

**GUBERNATORIAL AND LEGISLATIVE SPACE**

**IN THE CAPITOL**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis S. Bramble**

House Sponsor: David Clark

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ amends and enacts provisions regarding the governor's space in the State Capitol;
- ▶ amends provisions relating to legislative space to make conforming changes;
- ▶ amends provisions relating to the shared governor area and legislative area;
- ▶ amends and enacts provisions regarding sharing certain governor area with the State

Capitol Preservation Board; and

- ▶ makes technical amendments.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides an effective date.

**Utah Code Sections Affected:**

AMENDS:

**36-5-1 (Superseded 08/01/08)**, as last amended by Laws of Utah 2007, Chapter 121

**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



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 Section **36-5-1 (Superseded 08/01/08)** is amended to read:

36           **36-5-1 (Superseded 08/01/08).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  
54 of the State Capitol and southwest of the State Office Building.

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

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

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

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

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

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

63 (a) in the State Capitol:

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

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

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

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

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

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

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

82 (v) on the basement level:

83 (A) the Office of Legislative Printing; and

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

85 by the Legislature ~~[during any general or special session of the Legislature and on interim~~  
86 ~~committee days, which control rooms shall be shared with the governor as controlled and~~

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

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

90 (b) the entire House Building; and

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

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

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

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

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

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

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

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

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

112 (i) restored historic architectural or design features;

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

114 (iii) decorative light fixtures; and

115 (iv) flooring;

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

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

120 (d) the roof of the House Building, Senate Building, and State Capitol [~~Building~~];

121 (e) the utility and security tunnels between the underground parking structure and the  
122 House Building, Senate Building, and State Capitol [~~Building~~];

123 (f) rest rooms of the House Building, Senate Building, and State Capitol [~~Building~~];

124 (g) maintenance of all the elevators and stairways in the House Building, Senate  
125 Building, and State Capitol [~~Building~~]; and

126 (h) those functions the Legislative Management Committee delegates in writing to be  
127 performed by the State Capitol Preservation Board.

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

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

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

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

139 (1) As used in this section:

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

142 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other  
143 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,  
144 500 North Street, and East Capitol Boulevard, and includes:

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

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

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

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

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

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

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

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

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

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

164 (a) in the State Capitol:

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

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

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

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

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

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

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

- 183 (v) on the basement level:
- 184 (A) the Office of Legislative Printing; and
- 185 (B) the ~~[two]~~ audio/video control rooms ~~[which]~~ are to be controlled ~~[and scheduled]~~  
186 by the Legislature ~~[during any general or special session of the Legislature and on interim~~  
187 ~~committee days, which control rooms shall be shared with the governor as controlled and~~  
188 ~~scheduled through the State Capitol Preservation Board on all other days]~~ and the governor and  
189 scheduled by the Legislature, and the maintenance of the control rooms shall be by the State  
190 Capitol Preservation Board at the direction of the Legislature and the governor;
- 191 (b) the entire House Building;
- 192 (c) in the Senate Building:
- 193 (i) on the third floor: no legislative space;
- 194 (ii) on the second floor: the entire floor, including the secured elevator, are legislative  
195 space;
- 196 (iii) on the first floor: the secured corridor to the secured elevator is legislative and  
197 executive space controlled by the State Capitol Preservation Board; and
- 198 (iv) on the basement level: the secured elevator is legislative space; and
- 199 (d) (i) the parking stalls in the underground parking facility located directly east of the  
200 House Building and below the central plaza;
- 201 (ii) 52 of the parking stalls in the above ground parking lot known as Lot G located  
202 north of the House Building and west of the State Office Building;
- 203 (iii) 26 of the parking stalls in the underground parking located directly under the  
204 Senate Building; and
- 205 (iv) 47 of the parking stalls in the underground parking facility directly east of the  
206 Senate Building.
- 207 (3) (a) The legislative area is reserved for the use and occupancy of the Legislature and  
208 its committees and for legislative functions.
- 209 (b) The Legislative Management Committee shall delegate oversight of designated  
210 portions of the legislative parking areas to the State Capitol Preservation Board for use by the  
211 executive branch on nonlegislative days.
- 212 (4) The data centers in the House Building, Senate Building, and State Capitol which  
213 are associated with the House, Senate, or legislative staff space are the responsibility of the

214 Legislature, and the maintenance of these data centers shall be by the State Capitol  
215 Preservation Board at the direction of the Legislature.

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

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

220 (i) restored historic architectural or design features;

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

222 (iii) decorative light fixtures; and

223 (iv) flooring;

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

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

228 (d) the roof of the House Building, Senate Building, and State Capitol [~~Building~~];

229 (e) the utility and security tunnels between the underground parking structure and the  
230 House Building, Senate Building, and State Capitol [~~Building~~];

231 (f) rest rooms of the House Building, Senate Building, and State Capitol [~~Building~~];

232 (g) maintenance of all the elevators and stairways in the House Building, Senate  
233 Building, and State Capitol [~~Building~~]; and

234 (h) those functions the Legislative Management Committee delegates in writing to be  
235 performed by the State Capitol Preservation Board.

