

HB0219S01 compared with HB0219

~~{deleted text}~~ shows text that was in HB0219 but was deleted in HB0219S01.

Inserted text shows text that was not in HB0219 but was inserted into HB0219S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Stephen G. Handy proposes the following substitute bill:

STATE FLAG REVIEW COMMISSION

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the State Flag Review Commission and provides the commission's duties regarding the proposal of a new state flag.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the State Flag Review Commission;
- ▶ provides for the term and appointment of commission members;
- ▶ ~~{requires the commission to assess}~~ designates the current state flag ~~{design against principles of good flag design;~~
- ▶ ~~identifies the principles of good flag design for use in the commission's assessment;~~ as the state historical flag;

HB0219S01 compared with HB0219

- ▶ requires the commission to:
 - receive public input regarding ~~{the current}~~ proposals for a new state flag design; and
 - make a report and recommendation for a new state flag design to the Government Operations Interim Committee;
- ▶ identifies the principles of good flag design for use in the commission's analysis of proposals and recommendation of a new state flag design;
- ▶ establishes a repeal date for the commission; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63G-1-501, as renumbered and amended by Laws of Utah 2008, Chapter 382

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

ENACTS:

63G-1-801, Utah Code Annotated 1953

63G-1-802, Utah Code Annotated 1953

63G-1-803, Utah Code Annotated 1953

63G-1-804, Utah Code Annotated 1953

63G-1-805, Utah Code Annotated 1953

63G-1-806, Utah Code Annotated 1953

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

Section 1. Section **63G-1-501** is amended to read:

63G-1-501. State historic flag.

The state historic flag of Utah shall be a flag of blue field, fringed, with gold borders, with the following device worked in natural colors on the center of the blue field:

(1) [The] the center a shield;

HB0219S01 compared with HB0219

(2) above the shield and thereon an American eagle with outstretched wings;

(3) the top of the shield pierced with six arrows arranged crosswise;

(4) upon the shield under the arrows the word "Industry," and below the word "Industry" on the center of the shield, a beehive;

(5) on each side of the beehive, growing sego lilies;

(6) below the beehive and near the bottom of the shield, the word "Utah," and below the word "Utah" and on the bottom of the shield, the figures "1847";

(7) with the appearance of being back of the shield there shall be two American flags on flagstuffs placed crosswise with the flag so draped that they will project beyond each side of the shield, the heads of the flagstuffs appearing in front of the eagle's wings and the bottom of each staff appearing over the face of the draped flag below the shield;

(8) below the shield and flags and upon the blue field, the figures "1896"; and

(9) around the entire design, a narrow circle in gold.

Section ~~{1}~~2. Section **63G-1-801** is enacted to read:

Part 8. State Flag Review Commission

63G-1-801. Definitions.

As used in this part:

(1) "Commission" means the State Flag Review Commission created in Section 63G-1-802.

~~{~~ (2) "Current state flag design" means the state flag design described in Section 63G-1-501.

~~}~~ {3}2) "Principles of good flag design" means the principles described in Section 63G-1-805.

Section ~~{2}~~3. Section **63G-1-802** is enacted to read:

63G-1-802. State Flag Review Commission -- Creation -- Membership -- Meetings -- Staff.

(1) There is created the State Flag Review Commission.

(2) The commission consists of the following ~~{22}~~11 members:

(a) ~~{a}~~one member of the Senate that the president of the Senate appoints;

(b) ~~{two members}~~one member of the House of Representatives that the speaker of the House of Representatives appoints;

HB0219S01 compared with HB0219

(c) the following ~~{13}~~ five individuals that the governor appoints:

(i) one individual representing the office of the governor;

(ii) after receiving recommendations from the Utah Association of Counties~~;~~

~~— (A) one individual serving in the legislative body of a county of the first or second class; and~~

~~— (B) ;~~ one individual serving in the legislative body of a county of the third, fourth, fifth, or sixth class;

(iii) after receiving recommendations from the Utah League of Cities and Towns~~;~~

~~— (A) ;~~ one individual serving in the legislative body of a city of the first class;

~~{ — (B) one individual serving in the legislative body of a city of the second or third class; and~~

~~— (C) one individual serving in the legislative body of a city of the fourth or fifth class;~~

~~};~~ (iv) one individual who is a member of a national or international vexillological organization or association;~~;~~

