

## LEGISLATIVE BILL 297

Approved by the Governor April 28, 1999

Introduced by Schimek, 27; Crosby, 29

AN ACT relating to the State Capitol; to amend sections 81-1108.32, 81-1108.38, and 90-309, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Capitol Commission and the Nebraska State Capitol Environs Commission; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 81-1108.32, Reissue Revised Statutes of Nebraska, is amended to read:

81-1108.32. The Nebraska Capitol Commission is hereby created. The commission shall consist of the Governor, the Speaker of the Legislature, the Chief Justice of the Supreme Court, the dean of the College of Architecture at the University of Nebraska-Lincoln, and three other residents of Nebraska appointed by the Governor. One appointive member shall be appointed from each congressional district. The terms of the appointive members shall be staggered so that one term expires on March 1, 1994, one term expires on March 1, 1995, and one term expires on March 1, 1996. As the terms of the appointive members expire, the Governor shall, on or before March 1 of each year, appoint or reappoint a member of the commission for a term of three years to succeed the member whose term expires. Any member appointed after March 1 shall serve for the remaining portion of the three-year term. ~~Appointive members of the State Building Advisory Commission serving on September 9, 1993, shall serve as members of the Nebraska Capitol Commission until appointments are made by the Governor.~~

The Governor shall serve as the chairperson of the Nebraska Capitol Commission, and the Director of Administrative Services or his or her representative shall serve as the nonvoting secretary of the commission. The members of such commission shall be reimbursed for their actual and necessary expenses while away from home engaged in the performance of their duties as members of the commission as provided in sections 81-1174 to 81-1177.

Sec. 2. Section 81-1108.38, Reissue Revised Statutes of Nebraska, is amended to read:

81-1108.38. It shall be the duty of the Nebraska Capitol Commission to provide advice to the Department of Administrative Services in carrying out this section. The department shall (1) establish policies and guidelines for the proper conservation, restoration, and enhancement of the State Capitol and its furnishings, ~~and grounds,~~ (2) establish policies and guidelines for the implementation of the approved Capitol Landscape Restoration Master Plan on and around the capitol grounds and site development in and around the State Capitol and all other state-owned property located within the Nebraska State Capitol Environs District, (3) participate with the commission created pursuant to section 90-306 to conserve, protect, and enhance the environs and vistas of the State Capitol, ~~(3)~~ (4) establish policies and guidelines for use of the State Capitol's preservation and adaptive-use spaces including the adoption of a document of standards, and ~~(4)~~ (5) review the proposed construction and repairs of buildings for state use. The Department of Administrative Services, with the advice of the Nebraska Capitol Commission, may adopt and promulgate rules and regulations to carry out this section.

The landscaping required pursuant to subdivision (2) of this section may begin as soon as practicable during the renovation of the capitol structure, and at least seventy percent of the landscaping design shall be completed by the completion of the Capitol Masonry Restoration Project begun in 1998. Implementation of the landscaping shall be coordinated with the progress of work on the Capitol Masonry Restoration Project. On the effective date of this act, the Department of Administrative Services may begin contracting for the technical specifications and fabrication of fountains that will be placed in the center of each courtyard of the State Capitol. The Nebraska Capitol Commission shall consult the original design specification of the fountains during the planning and construction phase.

The commission shall hold meetings at least twice a year from 1999 through 2010 and at least annually after 2010. The commission shall meet at least annually with the Nebraska State Capitol Environs Commission to discuss and coordinate projects that may impact the capitol and its surrounding environs. The meeting with the Nebraska State Capitol Environs Commission may be held in conjunction with one of the meetings of the Nebraska Capitol

Commission required by this section.

In addition to any other rights and powers conferred upon the commission, it shall monitor and advise the administrator in exercising the power of eminent domain on behalf of the state for the purpose of acquiring sites or buildings for state use. The administrator may for such purpose take, hold, and condemn for the state any and all necessary property. The procedure to condemn property shall be exercised in the manner set forth in sections 76-701 to 76-726.

Sec. 3. Section 90-309, Reissue Revised Statutes of Nebraska, is amended to read:

90-309. (1) The Nebraska State Capitol Environs Commission shall meet at least annually with the Nebraska Capitol Commission to discuss and coordinate projects that may impact the capitol and its surrounding environs pursuant to section 81-1108.38.

(2) The Nebraska State Capitol Environs Commission shall report each January to the city council and mayor of the city of Lincoln, to the Legislature, and to the Governor. The report shall review the major decisions rendered during the preceding year and outline the rationale for the decisions. The report may also survey the status of the Nebraska State Capitol Environs District and make recommendations for its enhancement and protection.

Sec. 4. Original sections 81-1108.32, 81-1108.38, and 90-309, Reissue Revised Statutes of Nebraska, are repealed.