

1 **GUBERNATORIAL AND LEGISLATIVE SPACE**

2 **IN THE CAPITOL**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Curtis S. Bramble**

6 House Sponsor: David Clark

7

8 **LONG TITLE**

9 **General Description:**

10 This bill amends and enacts provisions regarding the governor's and the Legislature's
11 space in the State Capitol.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends and enacts provisions regarding the governor's space in the State Capitol;
- 15 ▶ amends provisions relating to legislative space to make conforming changes;
- 16 ▶ amends provisions relating to the shared governor area and legislative area;
- 17 ▶ amends and enacts provisions regarding sharing certain governor area with the State
- 18 Capitol Preservation Board; and
- 19 ▶ makes technical amendments.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 This bill provides an effective date.

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **36-5-1 (Superseded 08/01/08)**, as last amended by Laws of Utah 2007, Chapter 121

27 **36-5-1 (Effective 08/01/08)**, as last amended by Laws of Utah 2007, Chapter 121

28 **63C-9-301**, as last amended by Laws of Utah 2007, Chapter 322

29 **63C-9-402**, as last amended by Laws of Utah 2006, Chapter 256

30 **63C-9-703**, as last amended by Laws of Utah 2003, Chapter 66

31 ENACTS:

32 **67-1-16**, Utah Code Annotated 1953

33

34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **36-5-1 (Superseded 08/01/08)** is amended to read:

36 **36-5-1 (Superseded 08/01/08). Reservation of area for Legislature -- Duties of**
37 **Legislative Management Committee.**

38 (1) As used in this section:

39 (a) "Architectural integrity" means the architectural elements, materials, color, and
40 quality of the original building construction.

41 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other
42 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,
43 500 North Street, and East Capitol Boulevard, and includes:

44 (i) the White Community Memorial Chapel and its grounds and parking areas, and the
45 Council Hall Travel Information Center building and its grounds and parking areas;

46 (ii) the Daughters of the Utah Pioneers building and its grounds and parking areas and
47 other state-owned property included within the area bounded by Columbus Street, North Main
48 Street, and Apricot Avenue;

49 (iii) the state-owned property included within the area bounded by Columbus Street,
50 Wall Street, and 400 North Street; and

51 (iv) the state-owned property included within the area bounded by Columbus Street,
52 West Capitol Street, and 500 North Street.

53 (c) "House Building" means the west building on capitol hill that is located northwest of
54 the State Capitol and southwest of the State Office Building.

55 (d) "Legislative area" means the buildings, chambers, rooms, hallways, lounges, parking
56 lots, and parking garages designated by this section as being subject to legislative control.

57 (e) "Senate Building" means the east building on capitol hill that is located northeast of

58 the State Capitol and southeast of the State Office Building.

59 (f) "State Capitol" means the building dedicated as the Utah State Capitol in 1916.

60 (g) "State Capitol Preservation Board" or "board" is as created in Section 63C-9-201.

61 (2) The legislative area on capitol hill includes:

62 (a) in the State Capitol:

63 (i) on the fourth floor: the entire floor and the stairs and elevators on the east and west
64 side, except the four art galleries and the four closets on the interior of the State Capitol which
65 are immediately around the art galleries are under the supervision of the board;

66 (ii) on the third floor: the entire floor, including the stairs and elevators on the east and
67 west side of the third floor, except:

68 (A) the Supreme Court chambers which is to be controlled and scheduled by the
69 Legislature during any general or special session of the Legislature and on interim days and
70 controlled and scheduled by the State Capitol Preservation Board on all other days;

71 (B) one office on the southeast side by the Senate Rules Room which is to be controlled
72 by the Supreme Court; and

73 (C) the Senate Rules Room, which Senate Rules Room is to be controlled by the
74 Legislature during any general or special session of the Legislature and on interim days, and
75 shared with the Supreme Court as scheduled through the Legislature on all other days;

76 (iii) on the second floor: a committee room on the northeast side which is to be
77 controlled and scheduled by the Legislature during any general or special session of the
78 Legislature and on interim days and controlled and scheduled by the State Capitol Preservation
79 Board on all other days;

80 (iv) on the first floor: no legislative space; and

81 (v) on the basement level:

82 (A) the Office of Legislative Printing; and

83 (B) the ~~[two]~~ audio/video control rooms ~~[which]~~ are to be controlled ~~[and scheduled]~~
84 by the Legislature ~~[during any general or special session of the Legislature and on interim~~
85 ~~committee days, which control rooms shall be shared with the governor as controlled and~~

