

A bill for an act

relating to the Capitol building; establishing a State Capitol Preservation Commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 15B.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[15B.34] STATE CAPITOL PRESERVATION COMMISSION.**

Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section and section 15B.35.

(b) "Commission" means the State Capitol Preservation Commission established in this section.

(c) "Capitol area" means the geographic area defined by section 15B.02.

(d) "Board" means the Capitol Area Architectural and Planning Board.

(e) "Predesign" means the stage in the development of a project during which the purpose, scope, cost, and schedule of the complete project are defined, and instructions to design professionals are produced.

Subd. 2. Establishment; membership. There is established a State Capitol Preservation Commission. The commission consists of:

(1) the governor or the governor's designee;

(2) the lieutenant governor;

(3) the president of the senate or the president's designee, who shall be a member of the senate;

(4) the speaker of the house or the speaker's designee, who shall be a member of the house of representatives;

(5) the attorney general;

(6) two members of the senate appointed by the president of the senate, one from the majority party and one from the minority party;

(7) two members of the house of representatives appointed by the speaker of the house, one from the majority and one from the minority party;

(8) the chief justice of the Minnesota Supreme Court or the chief justice's designee, who shall be a member of the Supreme Court;

(9) the commissioner of the Department of Administration or the commissioner's designee;

(10) the commissioner of the Department of Public Safety or the commissioner's designee;

(11) the executive director of the Minnesota Historical Society or the executive director's designee;

(12) the executive secretary of the board; and

(13) two citizen members, at least one of whom is experienced in the areas of architecture, design, or construction, appointed by the governor with the advice and consent of the senate.

Subd. 3. **Organization.** (a) The governor, lieutenant governor, president of the senate, and speaker of the house shall serve terms coterminous with their term as governor, lieutenant governor, president, or speaker. Citizen members shall serve two-year terms and may not serve for more than two consecutive terms. Other members serve at the pleasure of the appointing authority. The provisions in section 15.0575 govern the removal of citizen members and the filling of any vacancies on the commission.

(b) The governor or governor's designee is the chair of the commission. The lieutenant governor is the vice chair. If the governor or governor's designee is unable to attend a meeting, the lieutenant governor shall act as the chair. The commission shall meet at least quarterly and at other times at the call of the governor or if four members of the commission request a meeting in writing and provide notice to all other members of the commission at least ten days in advance of the proposed meeting. Notice of all meetings must be provided according to the requirements for public meetings.

(c) The commissioner of administration may designate an employee of the Department of Administration to serve as executive secretary of the commission and may furnish administrative staff to the commission as necessary for the expeditious conduct of the commission's duties and responsibilities.

(d) Commission members who are not state employees shall receive no compensation, benefits, per diem, or reimbursement for expenses for their services. State government officers and employees shall receive no additional compensation, per diem, or

reimbursement of expenses beyond what is provided by their organizations or as otherwise provided by law. Legislative members may receive the payment authorized by legislative rule and provided by the senate or house of representatives.

Subd. 4. **Powers and duties; commission.** The commission has the following powers and duties:

(1) exercise complete stewardship over the restoration and preservation of the Capitol building;

(2) consult with and advise the Department of Administration, the board, and the Minnesota Historical Society regarding their statutory responsibilities for and in the Capitol building;

(3) according to procurement laws, rules, and procedures, select an architectural firm to assist the commission, upon the commission's request, in the performance of its duties. Payment for the services of the architectural firm shall be made as required from funds designated for that purpose;

(4) develop a comprehensive, multiyear predesign plan for the restoration of the Capitol building and review the plan periodically and, as appropriate, amend and modify the plan. The predesign plan shall identify appropriate and required functions of the Capitol building; identify and address space requirements for legislative, executive, and judicial branch functions; and identify and address the long-term maintenance and preservation requirements of the Capitol building. In developing the plan, the commission shall take into account the comprehensive plan for the Minnesota State Capitol area, as amended in 2010, the rules governing zoning and design for the Capitol area, parking, mass transit, citizen access, tunnel system, information technology needs, energy efficiency, security, and any additional space needs for the efficient operation of state government;