236 [~~(5)~~] (6) The communications [~~and data~~] centers in the [~~House Building~~] Senate  
237 Building[;] and State Capitol [~~Building~~] which are associated with the House, Senate, or  
238 legislative staff space or are associated with the governor, lieutenant governor, or their staff  
239 space are the shared responsibility of the State Capitol Preservation Board [~~and~~], the  
240 Legislature, and the governor.

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

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



245           **63C-9-301. Board powers -- Subcommittees.**  
246           (1) The board shall:  
247           (a) except as provided in Subsection (2), exercise complete jurisdiction and  
248 stewardship over capitol hill facilities, capitol hill grounds, and the capitol hill complex;  
249           (b) preserve, maintain, and restore the capitol hill complex, capitol hill facilities,  
250 capitol hill grounds, and their contents;  
251           (c) before October 1 of each year, review and approve the executive director's annual  
252 budget request for submittal to the governor and Legislature;  
253           (d) by October 1 of each year, prepare and submit a recommended budget request for  
254 the upcoming fiscal year for the capitol hill complex to:  
255           (i) the governor, through the Governor's Office of Planning and Budget; and  
256           (ii) the Legislature's appropriations subcommittee responsible for capitol hill facilities,  
257 through the Office of Legislative Fiscal Analyst;  
258           (e) review and approve the executive director's:  
259           (i) annual work plan;  
260           (ii) long-range master plan for the capitol hill complex, capitol hill facilities, and  
261 capitol hill grounds; and  
262           (iii) furnishings plan for placement and care of objects under the care of the board;  
263           (f) approve all changes to the buildings and their grounds, including:  
264           (i) restoration, remodeling, and rehabilitation projects;  
265           (ii) usual maintenance program; and  
266           (iii) any transfers or loans of objects under the board's care;  
267           (g) define and identify all significant aspects of the capitol hill complex, capitol hill  
268 facilities, and capitol hill grounds, after consultation with the:  
269           (i) Division of Facilities Construction and Management;  
270           (ii) State Library Division;  
271           (iii) Division of Archives and Records Service;  
272           (iv) Division of State History;  
273           (v) Office of Museum Services; and  
274           (vi) Arts Council;  
275           (h) inventory, define, and identify all significant contents of the buildings and all

276 state-owned items of historical significance that were at one time in the buildings, after  
277 consultation with the:

- 278 (i) Division of Facilities Construction and Management;
- 279 (ii) State Library Division;
- 280 (iii) Division of Archives and Records Service;
- 281 (iv) Division of State History;
- 282 (v) Office of Museum Services; and
- 283 (vi) Arts Council;

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

288 (j) comply with federal and state laws related to program and facility accessibility; and  
289 (k) establish procedures for receiving, hearing, and deciding complaints or other issues  
290 raised about the capitol hill complex, capitol hill facilities, and capitol hill grounds, or their  
291 use.

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

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

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

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

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

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

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

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

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

317 (5) (a) The board may:

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

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

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

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

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

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

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

330 (viii) when necessary, consult with the:

331 (A) Division of Facilities Construction and Management;

332 (B) State Library Division;

333 (C) Division of Archives and Records Service;

334 (D) Division of State History;

335 (E) Office of Museum Services; and

336 (F) Arts Council.

337 (b) The board's provision of wireless Internet service under Subsection (5)(a)(vii) shall

338 be discontinued in the legislative area if the president of the Senate and the speaker of the  
339 House of Representatives each submit a signed letter to the board indicating that the service is  
340 disruptive to the legislative process and is to be discontinued.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

381 **63C-9-402. Executive director -- Duties.**

382 The executive director shall:

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

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

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

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

396 (5) develop a program to purchase or accept by donation, permanent loan, or outside  
397 funding items necessary to implement the master plan;

398 (6) develop and maintain a registration system and inventory of the contents of the  
399 capitol hill facilities and capitol hill grounds and of the original documents relating to the

400 buildings' construction and alteration;

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

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

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

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

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

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

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

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

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

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

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

424 (18) develop and manage a visitor services program for capitol hill which shall include  
425 public outreach programs, public tours, events, a gift shop, and communication and public  
426 relation services; and

427 (19) manage and organize all transit and parking programs on the capitol hill complex,  
428 except that;

429 (a) the Legislative Management Committee shall direct the executive director's  
430 management and organization of transit and parking associated with the legislative area as

431 defined in Section 36-5-1[-]; and

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

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

435 **63C-9-703. Art Placement Subcommittee of the State Capitol Preservation Board**  
436 **-- Duties.**

437 (1) The subcommittee shall:

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

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

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

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

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

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

449 **67-1-16. Reservation of area for governor.**

450 (1) As used in this section:

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

453 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other  
454 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,  
455 500 North Street, and East Capitol Boulevard, and includes:

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

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

461 (iii) the state-owned property included within the area bounded by Columbus Street,

462 Wall Street, and 400 North Street; and

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

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

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

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

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

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

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

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

477 (a) in the State Capitol:

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

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

481 (B) the committee room on the northeast side which is to be controlled and scheduled  
482 as provided in Subsection 36-5-1(2)(a)(iii);

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

485 (D) the Gold Room, which is to be controlled by the governor and the Legislature and  
486 scheduled by the governor, with the governor being given scheduling priority; and the

487 maintenance of the Gold Room shall be by the State Capitol Preservation Board at the direction  
488 of the governor;

489 (E) the public restrooms;

490 (F) the grand staircases;

491 (G) the public stairways;

492 (H) the public elevators;



- 493 (I) the Capitol Rotunda;
- 494 (J) the kitchen to the east of the dignitary protection elevator and pantry area which  
495 kitchen is to be scheduled and maintained by the State Capitol Preservation Board, with the  
496 governor's and Legislature's use associated with the Gold Room to be given scheduling  
497 priority; and
- 498 (K) the open areas:
- 499 (I) east of the Rotunda to the doors of the Capitol Board Room;
- 500 (II) south of the Rotunda to the south entrance to the State Capitol; and
- 501 (III) north of the Rotunda to the north wall;
- 502 (ii) on the first floor: all office areas, conference rooms, stairways, and elevators,  
503 excluding the public corridors, public stairways, and public elevators:
- 504 (A) west of the south entrance to the State Capitol on the first floor, including the  
505 dignitary holding area and elevator, which area and elevator the Legislature may schedule  
506 through the Utah Highway Patrol Dignitary Protection Bureau; but excluding the storage area  
507 that is directly to the north of the dignitary holding area;
- 508 (B) west of the public elevator on the north side of the first floor; and
- 509 (C) the northwest pier storage area; and
- 510 (iii) in the basement:
- 511 (A) the audio/video control rooms on the southwest side of the State Capitol are shared  
512 space with the Legislature as provided in Section 36-5-1;
- 513 (B) all areas west of the westernmost hall and bordered by a hall on the north and a hall  
514 on the south of the areas, including the stairs and elevator, secured parking and all entrances  
515 and exits to the secured parking, and the Utah Highway Patrol Dignitary Protection Bureau  
516 office space, and excluding the areas north and south of the area designated in this Subsection  
517 (2) as the governor area;
- 518 (b) in the Senate Building:
- 519 (i) all office areas and conference rooms on the third floor that are south of the south  
520 stairway; and
- 521 (ii) the Utah Highway Patrol Dignitary Protection Bureau office space in the basement;
- 522 (c) (i) 46 of the parking stalls in the underground parking facility known as Lot C  
523 located directly east of the State Capitol; and

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

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

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

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

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

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

537 (i) restored historic architectural or design features;

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

539 (iii) decorative light fixtures; and

540 (iv) flooring;

541 (b) control of the central mechanical and electrical core of the Senate Building and  
542 State Capitol on all floors;

543 (c) control of the enclosure of the Senate Building and State Capitol from the exterior  
544 of the building to the interior of the exterior wall;

545 (d) the roof of the Senate Building and State Capitol;

546 (e) the utility and security tunnels between the underground parking structure and the  
547 Senate Building and State Capitol;

548 (f) public restrooms of the Senate Building and State Capitol;

549 (g) maintenance of all the elevators and stairways in the Senate Building and State  
550 Capitol; and

551 (h) those functions the governor delegates in writing to be performed by the State  
552 Capitol Preservation Board.

553 (6) The responsibility for the communications centers in the Senate Building and State  
554 Capitol is as provided in Subsection 36-5-1(6).

555 (7) The State Capitol Preservation Board shall schedule and manage the Capitol Board  
556 Room on the second floor of the State Capitol.

557 (a) The governor's and lieutenant governor's use of the Capitol Board Room for  
558 functions shall be given scheduling priority over other meetings, except as provided in  
559 Subsection (7)(b). If the governor or lieutenant governor has need for the Capitol Board Room  
560 that has already been scheduled by another person, the governor or lieutenant governor shall be  
561 given the Capitol Board Room and as much notice as possible shall be given to the other  
562 person scheduling the room so that person may seek an alternative site.

563 (b) During a general session or special session of the Legislature or on interim  
564 committee days designated by the Legislative Management Committee, a legislator's use of the  
565 Capitol Board Room for functions shall be given scheduling priority over any meeting,  
566 including the governor's or lieutenant governor's use under Subsection (7)(a). If a legislator has  
567 need for the Capitol Board Room and it has already been scheduled by another person, the  
568 legislator shall be given the Capitol Board Room and as much notice as possible shall be given  
569 to the other person scheduling the room so that person may seek an alternative site.

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

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

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

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

583 **Section 7. Effective date.**

584 If approved by two-thirds of all the members elected to each house, this bill takes effect  
585 upon approval by the governor, or the day following the constitutional time limit of Utah

586 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
587 the date of veto override, except that the amendments to Section 36-5-1 (Effective 08/01/08)  
588 take effect on August 1, 2008.

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**Legislative Review Note**  
**as of 2-8-08 11:09 AM**

**Office of Legislative Research and General Counsel**

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**S.B. 225 - Gubernatorial and Legislative Space in the Capitol**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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