and the Capitol Commission: Arts, History, and Culture Committee. If approved, the Capitol Curator and Capitol Mall Facilities Services will collaborate to complete the work with the appropriate hardware.

Key Contacts

Capitol Curation Program

Nicole Inghilterra

Capitol Curator & Museum Registrar

(208) 488-7491

(208) 334-2118

Nicole.Inghilterra@ishs.idaho.gov

CapitolCurator@ishs.idaho.gov

Capitol Mall Facilities Services

Steve Brammer, Building Superintendent

Division of Public Works

Office: (208) 332 -1962

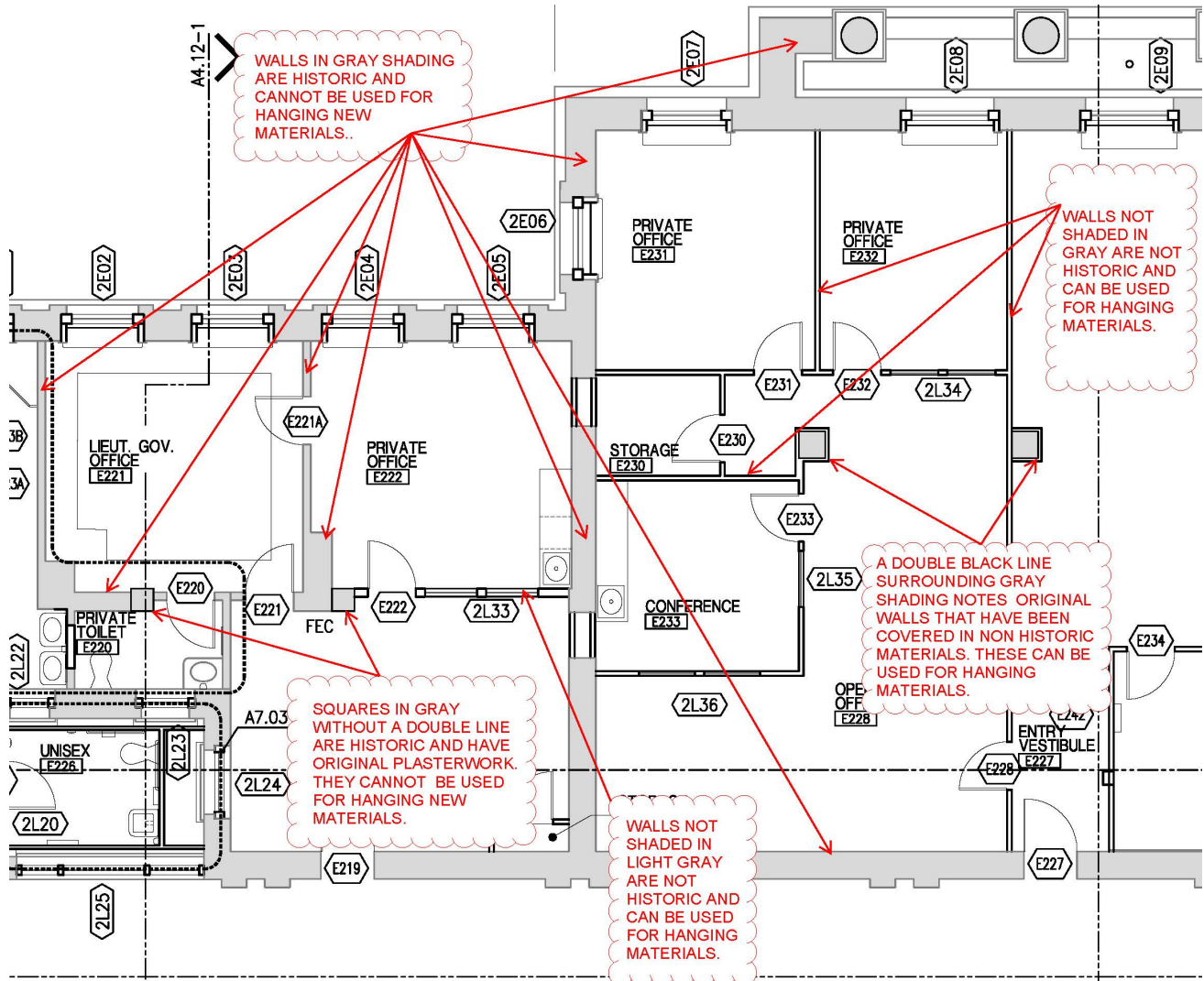
Mobile: (208) 919 -1634

Steve.Brammer@adm.idaho.gov

Facilities@adm.idaho.gov

Capitol Floor Plans

The current floorplans of the Idaho State Capitol can be read according to the following key:



APPENDIX D

APPENDIX E

Appendix E - Capitol Exhibits

PURPOSE

1.1 To outline the procedures and practices surrounding the development and installation of exhibits within the Capitol building Idaho Code 67-1608, Powers and Duties of the Idaho State Capitol Commission; “(3) To review all proposals involving objects of art, memorials, statues, or exhibits to be placed on a permanent or temporary basis in public space within the capitol building or on its grounds. All such proposals shall be in conformance with the approved written policies of the commission and implemented with the consent of the commission and consent of the legislature and governor pursuant to subsections (2) and (3) of section 67–1602, Idaho Code.”

