

# HB0250S01 compared with HB0250

~~{deleted text}~~ shows text that was in HB0250 but was deleted in HB0250S01.

inserted text shows text that was not in HB0250 but was inserted into HB0250S01.

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~~{STATE FLAG REVIEW COMMISSION}~~ Representative Stephen Handy proposes the following substitute bill:

## STATE BANNER TASK FORCE

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen G. Handy**

Senate Sponsor: Daniel McCay

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### LONG TITLE

#### General Description:

This bill creates the State ~~{Flag Review Commission}~~ Banner Task Force and provides the ~~{commission's}~~ task force's duties regarding the proposal of a ~~{new}~~ state ~~{flag}~~ banner.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the State ~~{Flag Review Commission}~~ Banner Task Force;
- ▶ provides for the term and appointment of ~~{commission members}~~;

→ ~~designates the current state flag as the state historical flag;~~

→ ~~requires the commission}~~ task force members;

- ▶ requires the task force to:

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- receive public input regarding proposals for a ~~{new}~~state ~~{flag}~~banner design; and
- make a report and recommendation for a ~~{new}~~state ~~{flag}~~banner design to the Government Operations Interim Committee;
- ▶ identifies the principles of good ~~{flag}~~banner design for use in the ~~{commission's}~~task force's analysis of proposals and recommendation of a ~~{new}~~state ~~{flag}~~banner design;
- ▶ establishes a repeal date for the ~~{commission}~~task force; 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 2019, Chapters 182, 240, 246, 325, 370,~~  
and 483

ENACTS:

~~63G-1-901, Utah Code Annotated 1953~~

~~63G-1-902, Utah Code Annotated 1953~~

~~63G-1-903, Utah Code Annotated 1953~~

~~63G-1-904, Utah Code Annotated 1953~~

~~63G-1-905, Utah Code Annotated 1953~~

~~{~~ ~~63G-1-906, Utah Code Annotated 1953~~  
~~}~~

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

Section 1. Section ~~{63G-1-501}~~63G-1-901 is ~~{amended to read:~~

~~63G-1-501. State 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:~~

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- ~~(1) [The] the center a shield;~~
  - ~~(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 2. Section 63G-1-901 is enacted to read:~~

enacted to read:

### Part 9. State ~~{Flag Review Commission}~~ Banner Task Force

#### **63G-1-901. Definitions.**

As used in this part:

- ~~{ (1) "Commission" means the State Flag Review Commission created in Section 63G-1-902.~~
- ~~{ (2) "Principles of good {flag} banner design" means the principles described in Section 63G-1-905.~~

(2) "Task force" means the State Banner Task Force created in Section 63G-1-902.

Section ~~{3}2~~. Section **63G-1-902** is enacted to read:

#### **63G-1-902. State ~~{Flag Review Commission}~~ Banner Task Force -- Creation -- Membership -- Meetings -- Staff.**

- (1) There is created the State ~~{Flag Review Commission}~~ Banner Task Force.
- (2) The ~~{commission}~~ task force consists of the following 11 members:
  - (a) one member of the Senate that the president of the Senate appoints;
  - (b) one member of the House of Representatives that the speaker of the House of

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### Representatives appoints:

(c) the following 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, 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, one individual serving in the legislative body of a city of the first class;

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

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

(d) one individual representing the Division of State History that the division's director appoints;

(e) one individual representing the Board of Tourism Development that the board's chair appoints;

(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

(g) one individual representing the State Board of Education 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, 2020.

(4) The legislators appointed to the ~~commission~~ task force under Subsections (2)(a) and (b) shall serve as co-chairs.

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

(6) The ~~commission~~ task force shall ensure that each meeting of the ~~commission~~ task force 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 4} Department of Heritage and Arts created in Section 9-1-201 shall assist the task force in conducting the task force's meetings.~~

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Section 3. Section **63G-1-903** is enacted to read:

**63G-1-903. Terms of ~~commission~~task force members -- Vacancies -- Salaries and expenses.**

(1) The term of each ~~commission~~task force member ends on November 30, 2020.