86 ~~scheduled through the State Capitol Preservation Board on all other days]~~ and the governor and
87 scheduled by the Legislature, and the maintenance of the control rooms shall be by the State
88 Capitol Preservation Board at the direction of the Legislature and the governor;

89 (b) the entire House Building; and

90 (c) (i) the parking stalls in the underground parking facility located directly east of the
91 House Building and below the central plaza;

92 (ii) 52 of the parking stalls in the above ground parking lot known as Lot G located
93 north of the House Building and west of the State Office Building;

94 (iii) 26 of the parking stalls in the underground parking located directly under the
95 Senate Building; and

96 (iv) 47 of the parking stalls in the underground parking facility directly east of the
97 Senate Building.

98 (3) (a) The legislative area is reserved for the use and occupancy of the Legislature and
99 its committees and for legislative functions.

100 (b) The Legislative Management Committee shall delegate oversight of designated
101 portions of the legislative parking areas to the State Capitol Preservation Board for use by the
102 executive branch on nonlegislative days.

103 (4) The data centers in the House Building, Senate Building, and State Capitol which
104 are associated with the House, Senate, or legislative staff space are the responsibility of the
105 Legislature, and the maintenance of these data centers shall be by the State Capitol Preservation
106 Board at the direction of the Legislature.

107 ~~[(4)]~~ (5) The Legislative Management Committee shall exercise complete jurisdiction
108 over the legislative area, except for the following, which are the responsibility of the State
109 Capitol Preservation Board:

110 (a) the architectural integrity of the legislative area, including:

111 (i) restored historic architectural or design features;

112 (ii) historic color schemes, decorative finishes, and stenciling;

113 (iii) decorative light fixtures; and

- 114 (iv) flooring;
- 115 (b) control of the central mechanical and electrical core of the House Building, Senate
- 116 Building, and State Capitol [~~Building~~] on all floors;
- 117 (c) control of the enclosure of the House Building, Senate Building, and State Capitol
- 118 [~~Building~~] from the exterior of the building to the interior of the exterior wall;
- 119 (d) the roof of the House Building, Senate Building, and State Capitol [~~Building~~];
- 120 (e) the utility and security tunnels between the underground parking structure and the
- 121 House Building, Senate Building, and State Capitol [~~Building~~];
- 122 (f) rest rooms of the House Building, Senate Building, and State Capitol [~~Building~~];
- 123 (g) maintenance of all the elevators and stairways in the House Building, Senate
- 124 Building, and State Capitol [~~Building~~]; and
- 125 (h) those functions the Legislative Management Committee delegates in writing to be
- 126 performed by the State Capitol Preservation Board.

127 [~~(5)~~] (6) (a) The communications [~~and data~~] centers in the [~~House Building,~~] Senate
 128 Building[;] and State Capitol [~~Building~~] which are associated with the House, Senate, or
 129 legislative staff space or are associated with the governor, lieutenant governor, or their staff
 130 space are the shared responsibility of the State Capitol Preservation Board [~~and~~], the
 131 Legislature, and the governor.

132 (b) The communications centers in the House Building which are associated with the
 133 House, Senate, or legislative staff space are the shared responsibility of the State Capitol
 134 Preservation Board and the Legislature.

135 Section 2. Section **36-5-1 (Effective 08/01/08)** is amended to read:

136 **36-5-1 (Effective 08/01/08). Reservation of area for Legislature -- Duties of**
 137 **Legislative Management Committee.**

138 (1) As used in this section:

139 (a) "Architectural integrity" means the architectural elements, materials, color, and
 140 quality of the original building construction.

141 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other

142 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,
143 500 North Street, and East Capitol Boulevard, and includes:

144 (i) the White Community Memorial Chapel and its grounds and parking areas, and the
145 Council Hall Travel Information Center building and its grounds and parking areas;

146 (ii) the Daughters of the Utah Pioneers building and its grounds and parking areas and
147 other state-owned property included within the area bounded by Columbus Street, North Main
148 Street, and Apricot Avenue;

149 (iii) the state-owned property included within the area bounded by Columbus Street,
150 Wall Street, and 400 North Street; and

151 (iv) the state-owned property included within the area bounded by Columbus Street,
152 West Capitol Street, and 500 North Street.

