

1 **WORLD WAR II MEMORIAL COMMISSION**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jennifer Dailey-Provost**

5 Senate Sponsor: Kirk A. Cullimore

7 **LONG TITLE**

8 **General Description:**

9 This bill creates the World War II Memorial Commission and establishes the
10 commission's duties.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ creates the World War II Memorial Commission;
- 15 ▶ provides for the term and appointment of commission members;
- 16 ▶ requires the commission to:
 - 17 • issue a request for designs for a World War II Memorial;
 - 18 • hold hearings regarding site options and design proposals; and
 - 19 • make a certain report and recommendation to the House Government

20 Operations Standing Committee and the Senate Government Operations and
21 Political Subdivisions Standing Committee;

- 22 ▶ establishes a repeal date for the commission; and
- 23 ▶ makes technical changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 This bill provides a special effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63I-2-263**, as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469

31 ENACTS:

32 **63G-1-801**, Utah Code Annotated 1953

33 **63G-1-802**, Utah Code Annotated 1953

34 **63G-1-803**, Utah Code Annotated 1953

35 **63G-1-804**, Utah Code Annotated 1953



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

38 Section 1. Section **63G-1-801** is enacted to read:

39 **63G-1-801. Definitions.**

40 As used in this part:

41 (1) "Commission" means the World War II Memorial Commission created in Section
42 63G-1-802.

43 (2) "Memorial" means the World War II Memorial to honor veterans of World War II
44 and celebrate Utahns' significant contribution and sacrifice to American success in World War
45 II.

46 Section 2. Section **63G-1-802** is enacted to read:

47 **63G-1-802. World War II Memorial Commission -- Creation -- Membership --**
48 **Meetings -- Staff.**

49 (1) There is created the World War II Memorial Commission.

50 (2) The commission consists of the following nine members:

51 (a) a member of the Senate that the president of the Senate appoints;

52 (b) two members of the House of Representatives that the speaker of the House of
53 Representatives appoints;

54 (c) the following three individuals that the governor appoints:

55 (i) one individual ~~H~~→ **from among three proposed individuals** ←~~H~~ that the state
55a commander of the Veterans of Foreign Wars
56 recommends;

57 (ii) one individual ~~H~~→ **from among three proposed individuals** ←~~H~~ that the state
57a commander of the American Legion recommends; and

58 (iii) one individual ~~H~~→ **from among three proposed individuals** ←~~H~~ that the state
58a commander of the Disabled American Veterans

59 recommends;

60 (d) the executive director of the Department of Veterans and Military affairs or the
61 executive director's designee;

62 (e) the executive director of the State Capitol Preservation Board or the executive
63 director's designee; and

64 (f) the director of the Division of State History or the director's designee.

65 (3) Each individual with authority to appoint an individual under Subsection (2) shall
66 make the appointment before July 1, 2019.

67 (4) The commission shall select a chair and a vice chair from among the members
68 described in Subsection (2) during the commission's initial meeting.

69 (5) A majority of the commission constitutes a quorum for the transaction of
70 commission business.

71 (6) The commission shall ensure that each meeting of the commission complies with
72 Title 52, Chapter 4, Open and Public Meetings Act.

73 (7) The Division of State History shall provide staff support to the commission.

74 Section 3. Section **63G-1-803** is enacted to read:

75 **63G-1-803. Commission vacancies -- Salaries and expenses.**

76 (1) (a) The individual who appointed a commission member may remove the member
77 from the commission.

78 (b) If a commission member described in Subsection [63G-1-802\(2\)\(a\)](#) or (b) leaves the
79 member's legislative office, the individual may not continue to serve as a commission member.

80 (c) Within 14 days after the day on which a vacancy occurs under Subsection (1)(a) or
81 (b) or the day on which another event occurs that causes a vacancy, the individual who
82 originally appointed the member to the subsequently vacant position shall fill the vacancy in
83 accordance with Subsection [63G-1-802\(2\)](#).

84 (2) (a) A commission member may not receive compensation or benefits for the
85 member's service on the commission but may receive per diem and reimbursement for travel
86 expenses incurred as a commission member as allowed in Sections [63A-3-106](#) and [63A-3-107](#)
87 and rules that the Division of Finance makes in accordance with Sections [63A-3-106](#) and
88 [63A-3-107](#).

89 (b) Compensation and expenses of a commission member who is a legislator are

90 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
91 Expenses.

92 Section 4. Section **63G-1-804** is enacted to read:

93 **63G-1-804. Commission duties.**

94 The commission shall:

95 (1) convene the commission's initial meeting on or before July 12, 2019;

96 (2) before August 1, 2019, issue a request for designs for the memorial;

97 (3) before November 1, 2019, hold at least three public hearings regarding potential
98 site options for the memorial;

99 (4) no later than the November interim meeting in 2019, make a report and
100 recommendation to the Government Operations Interim Committee regarding:

101 (a) potential site options for the memorial; and

102 (b) public input that the commission received under Subsection (3); and

103 (5) before February 1, 2020:

104 (a) hold at least three public hearings regarding potential designs for the memorial; and

105 (b) provide a formal written proposal to the House Government Operations Standing

106 Committee and the Senate Government Operations and Political Subdivisions Standing
107 Committee regarding:

108 (i) the design and location of the memorial; and

109 (ii) the anticipated schedule and costs for construction of the memorial.

110 Section 5. Section **63I-2-263** is amended to read:

111 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

112 (1) On July 1, 2020:

113 (a) Subsection **63A-3-403**(5)(a)(i) is repealed; and

114 (b) in Subsection **63A-3-403**(5)(a)(ii), the language that states "appointed on or after
115 May 8, 2018," is repealed.

116 (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is
117 repealed July 1, 2020.

118 (3) The following sections regarding the World War II Memorial Commission are
119 repealed on July 1, 2020:

120 (a) Section **63G-1-801**;

121 (b) Section 63G-1-802;
122 (c) Section 63G-1-803; and
123 (d) Section 63G-1-804.
124 [~~3~~] (4) Section 63H-7a-303 is repealed on July 1, 2022.
125 [~~4~~] (5) On July 1, 2019:
126 (a) in Subsection 63J-1-206(2)(c)(i), the language that states "Subsection (2)(c)(ii) and"
127 is repealed; and
128 (b) Subsection 63J-1-206(2)(c)(ii) is repealed.
129 [~~5~~] (6) Section 63J-4-708 is repealed January 1, 2023.
130 [~~6~~] (7) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.
131 [~~7~~] (8) Section 63N-3-110 is repealed July 1, 2020.
132 Section 6. **Effective date.**
133 If approved by two-thirds of all the members elected to each house, this bill takes effect
134 upon approval by the governor, or the day following the constitutional time limit of Utah
135 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
136 the date of veto override.