

CR 93-31

STATE OF WISCONSIN

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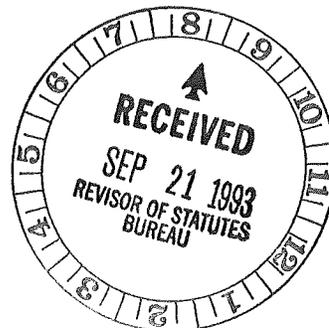
STATE HISTORICAL SOCIETY OF WISCONSIN )

I, H. Nicholas Muller III, Director of the State Historical Society of Wisconsin and custodian of the official records, certify that the annexed rules, relating to the State Historical Markers program, were duly approved and adopted by this agency on 9.1.93, 1993.

I further certify that this copy has been compared by me with the original on file in this agency and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at the State Historical Society, 816 State Street, in the city of Madison, this 17<sup>th</sup> day of SEPTEMBER, 1993.

  
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H. Nicholas Muller III, Director  
State Historical Society of Wisconsin



## ORDER of the State Historical Society of Wisconsin

The State Historical Society of Wisconsin orders the creation of HS 4, relating to the state's historical markers program.

### Analysis Prepared By the State Historical Society of Wisconsin:

This rule, adopted under the authority of s. 44.15(9), Stats., and interpreting s. 44.15, Stats., establishes the procedures the State Historical Society of Wisconsin, in consultation with the Historical Markers Council, will use to administer the state's Historical Markers Program and to approve applications for official state historical markers and plaques.

The markers and plaques are used to mark sites in Wisconsin of special historical, architectural, cultural, archeological, ethnic, geological, natural history or legendary significance.

Any person may apply for a historical marker or plaque, using the required application form. The applicant is required to submit a completed application form, providing sufficient information to document the significance of the subject, a location for the marker or plaque, and the source of funds to purchase the marker or plaque. The State Historical Society in consultation with the Historical Markers Council will review and approve applications that meet the criteria. Applicants are also responsible for maintenance of the markers and plaques after they are erected. Non-state markers or plaques that are identical to or misleadingly resemble the state markers and plaques may not be erected in Wisconsin.

Markers and plaques will be placed on appropriate state-owned property, and all state departments are directed to cooperate with the State Historical Society and the Historical Markers Council in carrying out the historical markers program.

Text of the Rule:

## CHAPTER HS 4

### STATE HISTORICAL MARKERS PROGRAM

HS 4.01 Authority

HS 4.02 Purpose

HS 4.03 Definitions

HS 4.04 Duties of the Officer: Placement of Markers and Plaques

HS 4.05 Approval and Maintenance of Markers and Plaques

HS 4.06 Criteria for Approval of Applications

HS 4.07 Provision of Markers and Plaques

HS 4.08 Restrictions on Use of Markers and Plaques

HS 4.09 Approval of State-funded Markers and Plaques

HS 4.10 State Agencies and State-owned Property

HS 4.11 Donations and Assistance

#### HS 4.01 AUTHORITY

This chapter is promulgated under the authority of s. 44.15(9), Stats. and provides a process to implement s. 44.15, Stats.

#### HS 4.02 PURPOSE

This chapter establishes procedures that the society, in consultation with the council, shall use to administer a program for the selection, funding and placement of markers and plaques.

#### HS 4.03 DEFINITIONS In this chapter:

- (1) "Council" means the historical markers council established under s. 15.707(1), Stats.
- (2) "Marker" means a large informational sign or marker, in one or more sizes of uniform design, with narrative text, meant generally to be free-standing and to mark state or local sites of special historical, architectural, cultural, archeological, ethnic, geological or legendary significance, or significance to natural history.
- (3) "Officer" means the state historic preservation officer under s. 44.32, Stats.
- (4) "Plaque" means a small marker in one or more sizes of uniform design, meant to mark buildings, structures, sites, districts and objects listed in the state register of historic places and to mark state and local sites of special historical, architectural, cultural, archeological, ethnic, geological, natural history and legendary significance, generally without narrative text.
- (5) "Society" means the state historical society of Wisconsin.
- (6) "State register of historic places" means the list of properties and districts of historic, architectural, archeological, engineering and cultural significance in Wisconsin maintained by the state historical society under s. 44.36, Stats.

