

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 721

Introduced by Schimek, 27; Wallman, 30.

Read first time January 09, 2008

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Capitol Commission; to
2 amend sections 72-2210 and 81-1108.38, Revised Statutes
3 Cumulative Supplement, 2006; to change provisions
4 relating to the Capitol Landscape Restoration Master
5 Plan; to provide duties to the commission; to harmonize
6 provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-2210, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 72-2210 (1) The office shall have the primary
4 functions and responsibilities of facilities planning, facilities
5 construction, and facilities administration for the State Capitol
6 and capitol grounds and may adopt and promulgate rules and
7 regulations to carry out the provisions of this section and
8 subsection (1) subsections (1) and (2) of section 81-1108.38.

9 (2) Facilities planning includes the following
10 responsibilities and duties:

11 (a) To maintain utilization records of the State Capitol
12 and capitol grounds;

13 (b) To define and review program statements based on
14 space utilization standards;

15 (c) To prepare and review planning and construction
16 documents;

17 (d) To develop and maintain time-cost schedules for
18 capital construction projects;

19 (e) To prepare annually a long-range plan for the
20 commission, listing the maintenance needed for the interior and
21 exterior of the State Capitol; and

22 (f) To assist the commission, the budget division of the
23 Department of Administrative Services, and the Legislative Fiscal
24 Analyst in preparing budget recommendations.

25 (3) Facilities construction includes the following powers

1 and duties:

2 (a) To maintain close contact with and inspections of
3 each project for the State Capitol and capitol grounds so as to
4 assure execution of the highest quality work product, time-cost
5 schedules, and efficient contract performance;

6 (b) To perform final acceptance inspections and
7 evaluations; and

8 (c) To coordinate all modifications or change orders and
9 progress payment orders.

10 (4) Facilities administration includes the following
11 powers and duties:

12 (a) To provide or assure adequate administration and
13 preservation maintenance of, repairs to, and custodial duties for
14 the State Capitol and capitol grounds;

15 (b) To be responsible for all maintenance, repairs, and
16 custodial duties necessary to preserve properly and maintain the
17 State Capitol and capitol grounds;

18 (c) To report to the commission quarterly, or as
19 prescribed by the commission, the time-cost data on State Capitol
20 construction projects;

21 (d) To be responsible for parking on the capitol grounds;
22 and

23 (e) To submit to the commission a final report on each
24 State Capitol project. The report shall include, but not be limited
25 to, a comparison of final costs and appropriations made for the

1 project, change orders, and modifications, and a conclusion as to
2 whether the construction complied with the related approved project
3 purpose and program statement. Such report shall be required on
4 all projects costing fifty thousand dollars or more and any other
5 projects designated by the commission.

6 Sec. 2. Section 81-1108.38, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 81-1108.38 (1) It shall be the duty of the Nebraska
9 Capitol Commission to provide advice to the Office of the Nebraska
10 Capitol Commission in carrying out this section. The office shall
11 (a) establish policies and guidelines for the implementation of the
12 approved Capitol Landscape Restoration Master Plan on and around
13 the capitol grounds, (b) participate with the commission created
14 pursuant to section 90-306 to (i) formulate a landscape restoration
15 plan for all other state-owned property within the Nebraska State
16 Capitol Environs District and (ii) conserve, protect, and enhance
17 the environs and vistas of the State Capitol, and (c) review the
18 proposed construction and repairs of buildings in and around the
19 State Capitol and all other state-owned property located within
20 the Nebraska State Capitol Environs District. The office, with the
21 advice of the Nebraska Capitol Commission, may adopt and promulgate
22 rules and regulations to carry out this subsection.

23 (2) The landscaping required pursuant to subdivision
24 (1) (a) of this section may begin as soon as practicable during
25 the renovation of the capitol structure, and at least seventy

1 percent of the landscaping design shall be completed by the
2 completion of the Capitol Masonry Restoration Project begun in
3 1998. Implementation of the landscaping shall be coordinated with
4 the progress of work on the Capitol Masonry Restoration Project.
5 The Department of Administrative Services may contract for the
6 technical specifications and fabrication of fountains that will be
7 placed in the center of each courtyard of the State Capitol. The
8 commission shall consult the original design specification of the
9 fountains during the planning and construction phase.

10 (2) (3) The commission shall hold meetings on a quarterly
11 basis or as needed. The commission shall meet at least annually
12 with the Nebraska State Capitol Environs Commission to discuss and
13 coordinate projects that may impact the capitol and its environs.
14 The meeting with the Nebraska State Capitol Environs Commission may
15 be held in conjunction with one of the meetings of the Nebraska
16 Capitol Commission required by this subsection.

17 (3) (4) In addition to any other rights and powers
18 conferred upon the commission, it shall monitor and advise the
19 State Building Administrator in exercising the power of eminent
20 domain on behalf of the state for the purpose of acquiring sites
21 or buildings for state use. The administrator may for such purpose
22 take, hold, and condemn for the state any and all necessary
23 property. The procedure to condemn property shall be exercised in
24 the manner set forth in sections 76-701 to 76-726.

25 Sec. 3. Original sections 72-2210 and 81-1108.38, Revised

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1 Statutes Cumulative Supplement, 2006, are repealed.