

**State Senator Carla Nelson**  
Senate District 26

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**Senate**

**State of Minnesota**

**State Senator Bill Ingebrigtsen**  
Senate District 8

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651.297.8063

Mr. Kent Whitworth  
Director and CEO  
Minnesota Historical Society

Dear Mr. Whitworth,

We are writing to you to confirm our understanding regarding the application of Minnesota Statutes, section 138.68 to the recent removal of the Christopher Columbus statue (“the statue”) from the Capitol grounds. While we appreciate the information that Mr. David Kelliher provided at the June 25 meeting of the Capitol Area Architectural and Planning Board (“CAAP Board”), we are seeking further clarification about the statutory requirements for the Historical Society approval in this circumstance.

We believe that Minnesota Statutes, section 138.68 vests the Minnesota State Historical Society with final authority to approve or reject the removal of the statue. This law provides that “[n]o monument, memorial or work of art shall be relocated or **removed from**, or placed in [the Capitol or the Capitol grounds] or altered or repaired in any way without the approval of the Minnesota State Historical Society.” It is clear to us that although the statue has been moved to another location under the control of state authorities, the Historical Society has not provided the approval required under M.S. 138.68 for the removal to this location.

It is also important to note the legal status of the statue. Minnesota Statutes, section 138.68 provides that “The works of art in the public and ceremonial areas of the State Capitol are declared to possess historical value for the people of Minnesota.” The illegal removal of the statue did not change that status.

We are troubled to see that the Historical Society [website entry](#) for the statue seems to suggest that before the statue is replaced on its plinth, the CAAP Board must approve that step. We fail to see how that step is required where the Historical Society has not yet provided the approval required under law for the removal of the statue from the plinth. The procedure for replacing the statue described on your website reverses the burden of proof required under state law for the removal of a work of art that, under law, “possesses historical value for the people of Minnesota.” Further, the website notes the concerns of the people who illegally tore down the statue and the Lieutenant Governor’s apparent

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agreement with those concerns, but the website does not provide any perspective or comment from people who are concerned about the illegal removal of the statue and the amount of damage done to the statue. The final paragraph sufficiently describes the actions of June 10, 2020. Additional commentary on these actions does not belong in the first paragraph. We ask that the statute be repaired and replaced on its original plinth and site. Three additional sides remain on the plinth for additional plaques to reinterpret the statue.

We would like you to inform us how you intend to proceed with regard to this matter. We do not believe that you are required to wait for CAAP Board approval before taking action to ensure that the statue is returned to its legally required location. If you believe that there is work that must be performed on the statue before it can be returned to its location, please provide an explanation of that work as well. If you believe a full restoration of the statue is necessary before it can be returned, please explain why and describe the funding available for that work.

Sincerely,

Handwritten signature of Carla Nelson in black ink.

Senator Carla Nelson  
Education Policy and Finance Chair

Handwritten signature of Bill Ingebrigtsen in black ink.

Senator Bill Ingebrigtsen  
Environmental and Natural Resources Finance  
Chair

cc: Lieutenant Governor Peggy Flanagan (via Emmet Hedin), David Kelliher, Paul Mandell