#### HS 4.04 DUTIES OF THE OFFICER: PLACEMENT OF MARKERS AND PLAQUES

For purposes of s. 44.15(9), Stats., the officer shall approve the placement of markers and plaques by approving applications under s. HS 4.05 and s. HS 4.06, shall enforce the restriction under s. HS 4.08, and shall approve funding for, and placement of, markers and plaques under s. HS 4.09 and s. HS 4.10.

#### HS 4.05 APPROVAL AND MAINTENANCE OF MARKERS AND PLAQUES

- (1) APPLICATION PROCEDURES FOR MARKERS AND PLAQUES

(a) Any person may apply for placement of a marker or plaque by submitting a completed marker application HMP:0001 to the society. The applicant shall provide for the marker or plaque location and placement, funding to purchase the marker or plaque, maintenance of the marker or plaque, and other information and documentation required in the application.

(b) An application that is incomplete shall be returned to the applicant within 30 days of receipt by the society.

(c) The society in consultation with the council shall review and approve an application that meets the requirements under s. HS 4.06. An application shall be approved or disapproved within 180 days of receipt by the society.

(2) TEXT APPROVAL AND MARKER AND PLAQUE PURCHASE

(a) The narrative text, if any, for an approved marker or plaque shall be based on the suggested text in the application and shall be prepared by the applicant with the assistance of the society and shall be approved by the officer.

(b) The society shall arrange for the manufacture and delivery of the marker or plaque to the applicant.

(3) MAINTENANCE OF MARKERS AND PLAQUES

The applicant for the marker or plaque shall be responsible for the maintenance of the marker or plaque after it has been erected. The society may issue orders to maintain markers and plaques, and the society may maintain markers and plaques.

NOTE: The marker application form HMP:0001 is available from the State Historical Society of Wisconsin, 816 State St., Madison WI 53706.

HS 4.06 CRITERIA FOR APPROVAL OF APPLICATIONS

The officer in consultation with the council shall consider for approval applications for markers and plaques for state and local sites if the applications are complete and documented, if the officer determines that the applicants can fund and maintain the markers or plaques, and if the sites meet any of the following criteria of significance for selection:

(1) Listed in the state register of historic places under s. 44.36, Stats.

(2) Association with events that have made a significant contribution to the broad patterns of history.

(3) Association with the lives of persons no longer living who have made significant contributions to the broad patterns of history and culture.

- (4) Embodiment of the distinctive characteristics of a type, style, period or method of construction or architecture, or representation of the work of a master, or that possess high artistic value.
- (5) Yielding, or likely to yield, information important in prehistory or history.
- (6) Association with ethnic groups who have made distinctive and significant contributions to history.
- (7) Embodiment of characteristics of the state representing significant aspects of the physical or natural history of the earth and its life.
- (8) Representation of popular stories or myths that, although not verifiable, are significant to history and culture.

#### HS 4.07 PROVISION OF MARKERS AND PLAQUES

- (1) The society shall arrange for the manufacture and distribution of markers and plaques.
- (2) The society may sell markers and plaques, with funds generated by the sales to be deposited in the markers fund established under s. 20.245(3)(d), Stats.

#### HS 4.08 RESTRICTIONS ON USE OF MARKERS AND PLAQUES

- (1) The markers and plaques developed by the society may not be used to mark sites other than those approved by the society and shall be used subject to any conditions established by the society in consultation with the council.
- (2) No marker or plaque may include the personal name of the current owner of the property or the name of any living person.
- (3) No person may erect or use a marker or plaque that is identical to or misleadingly resembles the markers and plaques developed by the society.
- (4) The officer may require the removal of any marker or plaque that does not meet the requirements of this subsection.
- (5) The officer shall notify the department of justice of any violation of s. 44.15(3)(b), Stats.