153 (c) "House Building" means the west building on capitol hill that is located northwest of
154 the State Capitol and southwest of the State Office Building.

155 (d) "Legislative area" means the buildings, chambers, rooms, hallways, lounges, parking
156 lots, and parking garages designated by this section as being subject to legislative control.

157 (e) "Senate Building" means the east building on capitol hill that is located northeast of
158 the State Capitol and southeast of the State Office Building.

159 (f) "State Capitol" means the building dedicated as the Utah State Capitol in 1916.

160 (g) "State Capitol Preservation Board" or "board" is as created in Section 63C-9-201.

161 (2) The legislative area on capitol hill includes:

162 (a) in the State Capitol:

163 (i) on the fourth floor: the entire floor and the stairs and elevators on the east and west
164 side, except the four art galleries and the four closets on the interior of the State Capitol which
165 are immediately around the art galleries are under the supervision of the board;

166 (ii) on the third floor: the entire floor, including the stairs and elevators on the east and
167 west side of the third floor, except:

168 (A) the Supreme Court chambers which is to be controlled and scheduled by the
169 Legislature during any general or special session of the Legislature and on interim days and

170 controlled and scheduled by the State Capitol Preservation Board on all other days;

171 (B) one office on the southeast side by the Senate Rules Room which is to be controlled

172 by the Supreme Court; and

173 (C) the Senate Rules Room, which Senate Rules Room is to be controlled by the

174 Legislature during any general or special session of the Legislature and on interim days, and

175 shared with the Supreme Court as scheduled through the Legislature on all other days;

176 (iii) on the second floor: a committee room on the northeast side which is to be

177 controlled and scheduled by the Legislature during any general or special session of the

178 Legislature and on interim days and controlled and scheduled by the State Capitol Preservation

179 Board on all other days;

180 (iv) on the first floor: no legislative space; and

181 (v) on the basement level:

182 (A) the Office of Legislative Printing; and

183 (B) the ~~[two]~~ audio/video control rooms ~~[which]~~ are to be controlled ~~[and scheduled]~~

184 by the Legislature ~~[during any general or special session of the Legislature and on interim~~

185 ~~committee days, which control rooms shall be shared with the governor as controlled and~~

186 ~~scheduled through the State Capitol Preservation Board on all other days]~~ and the governor and

187 scheduled by the Legislature, and the maintenance of the control rooms shall be by the State

188 Capitol Preservation Board at the direction of the Legislature and the governor;

189 (b) the entire House Building;

190 (c) in the Senate Building:

191 (i) on the third floor: no legislative space;

192 (ii) on the second floor: the entire floor, including the secured elevator, are legislative

193 space;

194 (iii) on the first floor: the secured corridor to the secured elevator is legislative and

195 executive space controlled by the State Capitol Preservation Board; and

196 (iv) on the basement level: the secured elevator is legislative space; and

197 (d) (i) the parking stalls in the underground parking facility located directly east of the

198 House Building and below the central plaza;

199 (ii) 52 of the parking stalls in the above ground parking lot known as Lot G located
200 north of the House Building and west of the State Office Building;

201 (iii) 26 of the parking stalls in the underground parking located directly under the
202 Senate Building; and

203 (iv) 47 of the parking stalls in the underground parking facility directly east of the
204 Senate Building.

205 (3) (a) The legislative area is reserved for the use and occupancy of the Legislature and
206 its committees and for legislative functions.

207 (b) The Legislative Management Committee shall delegate oversight of designated
208 portions of the legislative parking areas to the State Capitol Preservation Board for use by the
209 executive branch on nonlegislative days.

210 (4) The data centers in the House Building, Senate Building, and State Capitol which
211 are associated with the House, Senate, or legislative staff space are the responsibility of the
212 Legislature, and the maintenance of these data centers shall be by the State Capitol Preservation
213 Board at the direction of the Legislature.

