

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 86

Introduced by Wallman, 30.

Read first time January 8, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Capitol Commission; to
2 amend section 81-1108.38, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to the Capitol
4 Landscape Restoration Master Plan; to provide duties for
5 the commission; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-1108.38, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 81-1108.38 (1) It shall be the duty of the Nebraska
4 Capitol Commission to provide advice to the Office of the Nebraska
5 Capitol Commission in carrying out this section. The office shall
6 (a) establish policies and guidelines for the implementation of the
7 approved Capitol Landscape Restoration Master Plan on and around
8 the capitol grounds, (b) participate with the commission created
9 pursuant to section 90-306 to (i) formulate a landscape restoration
10 plan for all other state-owned property within the Nebraska State
11 Capitol Environs District and (ii) conserve, protect, and enhance
12 the environs and vistas of the State Capitol, and (c) review the
13 proposed construction and repairs of buildings in and around the
14 State Capitol and all other state-owned property located within the
15 Nebraska State Capitol Environs District. The landscaping required
16 pursuant to subdivision (1)(a) of this section may begin as soon as
17 practicable during the renovation of the capitol structure, and at
18 least seventy percent of the landscaping design shall be completed
19 by the completion of the Capitol Masonry Restoration Project begun
20 in 1998. Implementation of the landscaping shall be coordinated
21 with the progress of work on the Capitol Masonry Restoration
22 Project. The Department of Administrative Services may contract for
23 the technical specifications and fabrication of fountains that will
24 be placed in the center of each courtyard of the State Capitol. The
25 commission shall consult the original design specification of the

1 fountains during the planning and construction phase. The office,
2 with the advice of the Nebraska Capitol Commission, may adopt and
3 promulgate rules and regulations to carry out this subsection.

4 (2) The commission shall hold meetings on a quarterly
5 basis or as needed. The commission shall meet at least annually
6 with the Nebraska State Capitol Environs Commission to discuss and
7 coordinate projects that may impact the capitol and its environs.
8 The meeting with the Nebraska State Capitol Environs Commission may
9 be held in conjunction with one of the meetings of the Nebraska
10 Capitol Commission required by this subsection.

11 (3) In addition to any other rights and powers conferred
12 upon the commission, it shall monitor and advise the State Building
13 Administrator in exercising the power of eminent domain on behalf
14 of the state for the purpose of acquiring sites or buildings for
15 state use. The administrator may for such purpose take, hold, and
16 condemn for the state any and all necessary property. The procedure
17 to condemn property shall be exercised in the manner set forth in
18 sections 76-701 to 76-726.

19 Sec. 2. Original section 81-1108.38, Reissue Revised
20 Statutes of Nebraska, is repealed.