SCOPE

2.1 This policy applies to the exhibition of all materials in public spaces throughout the Capitol building as defined by IDAPA 38.04.08.

DEFINITIONS

3.1 Exhibit: Exhibitions or installations of physical items outside of an Event including, but not limited to, commemorative installations, floral displays, art objects, historical artifacts, and cultural objects.

3.2 Interpretive Exhibit: Permanent or temporary exhibition of materials from the Capitol Collection, Idaho State Historical Society, and/or another publicly owned entity showcasing Idaho art, history, and/or culture.

3.3 Commemorative Installation: Temporary installations related to a death or event recognized by an executive order of the Governor or a joint resolution of the Legislature.

3.4 Seasonal Décor: Seasonal decoration of public spaces with materials owned by the department of Administration.

EXHIBIT GUIDELINES

4.1 The Capitol Curator manages and maintains all permanent and temporary interpretive exhibitions of the Idaho State Historical Society located throughout the Statehouse.

4.2 All Capitol exhibits should enhance the beauty and dignity of the Capitol and grounds and provide visitors with an enriching or educational experience.

4.3 Exhibits cannot cause damage to the building or pose a threat to health and safety of Capitol staff, occupants, or visitors.

4.4 If applicable, the Idaho State Historical Society observes the Federal Visual Artists Rights Act (VARA).

EXHIBIT PROPOSALS

5.1 Exhibit proposals can be made by:

5.1.1 Members of the Capitol Commission;

5.1.2 An occupant’s Leadership as defined by IDAPA 38.04.08; or,

5.1.3 The Idaho State Historical Society

5.2 Based upon the type of the Exhibit Proposal, submissions should be made to the following entities:

5.2.1 For Interpretive Exhibits: Submit proposals to the Capitol Curator

5.2.1.a Proposals should include the following:

- Detailed description of the exhibit including a scale drawing or illustration of the physical installation.

- Estimate of anticipated costs associated with the exhibit.
- Planned source of funding or fundraising.
- Site selection within the Capitol or Capitol Mall.

5.2.1.b Proposals will be submitted to the Arts, History, & Culture Committee (AHC) by the Capitol Curator for further consideration.

5.2.2 For Seasonal Décor: Submit proposals to the Department of Administration.

APPENDIX F

Appendix F - Capitol Collection Annual Inventory Procedure

Purpose

1.1 To provide a standard procedure for completing the inventory of the Capitol Historic Furniture Collection pursuant to Idaho Statute 67-1608;

“(4) Work cooperatively with the Idaho state historical society to support a capitol curator to preserve, manage and protect the capitol building, and its historic collections and exhibits. The possession of all historic, restored and new furniture used by the executive department shall be retained by the executive department, and the possession of all historic, restored and new furniture used by the legislative department shall be retained by the presiding officers of the senate and house of representatives. All historic, restored and new furniture shall be inventoried annually, shall remain in the capitol building and is the property of the state of Idaho.”

Scope

2.1 This procedure applies to all pieces of Capitol Historic Furniture Collection under the management of the Capitol Curation Program, pursuant to Idaho Statute 67-1608. Inventories of historic, new, and restored furniture not part of the Capitol Historic Furniture Collection are to be maintained by the agencies to which they have been designated by statute.

Definitions

3.1 Public Space

3.1.1 Public spaces are defined here as any area within the Capitol building that are open to the public during general operating hours without keyed or carded access.

3.2 Private Space

3.2.1 Private spaces are defined here as any area within the Capitol building where access is restricted to specific agency members or designated office holders.

3.3 Offsite Collections Management Facilities

3.3.1 Facilities which hold objects and artifacts that are part of the Capitol Collection but not currently displayed or in use.

3.4 Capitol Historic Furniture Collection

3.4.1 The Capitol Historic Furniture Collection comprises pieces of historic furniture that were identified and restored using Capitol Commission funding as part of the 21st century Capitol restoration (2007-2010) and all pieces that have been transferred into the collection since its creation through transmittal, transfer, or donation.

Responsibility

4.1 It is the responsibility of the Capitol Curator to follow the procedures and guidelines outlined in this document. Additional staff, if assigned, will assist the Capitol Curator in accordance with this document.