214 [~~4~~] (5) The Legislative Management Committee shall exercise complete jurisdiction
215 over the legislative area, except for the following, which are the responsibility of the State
216 Capitol Preservation Board:

217 (a) the architectural integrity of the legislative area, including:

218 (i) restored historic architectural or design features;

219 (ii) historic color schemes, decorative finishes, and stenciling;

220 (iii) decorative light fixtures; and

221 (iv) flooring;

222 (b) control of the central mechanical and electrical core of the House Building, Senate
223 Building, and State Capitol [~~Building~~] on all floors;

224 (c) control of the enclosure of the House Building, Senate Building, and State Capitol
225 [~~Building~~] from the exterior of the building to the interior of the exterior wall;

- 226 (d) the roof of the House Building, Senate Building, and State Capitol [~~Building~~];
- 227 (e) the utility and security tunnels between the underground parking structure and the
- 228 House Building, Senate Building, and State Capitol [~~Building~~];
- 229 (f) rest rooms of the House Building, Senate Building, and State Capitol [~~Building~~];
- 230 (g) maintenance of all the elevators and stairways in the House Building, Senate
- 231 Building, and State Capitol [~~Building~~]; and
- 232 (h) those functions the Legislative Management Committee delegates in writing to be
- 233 performed by the State Capitol Preservation Board.

234 [~~(5)~~] (6) (a) The communications [~~and data~~] centers in the [~~House Building,~~] Senate

235 Building[;] and State Capitol [~~Building~~] which are associated with the House, Senate, or

236 legislative staff space or are associated with the governor, lieutenant governor, or their staff

237 space are the shared responsibility of the State Capitol Preservation Board [~~and~~], the

238 Legislature, and the governor.

239 (b) The communications centers in the House Building which are associated with the

240 House, Senate, or legislative staff space are the shared responsibility of the State Capitol

241 Preservation Board and the Legislature.

242 Section 3. Section **63C-9-301** is amended to read:

243 **63C-9-301. Board powers -- Subcommittees.**

244 (1) The board shall:

245 (a) except as provided in Subsection (2), exercise complete jurisdiction and stewardship

246 over capitol hill facilities, capitol hill grounds, and the capitol hill complex;

247 (b) preserve, maintain, and restore the capitol hill complex, capitol hill facilities, capitol

248 hill grounds, and their contents;

249 (c) before October 1 of each year, review and approve the executive director's annual

250 budget request for submittal to the governor and Legislature;

251 (d) by October 1 of each year, prepare and submit a recommended budget request for

252 the upcoming fiscal year for the capitol hill complex to:

253 (i) the governor, through the Governor's Office of Planning and Budget; and

254 (ii) the Legislature's appropriations subcommittee responsible for capitol hill facilities,
255 through the Office of Legislative Fiscal Analyst;

256 (e) review and approve the executive director's:

257 (i) annual work plan;

258 (ii) long-range master plan for the capitol hill complex, capitol hill facilities, and capitol
259 hill grounds; and

260 (iii) furnishings plan for placement and care of objects under the care of the board;

261 (f) approve all changes to the buildings and their grounds, including:

262 (i) restoration, remodeling, and rehabilitation projects;

263 (ii) usual maintenance program; and

264 (iii) any transfers or loans of objects under the board's care;

265 (g) define and identify all significant aspects of the capitol hill complex, capitol hill
266 facilities, and capitol hill grounds, after consultation with the:

267 (i) Division of Facilities Construction and Management;

268 (ii) State Library Division;

269 (iii) Division of Archives and Records Service;

270 (iv) Division of State History;

271 (v) Office of Museum Services; and

272 (vi) Arts Council;

273 (h) inventory, define, and identify all significant contents of the buildings and all
274 state-owned items of historical significance that were at one time in the buildings, after
275 consultation with the:

276 (i) Division of Facilities Construction and Management;

277 (ii) State Library Division;

278 (iii) Division of Archives and Records Service;

279 (iv) Division of State History;

280 (v) Office of Museum Services; and

281 (vi) Arts Council;

282 (i) maintain archives relating to the construction and development of the buildings, the
283 contents of the buildings and their grounds, including documents such as plans, specifications,
284 photographs, purchase orders, and other related documents, the original copies of which shall
285 be maintained by the Division of Archives and Records Service;

286 (j) comply with federal and state laws related to program and facility accessibility; and

287 (k) establish procedures for receiving, hearing, and deciding complaints or other issues
288 raised about the capitol hill complex, capitol hill facilities, and capitol hill grounds, or their use.

289 (2) (a) Notwithstanding Subsection (1)(a), the supervision and control of the legislative
290 area, as defined in Section 36-5-1, is reserved to the Legislature[-]; and

291 (b) the supervision and control of the governor's area, as defined in Section 67-1-16, is
292 reserved to the governor.