#### HS 4.09 APPROVAL OF STATE-FUNDED MARKERS AND PLAQUES

- (1) In consultation with the council, the officer may identify and authorize placement of markers and plaques to be funded by state appropriations or other sources of funding. No

matching funds are required for a marker or plaque that is funded under this section. Funds may be used for the purchase of markers and plaques to be installed on historical properties and for placement and installation of markers and plaques in other states or countries.

(2) Consideration for state funding of markers and plaques under this section shall be given to:

(a) Manufacture of standardized plaques for properties listed in the state register of historic places.

(b) Purchasing markers and plaques for state-owned properties.

(c) Purchasing markers and plaques for properties owned by local units of government.

(d) Updating, revising or correcting the texts on existing markers and plaques, or replacing damaged markers or plaques.

(e) Expenditures by the officer in consultation with the council to meet special circumstances or needs of the markers program.

(3) If funding to assist marker and plaque applicants with the purchase of markers and plaques is available from the society, the society shall inform persons who apply for markers or plaques of the availability of such funds.

#### HS 4.10 STATE AGENCIES AND STATE-OWNED PROPERTY

(1) Each board, commission, committee, department, or officer in state government shall cooperate with the society and the council in the placement of markers or plaques on state-owned property, and shall place and maintain such markers or plaques, as supplied by the society, at locations identified by the society. All state departments, independent agencies and institutions are directed to cooperate with the society and the council in administering the markers program. Applicable laws shall be liberally construed in favor of such cooperation.

(2) The officer in consultation with the council may place markers and plaques on state-owned property.

(3) The officer shall notify in writing the director of the state department, independent agency or institution of the decision to place a marker or plaque on the property. The officer shall request the cooperation of the state department, independent agency or institution in the location, installation and maintenance of the marker or plaque.

(4) The director of the state department, independent agency or institution shall reply within 60 days to the officer agreeing to the placement of the marker or plaque and shall enter into an agreement with the officer concerning the location, installation and maintenance of the marker or plaque.

(5) The society shall arrange for the manufacture and delivery of the marker or plaque.

HS 4.11 DONATIONS AND ASSISTANCE

(1) The society, on behalf of the council, may accept appropriations, sales proceeds, and gifts and bequests made for the purposes of the markers program and use them as far as practicable in accordance with the wishes of the donor. All money so received shall promptly be paid into the state treasury and be paid out on order of the society.

(2) Proceeds from sales of markers and plaques shall be used to carry out the markers program.

(3) The society and the council may accept the aid, support and cooperation of state, county, city, village, or town agencies, or private agencies or persons in executing projects of the markers program.

Effective Date:

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated: \_\_\_\_\_

9.17.93

Signed: \_\_\_\_\_

  
H. Nicholas Muller III, Director  
State Historical Society of Wisconsin





## State Historical Society of Wisconsin

Division of Historic Preservation

816 State Street • Madison, Wisconsin 53706-1488

☐ (608) 264-6500 • FAX (608) 264-6404

September 17, 1993

Mr. Gary Poulson  
Revisor of Statutes Bureau  
131 W. Wilson Street  
Suite 800  
Madison, Wisconsin  
INTERDEPARTMENTAL MAIL

Dear Gary:

Enclosed is the required copy of HS 4, the administrative rule adopted by the State Historical Society, for publication in the register.

I have also enclosed an uncertified copy and a 3.5" disk in WordPerfect 5.1 format containing the rule.

Please process this rule as soon as possible. Thank you.

If you have any questions, please let me know.

Sincerely,

Larry A. Reed  
Local Preservation Coordinator  
(608) 264-6501



Enclosures