~~— (v) two individuals each representing the graphic arts or advertising industries;~~

~~— (vi) two individuals; and~~

(v) one individual representing Utah's ethnic minority populations;

~~{ — (vii) one individual representing the academic community; and~~

~~— (viii) one individual representing the International Society Daughters of Utah Pioneers;~~

~~— (d) one individual representing the State Capitol Preservation Board that the board's executive director appoints;~~

~~};~~ ~~{e}~~ d one individual representing the Division of State History that the division's director appoints;

~~{f}~~ e one individual representing the Board of Tourism Development that the board's chair appoints;

~~{g}~~ f one individual representing Utah's Native American community that the director of the Division of Indian Affairs appoints after receiving recommendations from federally recognized tribes in Utah; and

~~{h} the following two individuals that the chair of the State Board of Education appoints;~~

~~— {i} g one individual representing the State Board of Education~~;~~ and~~

HB0219S01 compared with HB0219

~~(i) one student who is enrolled in a high school within the state}~~ that the chair of the State Board of Education appoints.

(3) Each individual with authority to appoint an individual under Subsection (2) shall make the appointment on or before June 1, 2019.

~~(4) The {commission shall select a chair and a vice chair from among the members described in Subsection (2) during the commission's initial meeting}~~ legislators appointed to the commission under Subsections (2)(a) and (b) shall serve as co-chairs.

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

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

(7) The Office of Legislative Research and General Counsel shall provide staff support to the commission.

Section ~~{3}~~4. Section **63G-1-803** is enacted to read:

63G-1-803. Terms of commission members -- Vacancies -- Salaries and expenses.

(1) The term of each commission member ends on November 30, 2019.

(2) (a) A commission member may be removed from the commission by the individual who appointed the member.

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

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

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

(b) Compensation and expenses of a commission member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and

HB0219S01 compared with HB0219

Expenses.

Section ~~{4}~~5. Section **63G-1-804** is enacted to read:

63G-1-804. Commission duties.

(1) The commission shall:

~~{1}~~a convene the commission's initial meeting on or before June 14, 2019;

~~{2} assess the current~~b issue a request, on or before July 1, 2019, for the public to submit proposed state flag {design} designs:

{c} (i) assess proposed flag designs the commission receives under Subsection (1)(b) using the established principles of good flag design;

~~{3}~~ and

{i} on or before September 15, 2019, select a group of up to 40 candidate flag designs that, based on the assessment described in Subsection (1)(c)(i), are the proposed flag designs that best:

(A) represent the state; and

(B) adhere to the established principles of good flag design;

{d} hold public hearings ~~for otherwise~~ and use other methods to gather public input regarding the ~~{current state}~~ candidate flag {design} designs described in Subsection (1)(c)(ii); and

~~{4}~~e no later than the November interim meeting in 2019, make a report and recommendation to the Government Operations Interim Committee regarding:

~~{a}~~ {i} the candidate flag designs described in Subsection (1)(c)(ii), including the commission's assessment {described in Subsection (2)};

~~{b}~~ {ii} public input the commission received under Subsection ~~{3}~~1(d); and

~~{c}~~ {iii} a recommendation {that:

~~{i} if the~~ for a new state flag design.

(2) The commission may allow for amendments to submissions during the process described in Subsection (1) to allow designers to improve proposed flag designs based on the commission's assessment described in Subsection ~~{2} concludes that the current state flag design fails to adhere to the established principles of good flag design, the Legislature should create a process to select a new state flag design; or~~

~~{ii} if the assessment described in Subsection (2) concludes that the current state flag~~

HB0219S01 compared with HB0219

~~design adheres to the established principles of good flag design, the state should retain the current state flag design.~~

~~Section 5}1(c)(i).~~

(3) In considering proposed flag designs, the commission may consider the proposed flag design described in Section 63G-1-806.

Section 6. Section **63G-1-805** is enacted to read:

63G-1-805. Established principles of good flag design.