293 (3) (a) The board shall make rules to govern, administer, and regulate the capitol hill
294 complex, capitol hill facilities, and capitol hill grounds by following the procedures and
295 requirements of Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

296 (b) A person who violates a rule adopted by the board under the authority of this
297 Subsection (3) is subject to a civil penalty not to exceed \$2,500 for each violation, plus the
298 amount of any actual damages, expenses, and costs related to the violation of the rule that are
299 incurred by the state.

300 (c) The board may take any other legal action allowed by law.

301 (d) If any violation of a rule adopted by the board is also an offense under Title 76,
302 Utah Criminal Code, the violation is subject to the civil penalty, damages, expenses, and costs
303 allowed under this Subsection (3) in addition to any criminal prosecution.

304 (e) The board may not apply this section or rules adopted under the authority of this
305 section in a manner that violates a person's rights under the Utah Constitution or the First
306 Amendment to the United States Constitution, including the right of persons to peaceably
307 assemble.

308 (f) The board shall send proposed rules under this section to the legislative general
309 counsel and the governor's general counsel for review and comment before the board adopts the

310 rules.

311 (4) The board is exempt from the requirements of Title 63, Chapter 56, Utah
312 Procurement Code, but shall adopt procurement rules substantially similar to the requirements
313 of that chapter.

314 (5) (a) The board may:

315 (i) establish subcommittees made up of board members and members of the public to
316 assist and support the executive director in accomplishing the executive director's duties;

317 (ii) establish fees for the use of capitol hill facilities and capitol hill grounds;

318 (iii) assign and allocate specific duties and responsibilities to any other state agency, if
319 the other agency agrees to perform the duty or accept the responsibility;

320 (iv) contract with another state agency to provide services;

321 (v) delegate by specific motion of the board any authority granted to it by this section to
322 the executive director;

323 (vi) in conjunction with Salt Lake City, expend monies to improve or maintain public
324 property contiguous to East Capitol Boulevard and capitol hill;

325 (vii) provide wireless Internet service to the public without a fee in any capitol hill
326 facility; and

327 (viii) when necessary, consult with the:

328 (A) Division of Facilities Construction and Management;

329 (B) State Library Division;

330 (C) Division of Archives and Records Service;

331 (D) Division of State History;

332 (E) Office of Museum Services; and

333 (F) Arts Council.

334 (b) The board's provision of wireless Internet service under Subsection (5)(a)(vii) shall
335 be discontinued in the legislative area if the president of the Senate and the speaker of the
336 House of Representatives each submit a signed letter to the board indicating that the service is
337 disruptive to the legislative process and is to be discontinued.

338 (c) If a budget subcommittee is established by the board, the following shall serve as ex
339 officio, nonvoting members of the budget subcommittee:

340 (i) the legislative fiscal analyst, or the analyst's designee, who shall be from the Office of
341 Legislative Fiscal Analyst; and

342 (ii) the director of the Governor's Office of Planning and Budget, or the director's
343 designee, who shall be from the Governor's Office of Planning and Budget.

344 (d) If a preservation and maintenance subcommittee is established by the board, the
345 board may, by majority vote, appoint one or each of the following to serve on the subcommittee
346 as voting members of the subcommittee:

347 (i) an architect, who shall be selected from a list of three architects submitted by the
348 American Institute of Architects; or

349 (ii) an engineer, who shall be selected from a list of three engineers submitted by the
350 American Civil Engineers Council.

351 (e) If the board establishes any subcommittees, the board may, by majority vote,
352 appoint up to two people who are not members of the board to serve, at the will of the board,
353 as nonvoting members of a subcommittee.

354 (f) Members of each subcommittee shall, at the first meeting of each calendar year,
355 select one individual to act as chair of the subcommittee for a one-year term.

356 (6) (a) The board, and the employees of the board, may not move the office of the
357 governor, lieutenant governor, president of the Senate, speaker of the House of
358 Representatives, or a member of the Legislature from the State Capitol [~~Building~~] unless the
359 removal is approved by:

360 (i) the governor, in the case of the governor's office;

361 (ii) the lieutenant governor, in the case of the lieutenant governor's office;

362 (iii) the president of the Senate, in the case of the president's office or the office of a
363 member of the Senate; or

364 (iv) the speaker of the House of Representatives, in the case of the speaker's office or
365 the office of a member of the House.