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

(b) If a ~~commission~~task force 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~~task force 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~~task force member may not receive compensation or benefits for the member's service on the ~~commission~~task force but may receive per diem and reimbursement for travel expenses incurred as a ~~commission~~task force 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~~task force member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

Section ~~5~~4. Section **63G-1-904** is enacted to read:

**63G-1-904. ~~Commission~~ Task force duties.**

(1) The ~~commission~~task force shall:

(a) convene the ~~commission's~~task force's initial meeting on or before June 12, 2020;

(b) issue a request, on or before July 1, 2020, for the public to submit proposed state ~~flag~~banner designs;

(c) (i) assess proposed ~~flag~~banner designs the ~~commission~~task force receives under Subsection (1)(b) using the established principles of good ~~flag~~banner design; and

(ii) on or before September 15, 2020, select a group of ~~up to 40~~ candidate ~~flag~~banner designs that, based on the assessment described in Subsection (1)(c)(i), are the

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proposed {flag}banner designs that best:

(A) represent the state; and

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

(d) hold public hearings and use other methods to gather public input regarding the candidate {flag}banner designs described in Subsection (1)(c)(ii); and

(e) no later than the November interim meeting in 2020, make a report and recommendation to the Government Operations Interim Committee regarding:

(i) the candidate {flag}banner designs described in Subsection (1)(c)(ii), including the {commission's}task force's assessment;

(ii) public input the {commission}task force received under Subsection (1)(d); and

(iii) a recommendation for a {new} state {flag}banner design.

(2) The {commission}task force may allow for amendments to submissions during the process described in Subsection (1) to allow designers to improve proposed {flag}banner designs based on the {commission's}task force's assessment described in Subsection (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}~~5. Section **63G-1-905** is enacted to read:

**63G-1-905. Established principles of good {flag}banner design.**

In assessing {flag}banner designs, the {commission}task force may consider the extent to which a {flag}banner design adheres to the following established principles of good {flag}banner design:

(1) whether the {flag}banner is sufficiently simple that a child could draw the {flag}banner from memory;

(2) whether the {flag}banner 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}banner;

(3) whether the {flag}banner 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}banner avoids writing or the use of a seal, including lettering or a seal that is difficult to:

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- (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}~~ banner is sufficiently distinctive to avoid duplicating other ~~{flags}~~ banners while allowing for the use of similarities to represent connections.

Section ~~{7}~~6. Section ~~{63G-1-906 is enacted to read:~~

~~63G-1-906. 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:~~
      - ~~(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;~~
    - ~~(g) "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:~~

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~~(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:~~

~~(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 is amended to read:~~

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

(1) On July 1, 2020:

(a) Subsection 63A-1-203(5)(a)(i) is repealed; and



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(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.

(2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.

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

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

(a) Section 63G-1-801;

(b) Section 63G-1-802;

(c) Section 63G-1-803; and

(d) Section 63G-1-804.

(5) The following sections regarding the State ~~{Flag Review Commission}~~ **Banner Task Force** are repealed on July 1, 2021:

(a) Section 63G-1-901;

(b) Section 63G-1-902;

(c) Section 63G-1-903;

(d) Section 63G-1-904; **and**

(e) Section 63G-1-905 ~~{; and}~~.

~~{~~ (f) Section 63G-1-906.

~~{~~ [(5)] (6) In relation to the State Fair Park Committee, on January 1, 2021:

(a) Section 63H-6-104.5 is repealed; and

(b) Subsections 63H-6-104(8) and (9) are repealed.

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

[(7)] (8) In relation to the Employability to Careers Program Board, on July 1, 2022:

(a) Subsection 63J-1-602.1(52) is repealed;

(b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;

and

(c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.

[(8)] (9) Section 63J-4-708 is repealed January 1, 2023.

Section ~~{9}~~ **7. Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect

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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.