

1 **CAPITOL PRESERVATION BOARD AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Keith Grover**

5 Senate Sponsor: Margaret Dayton

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions relating to the Capitol Preservation Board and its duties.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies provisions related to parking allocations to reflect current practice;
- 13 ▶ removes references to a capitol gift shop;
- 14 ▶ repeals the Art Placement Subcommittee of the Capitol Preservation Board; and
- 15 ▶ repeals provisions relating to the administration of donations from the 2002

16 Olympic funds.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **36-5-1**, as last amended by Laws of Utah 2008, Chapters 6 and 10

24 **63C-9-402**, as last amended by Laws of Utah 2008, Chapter 10

25 **63C-9-502**, as last amended by Laws of Utah 2013, Chapter 400

26 REPEALS:

27 **63C-9-701**, as last amended by Laws of Utah 2005, Chapter 196



28 [63C-9-702](#), as last amended by Laws of Utah 2014, Chapter 387

29 [63C-9-703](#), as last amended by Laws of Utah 2008, Chapter 10



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

32 Section 1. Section **36-5-1** is amended to read:

33 **36-5-1. Reservation of area for Legislature -- Duties of Legislative Management**
34 **Committee.**

35 (1) As used in this section:

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

38 (b) "Capitol hill" means the grounds, monuments, parking areas, buildings, and other
39 man-made and natural objects within the area bounded by 300 North Street, Columbus Street,
40 500 North Street, and East Capitol Boulevard, and includes:

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

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

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

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

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

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

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

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

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

- 59 (2) The legislative area on capitol hill includes:
- 60 (a) in the State Capitol:
- 61 (i) on the fourth floor: the entire floor and the stairs and elevators on the east and west
62 side, except the four art galleries and the four closets on the interior of the State Capitol which
63 are immediately around the art galleries are under the supervision of the board;
- 64 (ii) on the third floor: the entire floor, including the stairs and elevators on the east and
65 west side of the third floor, except:
- 66 (A) the Supreme Court chambers which is to be controlled and scheduled by the
67 Legislature during any general or special session of the Legislature and on interim days and
68 controlled and scheduled by the Secretary of the Senate on all other days;
- 69 (B) one office on the southeast side by the Senate Rules Room which is to be
70 controlled by the Senate during any general or special session of the Legislature and on interim
71 days, and shared with the Supreme Court as scheduled through the Secretary of the Senate on
72 all other days; and
- 73 (C) the Senate Rules Room, which Senate Rules Room is to be controlled by the
74 Senate during any general or special session of the Legislature and on interim days, and shared
75 with the Supreme Court as scheduled through the Secretary of the Senate 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 audio/video control rooms are to be controlled by the Legislature and the
84 governor and scheduled by the Legislature, and the maintenance of the control rooms shall be
85 by the State Capitol Preservation Board at the direction of the Legislature and the governor;
- 86 (b) the entire House Building;
- 87 (c) in the Senate Building:
- 88 (i) on the third floor: no legislative space;
- 89 (ii) on the second floor: the entire floor, including the secured elevator, are legislative

90 space;

91 (iii) on the first floor: the secured corridor to the secured elevator is legislative and
92 executive space controlled by the State Capitol Preservation Board; and

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

94 (d) (i) the parking stalls in the underground parking facility located directly east of the
95 House Building and below the central plaza;

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

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

100 (iv) ~~[47]~~ 58 of the parking stalls in the underground parking facility directly east of the
101 Senate Building.