366 (b) The board and the employees of the board have no control over the furniture,
367 furnishings, and decorative objects in the offices of the governor, lieutenant governor, or the
368 members of the Legislature except as necessary to inventory or conserve items of historical
369 significance owned by the state.

370 (c) The board and the employees of the board have no control over records and
371 documents produced by or in the custody of a state agency, official, or employee having an
372 office in a building on the capitol hill complex.

373 (d) Except for items identified by the board as having historical significance, and except
374 as provided in Subsection (6)(b), the board and the employees of the board have no control
375 over moveable furnishings and equipment in the custody of a state agency, official, or employee
376 having an office in a building on the capitol hill complex.

377 Section 4. Section **63C-9-402** is amended to read:

378 **63C-9-402. Executive director -- Duties.**

379 The executive director shall:

380 (1) develop, for board approval, a master plan with a projection of at least 20 years
381 concerning the stewardship responsibilities, operation, activities, maintenance, preservation,
382 restoration, and modification of the capitol hill complex, capitol hill facilities, and capitol hill
383 grounds, including, if directed by the board, a plan to restore the buildings to their original
384 architecture;

385 (2) develop, as part of the master plan submitted for board approval, a furnishings plan
386 for the placement and care of objects under the care of the board;

387 (3) prepare, and recommend for board approval, an annual budget and work plan, that
388 is consistent with the master plan, for all work to be performed under this chapter, including
389 usual operations and maintenance and janitorial and preventative maintenance for the capitol hill
390 complex, capitol hill facilities, capitol hill grounds, and their contents;

391 (4) develop an operations, maintenance, and janitorial program for the capitol hill
392 complex, capitol hill facilities, capitol hill grounds, and their contents;

393 (5) develop a program to purchase or accept by donation, permanent loan, or outside

394 funding items necessary to implement the master plan;

395 (6) develop and maintain a registration system and inventory of the contents of the
396 capitol hill facilities and capitol hill grounds and of the original documents relating to the
397 buildings' construction and alteration;

398 (7) develop a program to purchase or accept by donation, permanent loan, or outside
399 funding items of historical significance that were at one time in the capitol hill facilities and that
400 are not owned by the state;

401 (8) develop a program to locate and acquire state-owned items of historical significance
402 that were at one time in the buildings;

403 (9) develop a collections policy regarding the items of historic significance as identified
404 in the registration system and inventory for the approval of the board;

405 (10) assist in matters dealing with the preservation of historic materials;

406 (11) make recommendations on conservation needs and make arrangements to contract
407 for conservation services for objects of significance;

408 (12) make recommendations for the transfer or loan of objects of significance as
409 detailed in the approved collections policy;

410 (13) make recommendations to transfer, sell, or otherwise dispose of unused surplus
411 property that is not of significance as defined in the collections policy and by the registration
412 system;

413 (14) approve all art and exhibits placed on capitol hill after board approval;

414 (15) employ staff to assist him in administering this chapter and direct and coordinate
415 their activities;

416 (16) contract for professional services of qualified consultants, including architectural
417 historians, landscape architects with experience in landscape architectural preservation,
418 conservators, historians, historic architects, engineers, artists, exhibit designers, and craftsmen;

419 (17) prepare annually a complete and detailed written report for the board that accounts
420 for all funds received and disbursed by the board during the preceding fiscal year;

421 (18) develop and manage a visitor services program for capitol hill which shall include

422 public outreach programs, public tours, events, a gift shop, and communication and public
423 relation services; and

424 (19) manage and organize all transit and parking programs on the capitol hill complex,
425 except that:

426 (a) the Legislative Management Committee shall direct the executive director's
427 management and organization of transit and parking associated with the legislative area as
428 defined in Section 36-5-1[-]; and

429 (b) the governor shall direct the executive director's management and organization of
430 transit and parking associated with the governor's area as defined in Section 67-1-16.

431 Section 5. Section **63C-9-703** is amended to read:

432 **63C-9-703. Art Placement Subcommittee of the State Capitol Preservation Board**
433 **-- Duties.**

434 (1) The subcommittee shall:

435 (a) review and make recommendations to the board about the content and placement of
436 each new piece of art to be placed within any public area on capitol hill;

437 (b) review and make recommendations to the board about any proposals for removing
438 or relocating any piece of art contained in any public area on capitol hill; and

439 (c) review and make recommendations to the board about the content and placement of
440 each new exhibit to be placed within any public area on capitol hill.