Frequency

5.1 A full inventory occurs annually within two months of adjournment or recess.

5.2 Partial inventories may be completed at any time under the following circumstances:

5.2.1 At the request of Legislative Services Office, Idaho State House and Senate, Division of Public Works, Idaho State Historical Society, Idaho State Capitol Commission, or Department of Administration.

5.2.2 When a current office resident is scheduled to move.

5.2.3 Upon the addition or removal of Capitol Historic Furniture items from an office or public space.

Process

6.1 Initiating the inventory of items in use at the Idaho State Capitol Building:

6.1.1 To ensure public accessibility and to respect the essential nature of business activities in the Capitol Building, the annual inventory will be conducted to minimize disturbance or visitor experience and daily operations of the building.

6.1.2 Public Spaces

6.1.2a Legislative Services Offices, Capitol Mall Security, and the branch of Government associated with management of allocated public spaces shall be informed of the beginning of the inventory. Artifacts located in public spaces may be accessed at the Capitol Curator's availability during hours when the building is open to the general public or outside of public hours following arrangements made with Capitol Mall Security and the respective manager of the allocated floor.

6.1.2b Public space allocation pursuant to Idaho Statute 67-1602 states:

Garden Level, 1st Floor, 3rd Floor, & 4th Floor: Idaho State Legislature

2nd Floor: Office of the Governor & Department of Administration

6.1.3 Private Offices

6.1.3a Legislative Services Offices, Capitol Mall Security, and managing representatives of office suites held by each branch of government shall be informed of the beginning of the inventory. The Capitol Curator will work with office representatives to arrange a time and date suitable to their needs, which may be outside of normal business hours. (See attached KEY CONTACTS for identified representatives.)

6.1.3b Access to locked spaces shall be given by Capitol Mall Security Officers at the Capitol Curator's request once permissions have been secured.

6.2 Initiating the Inventory of items located in offsite Collections Management Facilities

6.2.1 Objects located in offsite collections management facilities are items not actively in use and may be accessed at the Capitol Curator's availability.

6.3 Documentation

6.3.1 For collections located in the Capitol Building:

6.3.1a The Capitol Curator shall update the records of the capitol furniture with changes in condition, updated photographs, and physical location within the Capitol Building.

6.3.1b Unless necessary (e.g., obstruction of access to the Capitol Historic Furniture Collection registration number) no belongings of office occupants shall be handled or moved while inventory is being conducted.

6.3.1c When physical inventory throughout public spaces is complete, the Capitol Curator shall inform Legislative Services Offices, Capitol Mall Security, and any agencies as defined in 6.1.2b (above) or government branch which oversees the space.

6.3.1d When physical inventory in private offices is complete, the Capitol Curator shall inform the respective office contact, and Capitol Mall Security.

6.3.2 For Collections items located at the Capitol Collections Management Facility:

6.3.1 All objects shall be identified annually, and location updated by the Capitol Curator and assigned assistants from the Idaho State Museum Collections & Exhibitions Program. Every five (5) years, objects held in offsite collections management facilities shall be photographed, and condition documented.

6.3.3 Final, full annual inventory lists will be sent to the Capitol Commission, Legislative Services Offices, Office of the Governor, the Department of Administration, and respective office contacts no later than three months after adjournment or recess.

6.3.4 Final annual inventory lists of individual private office spaces will be sent to the respective representative of each office suite.

Key Contacts

Legislative Services Offices

Special Projects Coordinator
(208) 334-4850
Director
(208) 334-4828

Senate

Chief of Staff to President Pro Tem
(208) 332-1302
Sergeant at Arms
Email: ssgt@senate.idaho.gov
(208) 332-1400

House of Representatives

Chief of Staff to Speaker
Email: hspksec@house.idaho.gov
(208) 332-1111

Sergeant at Arms

Email: hsgt@house.idaho.gov
(208) 332-1150
Office of the Governor
Executive Assistant
(208) 334-2100

Office of the Lieutenant Governor

Chief of Staff
(208) 334-2200

Office of the Attorney General

Executive Assistant
(208) 334-2400
Receptionist/Secretary
(208) 334-4110

Office of the State Treasurer

Executive Assistant
(208) 334-3200

Office of the Secretary of State

Director of Government Services
(208) 332-2836

Department of Administration

Executive Assistant
(208) 332-1826
Director
(208) 332-1812

Appendix F - Capitol Collection Annual Inventory Procedure

AUTHORIZATION FORM

Pursuant to Idaho Statute 67-1608; “All historic, restored and new furniture shall be inventoried annually.”

Inventory Location: Public Private

For Public Spaces:

Floor: _____ Managing Agency: _____

Key Contact: _____ Inventory Dates Requested: _____

Key Contact Signature Authorizing Access: _____

For Private Spaces:

Floor: _____ Managing Agency: _____

Key Contact: _____ Inventory Dates Requested: _____

Key Contact Signature Authorizing Access: _____

Security Escort Requested: Yes No