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

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

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

111 (5) The Legislative Management Committee shall exercise complete jurisdiction over
112 the legislative area, except for the following, which are the responsibility of the State Capitol
113 Preservation Board:

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

115 (i) restored historic architectural or design features;

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

117 (iii) decorative light fixtures; and

118 (iv) flooring;

119 (b) control of the central mechanical and electrical core of the House Building, Senate
120 Building, and State Capitol on all floors;

121 (c) control of the enclosure of the House Building, Senate Building, and State Capitol
122 from the exterior of the building to the interior of the exterior wall;

123 (d) the roof of the House Building, Senate Building, and State Capitol;

124 (e) the utility and security tunnels between the underground parking structure and the
125 House Building, Senate Building, and State Capitol;

126 (f) rest rooms of the House Building, Senate Building, and State Capitol;

127 (g) maintenance of all the elevators and stairways in the House Building, Senate
128 Building, and State Capitol; and

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

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

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

138 Section 2. Section **63C-9-402** is amended to read:

139 **63C-9-402. Executive director -- Duties.**

140 The executive director shall:

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

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

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

- 152 (4) develop an operations, maintenance, and janitorial program for the capitol hill
153 complex, capitol hill facilities, capitol hill grounds, and their contents;
- 154 (5) develop a program to purchase or accept by donation, permanent loan, or outside
155 funding items necessary to implement the master plan;
- 156 (6) develop and maintain a registration system and inventory of the contents of the
157 capitol hill facilities and capitol hill grounds and of the original documents relating to the
158 buildings' construction and alteration;
- 159 (7) develop a program to purchase or accept by donation, permanent loan, or outside
160 funding items of historical significance that were at one time in the capitol hill facilities and
161 that are not owned by the state;
- 162 (8) develop a program to locate and acquire state-owned items of historical
163 significance that were at one time in the buildings;
- 164 (9) develop a collections policy regarding the items of historic significance as
165 identified in the registration system and inventory for the approval of the board;
- 166 (10) assist in matters dealing with the preservation of historic materials;
- 167 (11) make recommendations on conservation needs and make arrangements to contract
168 for conservation services for objects of significance;
- 169 (12) make recommendations for the transfer or loan of objects of significance as
170 detailed in the approved collections policy;
- 171 (13) make recommendations to transfer, sell, or otherwise dispose of unused surplus
172 property that is not of significance as defined in the collections policy and by the registration
173 system;
- 174 (14) approve all art and exhibits placed on capitol hill after board approval;
- 175 (15) employ staff to assist him in administering this chapter and direct and coordinate
176 their activities;
- 177 (16) contract for professional services of qualified consultants, including architectural
178 historians, landscape architects with experience in landscape architectural preservation,
179 conservators, historians, historic architects, engineers, artists, exhibit designers, and craftsmen;
- 180 (17) prepare annually a complete and detailed written report for the board that accounts
181 for all funds received and disbursed by the board during the preceding fiscal year;
- 182 (18) develop and manage a visitor services program for capitol hill which shall include

183 public outreach programs, public tours, events, [~~a gift shop,~~] and communication and public
 184 relation services; and

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

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

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

192 Section 3. Section 63C-9-502 is amended to read:

193 **63C-9-502. Fund created -- Donations.**

194 (1) There is created an expendable special revenue fund entitled the "State Capitol
 195 Fund."

196 (2) The fund consists of money generated from the following revenue sources:

197 (a) any donations, deposits, contributions, gifts, money, and items of value received
 198 from private persons, foundations, or organizations;

199 [~~(b) gift shop profits;~~]

200 [~~(c)~~] (b) appropriations made to the fund by the Legislature; and

201 [~~(d)~~] (c) money received by the board from the federal government.

202 (3) (a) The fund shall earn interest.

203 (b) All interest earned on fund money shall be deposited into the fund.

204 (4) The board may use fund money to:

205 (a) acquire historical and other items to furnish the capitol hill facilities;

206 (b) pay for the repair and maintenance of the capitol hill facilities and capitol hill
 207 grounds;

208 (c) pay for the rehabilitation of the capitol hill facilities and capitol hill grounds; and

209 (d) fund all costs incurred in complying with this chapter.

210 Section 4. **Repealer.**

211 This bill repeals:

212 Section 63C-9-701, **Definitions.**

213 Section 63C-9-702, **Art Placement Subcommittee of the State Capitol Preservation**

214 **Board -- Created -- Membership -- Operations.**

215 Section **63C-9-703**, Art Placement Subcommittee of the State Capitol Preservation

216 **Board -- Duties.**

Legislative Review Note

as of 3-2-15 10:00 AM

Office of Legislative Research and General Counsel