441 (2) If any conflicts exist between this part and Section 36-5-1, Section 36-5-1 takes
442 precedence.

443 (3) If any conflict exists between this part and Section 67-1-16, Section 67-1-16 takes
444 precedence.

445 Section 6. Section **67-1-16** is enacted to read:

446 **67-1-16. Reservation of area for governor.**

447 (1) As used in this section:

448 (a) "Architectural integrity" means the architectural elements, materials, color, and
449 quality of the original building construction.

450 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other
451 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,
452 500 North Street, and East Capitol Boulevard, and includes:

453 (i) the White Community Memorial Chapel and its grounds and parking areas, and the
454 Council Hall Travel Information Center building and its grounds and parking areas;

455 (ii) the Daughters of the Utah Pioneers building and its grounds and parking areas and
456 other state-owned property included within the area bounded by Columbus Street, North Main
457 Street, and Apricot Avenue;

458 (iii) the state-owned property included within the area bounded by Columbus Street,
459 Wall Street, and 400 North Street; and

460 (iv) the state-owned property included within the area bounded by Columbus Street,
461 West Capitol Street, and 500 North Street.

462 (c) "Governor area" means the chambers, rooms, hallways, lounges, parking lots, and
463 parking garages designated by this section as being subject to governor control.

464 (d) "House Building" means the west building on capitol hill that is located northwest of
465 the State Capitol and southwest of the State Office Building.

466 (e) "Legislative area" means the buildings, chambers, rooms, hallways, lounges, parking
467 lots, and parking garages designated by this section as being subject to legislative control.

468 (f) "Senate Building" means the east building on capitol hill that is located northeast of
469 the State Capitol and southeast of the State Office Building.

470 (g) "State Capitol" means the building dedicated as the Utah State Capitol in 1916.

471 (h) "State Capitol Preservation Board" or "board" is as created in Section 63C-9-201.

472 (2) The governor area on capitol hill includes:

473 (a) in the State Capitol:

474 (i) on the second floor: the entire floor including the stairways and elevators on the east
475 and west side of the second floor, except:

476 (A) the area reserved for the attorney general and the state auditor;

477 (B) the committee room on the northeast side which is to be controlled and scheduled

478 as provided in Subsection 36-5-1(2)(a)(iii);

479 (C) the conference room on the south side, east of the southeast stairway, which is to
480 be scheduled through the State Capitol Preservation Board;

481 (D) the Gold Room, which is to be controlled by the governor and the Legislature and
482 scheduled by the governor, with the governor being given scheduling priority; and the
483 maintenance of the Gold Room shall be by the State Capitol Preservation Board at the direction
484 of the governor;

485 (E) the public restrooms;

486 (F) the grand staircases;

487 (G) the public stairways;

488 (H) the public elevators;

489 (I) the Capitol Rotunda;

490 (J) the kitchen to the east of the dignitary protection elevator and pantry area which
491 kitchen is to be scheduled and maintained by the State Capitol Preservation Board, with the
492 governor's and Legislature's use associated with the Gold Room to be given scheduling priority;
493 and

494 (K) the open areas:

495 (I) east of the Rotunda to the doors of the Capitol Board Room;

496 (II) south of the Rotunda to the south entrance to the State Capitol; and

497 (III) north of the Rotunda to the north wall;

498 (ii) on the first floor: all office areas, conference rooms, stairways, and elevators,
499 excluding the public corridors, public stairways, and public elevators:

500 (A) west of the south entrance to the State Capitol on the first floor, including the
501 dignitary holding area and elevator, which area and elevator the Legislature may schedule
502 through the Utah Highway Patrol Dignitary Protection Bureau; but excluding the storage area
503 that is directly to the north of the dignitary holding area;

504 (B) west of the public elevator on the north side of the first floor; and

505 (C) the northwest pier storage area; and

506 (iii) in the basement:

507 (A) the audio/video control rooms on the southwest side of the State Capitol are shared
508 space with the Legislature as provided in Section 36-5-1;

509 (B) all areas west of the westernmost hall and bordered by a hall on the north and a hall
510 on the south of the areas, including the stairs and elevator, secured parking and all entrances
511 and exits to the secured parking, and the Utah Highway Patrol Dignitary Protection Bureau
512 office space, and excluding the areas north and south of the area designated in this Subsection
513 (2) as the governor area;

514 (b) in the Senate Building:

515 (i) all office areas and conference rooms on the third floor that are south of the south
516 stairway; and

517 (ii) the Utah Highway Patrol Dignitary Protection Bureau office space in the basement;

518 (c) (i) 46 of the parking stalls in the underground parking facility known as Lot C
519 located directly east of the State Capitol; and

520 (ii) 52 of the parking stalls in the underground parking facility known as Lot E located
521 directly east of the Senate Building; and

522 (d) any other area designated by the State Capitol Preservation Board as the governor
523 area.