In assessing ~~the current state~~ flag ~~design~~ designs, the commission shall consider the extent to which ~~the~~ a flag design adheres to the following established principles of good flag design:

- (1) whether the flag is sufficiently simple that a child could draw the flag from memory;
- (2) whether the flag uses meaningful symbolism, including the use of:
 - (a) a main graphic element, giving preference to a single primary symbol; or
 - (b) meaningful colors, shapes, or layout of the parts of the flag;
- (3) whether the flag uses two to three basic colors that:
 - (a) contrast well; and
 - (b) are varying shades of standard colors like red, blue, green, black, yellow, or white;
- (4) whether the flag avoids writing or the use of a seal, including lettering or a seal that is difficult to:
 - (a) see or read from a distance; or
 - (b) reduce to a smaller scale for use on a pin or graphic; and
- (5) whether the flag is sufficiently distinctive to avoid duplicating other flags while allowing for the use of similarities to represent connections.

Section ~~{6}7~~. Section ~~{63I-2-263 is amended to read:~~

~~{63G-1-806 is enacted to read:~~

63G-1-806. Proposed flag design for commission consideration.

- (1) As used in this section:
 - (a) "CMYK" means the color model of four-color printing using cyan, magenta, yellow, and black ink.
 - (b) "Legacy gold" means a color with:

HB0219S01 compared with HB0219

(i) an RGB value of 251, 178, 23;

(ii) a CMYK value of 1, 33, 100, 0; and

(iii) a web color value of #fbb217.

(c) "Liberty blue" means a color with:

(i) an RGB value of 11, 36, 68;

(ii) a CMYK value of 100, 86, 44, 47; and

(iii) a web color value of #0b2444.

(d) "Mountain white" means a color with:

(i) an RGB value of 255, 255, 255;

(ii) a CMYK value of 0, 0, 0, 0; and

(iii) a web color value of #ffffff.

(e) "RGB" means the color model of three-color video and computer displays using red, green, and blue light.

(f) "Utah red" means a color with:

(i) an RGB value of 175, 31, 36;

(ii) a CMYK value of 22, 100, 99, 13; and

(iii) a web color value of #af1f24.

(h) "Web color" means the color model of web page displays using a hexadecimal color code.

(2) The commission may consider as a proposed design a rectangle that has a width to length ratio of three to five and contains the following:

(a) one diagonal cross pattern that creates four triangles meeting at the center of the flag:

(i) with the two triangles in the horizontal plane being:

(A) equal in width and length, spreading the full width and length of the flag; and

(B) colored liberty blue;

(ii) with the upper and lower triangle shaped quadrants each having a length equal to the full length of the flag and:

(A) the upper triangle shaped quadrant being colored mountain white; and

(B) the lower triangle shaped quadrant being colored Utah red; and

(iii) that represents:

HB0219S01 compared with HB0219

(A) Utah's moniker as "the Crossroads of the West"; and

(B) the history of Promontory Point;

(b) one circle that:

(i) is shaded legacy gold and filled with a background that is shaded mountain white;

(ii) contains a slightly thinner gold circle that is:

(A) shaded legacy gold; and

(B) filled with a background that is shaded mountain white; and

(iii) is placed over the meeting point of the four triangle shaped quadrants described in

Subsection (2)(a) in the center of the flag; and

(c) one beehive that is shaded legacy gold that:

(i) contains six hive sections with a small semicircle removed from the center of the base of the lowest section;

(ii) is placed within the circles described in Subsection (2)(b); and

(iii) represents:

(A) Utah's identity as "the Beehive State"; and

(B) industry.

Section 8. Section 63I-2-263 is amended to read:

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

(1) On July 1, 2020:

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

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

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

(3) The following sections regarding the State Flag Review Commission are repealed on July 1, 2020:

(a) Section 63G-1-801;

(b) Section 63G-1-802;

(c) Section 63G-1-803;

(d) Section 63G-1-804; ~~and~~

(e) Section 63G-1-805 ~~and~~; and

HB0219S01 compared with HB0219

(f) Section 63G-1-806.

~~[(3)]~~ (4) Section 63H-7a-303 is repealed on July 1, 2022.

~~[(4)]~~ (5) On July 1, 2019:

(a) in Subsection 63J-1-206(2)(c)(i), the language that states " Subsection(2)(c)(ii) and" is repealed; and

(b) Subsection 63J-1-206(2)(c)(ii) is repealed.

~~[(5)]~~ (6) Section 63J-4-708 is repealed January 1, 2023.

~~[(6)]~~ (7) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.

~~[(7)]~~ (8) Section 63N-3-110 is repealed July 1, 2020.

Section ~~(7)~~9. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.