

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 24

Introduced by Krist, 10.

Read first time January 08, 2015

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to the Nebraska Capitol Commission; to amend
2 sections 72-2204, 72-2211.01, 72-2213, and 81-1108.38, Reissue
3 Revised Statutes of Nebraska; to change provisions relating to the
4 appointment and qualifications of the State Capitol Administrator;
5 to change provisions of the Capitol Commission Revolving Fund; to
6 provide and change powers and duties for the Nebraska Capitol
7 Commission and the Office of the Nebraska Capitol Commission; to
8 harmonize provisions; and to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-2204, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 72-2204 The Nebraska Capitol Commission shall be the custodian of
4 the State Capitol and capitol grounds. To aid in these duties, the Office
5 of the Nebraska Capitol Commission is established under the Nebraska
6 Capitol Commission. The State Capitol Administrator shall be the head of
7 the office and shall be appointed ~~recommended~~ by the commission—and
8 ~~appointed by the Governor~~. The compensation of the administrator shall be
9 established by the commission ~~Governor~~, subject to availability of
10 appropriations. The administrator shall be an architect licensed to
11 practice in the State of Nebraska and have at least five years'
12 experience managing historic preservation properties or preservation
13 projects. For administrative and ~~budgetary~~ purposes, the office shall be
14 housed within the Department of Administrative Services, which department
15 shall provide all of the accounting, personnel, information management,
16 and communication support services for the office. The office and all
17 staff shall be physically located in the State Capitol. All
18 administration and budgetary decisions for the office shall be made by
19 the administrator.

20 Sec. 2. Section 72-2211.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 72-2211.01 The Capitol Commission Revolving Fund is created. The
23 administrator shall administer the fund. The fund shall consist of rent
24 received pursuant to section 81-1108.38 and receipts collected pursuant
25 to agreements between the commission and other entities as provided by
26 law. The fund shall be used to support the operations of the commission.
27 Any money in the Capitol Commission Revolving Fund available for
28 investment shall be invested by the state investment officer pursuant to
29 the Nebraska Capital Expansion Act and the Nebraska State Funds
30 Investment Act.

31 Sec. 3. Section 72-2213, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 72-2213 (1) The office space in the State Capitol or any other state
3 office building occupied by the Governor, Lieutenant Governor, Secretary
4 of State, State Treasurer, Attorney General, Auditor of Public Accounts,
5 or Chief Justice and judges of the Supreme Court and Court of Appeals,
6 including the office of the Clerk of the Supreme Court and courtrooms,
7 shall remain under the control of such constitutional officer or Chief
8 Justice. The Executive Board of the Legislative Council shall determine
9 its office space requirements in the State Capitol and may occupy such
10 office space as it requires except as provided in this subsection.

11 (2) After the determination by the Executive Board of the
12 Legislative Council pursuant to subsection (1) of this section, the
13 administrator, with the advice of the commission, shall determine the
14 space needs of all other departments and agencies of the state located in
15 the State Capitol and assign the remaining office space. The
16 determination of such needs shall be based on the following
17 considerations: (a) The availability of space within the State Capitol as
18 provided in this section; (b) the desirability of locating all divisions
19 and other organizational subunits of each department and agency of the
20 state in physical proximity to the office of its head; (c) the degree to
21 which the convenience of the public may be served by assignment of
22 various areas within the State Capitol; (d) the interdependence of
23 functions and operating procedures of the various agencies; (e)
24 applicable standards governing office requirements; and (f) the
25 availability of appropriations with which to finance renovations,
26 remodeling, and movement of equipment necessary to accommodate any
27 proposed assignment or reassignment of area.

28 (3) The office shall have responsibility for provision and
29 replacement of lighting, lighting fixtures, heating, cooling and
30 ventilation, and janitorial, custodial, and all other building services,
31 including care and custody of the State Capitol and capitol grounds, as

1 may now be provided by law.

2 (4) Responsibility for employment and supervision of custodial
3 workers for areas of the State Capitol occupied by the Legislature, the
4 courts, and executive departments and agencies shall be in accordance
5 with such agreements as may be defined by authorized representatives of
6 the three branches. All funds for improvements, remodeling, renovation,
7 partitioning, or replacement of major fixtures, including carpeting,
8 flooring, provision of drapes, lighting fixtures, and lamps, within any
9 area of the State Capitol shall be at the disposal of the administrator.

10 (5) All office or storage space in the State Capitol shall be
11 subject to rental rates as provided in section 81-1108.38.

12 Sec. 4. Section 81-1108.38, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-1108.38 (1) It shall be the duty of the Nebraska Capitol
15 Commission to provide advice to the Office of the Nebraska Capitol
16 Commission in carrying out this section. The office shall (a) establish
17 policies and guidelines for the implementation of the approved Capitol
18 Landscape Restoration Master Plan on and around the capitol grounds, (b)
19 participate with the commission created pursuant to section 90-306 to (i)
20 formulate a landscape restoration plan for all other state-owned property
21 within the Nebraska State Capitol Environs District and (ii) conserve,
22 protect, and enhance the environs and vistas of the State Capitol, ~~and~~
23 (c) review the proposed construction and repairs of buildings in and
24 around the State Capitol and all other state-owned property located
25 within the Nebraska State Capitol Environs District, (d) review requests
26 to name rooms or other portions of the State Capitol or the capitol
27 grounds and make recommendations to the Nebraska Capitol Commission for
28 approval or rejection, (e) appoint the State Capitol Administrator, (f)
29 develop a budget for the office and the commission for inclusion with the
30 budget of the Department of Administrative Services, and (g) establish a
31 system to keep on file all signed leases approved by the State Capitol

1 Administrator on and after July 1, 2017, when any board, agency,
2 commission, or department of state government makes a request to the
3 administrator for use of office or storage space within the State Capitol
4 which has not been allocated pursuant to section 72-2213. Such leases
5 shall be open to inspection during normal business hours. The office,
6 with the advice of the Nebraska Capitol Commission, may adopt and
7 promulgate rules and regulations to carry out this subsection.

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

15 (3) The commission may (a) approve or reject a request to name a
16 room or other portion of the State Capitol or capitol grounds for which a
17 name has not been previously established by the Legislature and (b)
18 establish rental rates to be effective July 1, 2017, and periodically
19 thereafter, for office or storage space in the State Capitol that reflect
20 operating costs including routine maintenance and repairs. The commission
21 shall remit all rent received under subdivision (b) of this subsection to
22 the State Treasurer for credit to the Capitol Commission Revolving Fund.

23 (4 ~~3~~) In addition to any other rights and powers conferred upon the
24 commission, it shall monitor and advise the State Building Administrator
25 in exercising the power of eminent domain on behalf of the state for the
26 purpose of acquiring sites or buildings for state use within the Nebraska
27 State Capitol Environs District. The administrator may for such purpose
28 take, hold, and condemn for the state any and all necessary property. The
29 procedure to condemn property shall be exercised in the manner set forth
30 in sections 76-701 to 76-726.

31 Sec. 5. Original sections 72-2204, 72-2211.01, 72-2213, and

1 81-1108.38, Reissue Revised Statutes of Nebraska, are repealed.