524 (3) The governor area is reserved for the use and occupancy of the governor and
525 lieutenant governor and their staff, committees, and functions.

526 (4) The data centers in the Senate Building and State Capitol which are associated with
527 the governor, lieutenant governor, or their staff space are the responsibility of the governor, and
528 the maintenance of these data centers shall be by the State Capitol Preservation Board at the
529 direction of the governor.

530 (5) The governor shall exercise complete jurisdiction over the governor area, except for
531 the following, which are the responsibility of the State Capitol Preservation Board:

532 (a) the architectural integrity of the governor area, including:

533 (i) restored historic architectural or design features;

- 534 (ii) historic color schemes, decorative finishes, and stenciling;
- 535 (iii) decorative light fixtures; and
- 536 (iv) flooring;
- 537 (b) control of the central mechanical and electrical core of the Senate Building and
- 538 State Capitol on all floors;
- 539 (c) control of the enclosure of the Senate Building and State Capitol from the exterior
- 540 of the building to the interior of the exterior wall;
- 541 (d) the roof of the Senate Building and State Capitol;
- 542 (e) the utility and security tunnels between the underground parking structure and the
- 543 Senate Building and State Capitol;
- 544 (f) public restrooms of the Senate Building and State Capitol;
- 545 (g) maintenance of all the elevators and stairways in the Senate Building and State
- 546 Capitol; and
- 547 (h) those functions the governor delegates in writing to be performed by the State
- 548 Capitol Preservation Board.
- 549 (6) The responsibility for the communications centers in the Senate Building and State
- 550 Capitol is as provided in Subsection 36-5-1(6).
- 551 (7) The State Capitol Preservation Board shall schedule and manage the Capitol Board
- 552 Room on the second floor of the State Capitol.
- 553 (a) The governor's and lieutenant governor's use of the Capitol Board Room for
- 554 functions shall be given scheduling priority over other meetings, except as provided in
- 555 Subsection (7)(b). If the governor or lieutenant governor has need for the Capitol Board Room
- 556 that has already been scheduled by another person, the governor or lieutenant governor shall be
- 557 given the Capitol Board Room and as much notice as possible shall be given to the other person
- 558 scheduling the room so that person may seek an alternative site.
- 559 (b) During a general session or special session of the Legislature or on interim
- 560 committee days designated by the Legislative Management Committee, a legislator's use of the
- 561 Capitol Board Room for functions shall be given scheduling priority over any meeting, including

562 the governor's or lieutenant governor's use under Subsection (7)(a). If a legislator has need for
563 the Capitol Board Room and it has already been scheduled by another person, the legislator
564 shall be given the Capitol Board Room and as much notice as possible shall be given to the
565 other person scheduling the room so that person may seek an alternative site.

566 (c) When the Legislature is not in session and on non interim committee days, a
567 legislator's use of the Capitol Board Room for functions shall be given scheduling priority over
568 any meeting, other than the governor's or lieutenant governor's use under Subsection (7)(a). If
569 a legislator has need for the Capitol Board Room and it is not being used as provided in
570 Subsection (7)(a), the legislator shall be given the Capitol Board Room and as much notice as
571 possible shall be given to the other person scheduling the room so that person may seek an
572 alternative site.

573 (d) When not being used for a governor, lieutenant governor, or legislative function, the
574 Capitol Board Room may be scheduled by the State Capitol Preservation Board on a first-come,
575 first-served basis:

576 (i) by other executive or judicial branch entities; and

577 (ii) by a public or private person or organization who complies with State Capitol
578 Preservation Board rules for Capitol Hill Complex Facility use.

579 **Section 7. Effective date.**

580 If approved by two-thirds of all the members elected to each house, this bill takes effect
581 upon approval by the governor, or the day following the constitutional time limit of Utah
582 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
583 the date of veto override, except that the amendments to Section 36-5-1 (Effective 08/01/08)
584 take effect on August 1, 2008.