(5) develop and implement a comprehensive financial plan to fund the preservation and restoration of the Capitol building. The commission shall submit the plan to the 2012 legislature and future legislatures until restoration of the Capitol building is completed, as determined by the commission;

(6) provide public reports on its work, including informing the public on an ongoing basis of the condition of the Capitol building and its needs as well as all activities related to the restoration of the Capitol building;

(7) solicit gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this section. All gifts, grants, or donations received directly by the commission shall be transmitted to the state treasurer, who shall credit the fund established in section 15B.35; and

4.1 (8) approve all modifications of any kind to the Capitol building interior and exterior,
4.2 whether in public or nonpublic spaces.

4.3 Subd. 5. Powers and duties; Department of Administration. The commissioner
4.4 of administration, upon the receipt of funding for the purposes in this subdivision, shall:

4.5 (1) maintain and operate the Capitol building and grounds according to section
4.6 16B.24 and other applicable law;

4.7 (2) designate a project manager to oversee and manage predesign, design, and
4.8 construction contracts and funding for all modifications of the Capitol building;

4.9 (3) manage design and construction projects and funding for the Capitol building
4.10 according to section 16B.31 and other applicable law;

4.11 (4) lease space to state agencies, constitutional officers, and the court administrator
4.12 on behalf of the judicial branch according to section 16B.24, and allocate space to the
4.13 legislative branch as determined by the commission;

4.14 (5) provide information to the commission, legislative bodies, and others as
4.15 needed regarding maintenance, operation, leasing, condition assessments, design, and
4.16 construction projects; and

4.17 (6) assist the commission with performance of its duties as needed.

4.18 Subd. 6. Powers and duties; Capitol Area Architectural and Planning Board.
4.19 The board shall:

4.20 (1) jointly with the commissioner of administration establish standards and policies
4.21 for the repair of, furnishing of, appearance of, cleanliness of, and changes to the public
4.22 and ceremonial areas of the Capitol building;

4.23 (2) review and approve plans and specifications and any changes to approved plans
4.24 and specifications involving the alteration of the public and ceremonial areas and the
4.25 exterior of the Capitol building;

4.26 (3) jointly with the executive director of the Minnesota Historical Society review
4.27 and approve the design, structural composition, and location of all monuments, memorials,
4.28 or works of art presently located in the public and ceremonial areas of the State Capitol or
4.29 which shall be placed in the public or ceremonial areas according to section 138.68; and

4.30 (4) assist the commission with the performance of its duties as needed.

4.31 Subd. 7. Powers and duties; Minnesota Historical Society. The executive director
4.32 of the Minnesota Historical Society shall:

4.33 (1) assist and advise in research and preservation of historical features of the
4.34 Capitol building, appropriate custodial policies, and maintaining works of art according
4.35 to section 138.69;

5.1 (2) jointly with the board review and approve the design, structural composition, and
5.2 location of all monuments, memorials, or works of art presently located in the public and
5.3 ceremonial areas of the State Capitol or which shall be placed in such public or ceremonial
5.4 areas in accordance with section 138.68; and

5.5 (3) assist the commission with performance of its duties as needed.

5.6 Sec. 2. **[15B.35] STATE CAPITOL PRESERVATION FUND.**

5.7 A State Capitol preservation fund is established in the state treasury. All money in
5.8 the fund is appropriated to the commissioner of administration to support the activities
5.9 of the State Capitol Preservation Commission under section 15B.34, including but not
5.10 limited to the commission's development and implementation of a Capitol preservation
5.11 predesign plan.

5.12 Sec. 3. **APPROPRIATION.**

5.13 \$550,000 in fiscal year 2012 is appropriated from the arts and cultural heritage fund
5.14 to the commissioner of administration for the State Capitol Preservation Commission for
5.15 the purposes of Minnesota Statutes, section 15B.34.