

SENATE BILL No. 229

By Committee on Federal and State Affairs

3-14

AN ACT abolishing the capitol area plaza authority; amending K.S.A. 75-2252 and 75-2255 and K.S.A. 2018 Supp. 75-2253, 75-2256, 75-2265 and 75-36,104 and repealing the existing sections; also repealing K.S.A. 75-2237a, 75-2237b, 75-2238a, 75-2239, 75-2240a, 75-2241a, 75-2242 and 75-3620 and K.S.A. 2018 Supp. 75-2237.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. The capitol area plaza authority created by 75-2237, and amendments thereto, is hereby abolished. Whenever the capitol area plaza authority, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the department of administration.

Sec. 2. K.S.A. 75-2252 is hereby amended to read as follows: 75-2252. (a) A memorial to veterans may be placed on the grounds of the statehouse. If constructed, the memorial shall be located south of the statehouse ~~at a site to be selected by the capitol area plaza authority~~. The memorial shall be constructed in accordance with design and architectural drawings reviewed by the division of facilities management ~~and approved by the capitol area plaza authority~~. Additions and modifications to the memorial shall be constructed in accordance with design and architectural drawings reviewed by the division of facilities management ~~and approved by the capitol area plaza authority~~. ~~The state preservation officer shall serve in an advisory capacity to the capitol area plaza authority regarding the memorial.~~

(b) The selection of an architect shall be made by the veterans memorial advisory committee and shall not be subject to the advertising and architectural selection provisions of K.S.A. 75-430a and 75-1250 et seq., and amendments thereto. The construction of the project shall be competitively bid pursuant to applicable statutes or regulations in effect at that time.

Sec. 3. K.S.A. 2018 Supp. 75-2253 is hereby amended to read as follows: 75-2253. (a) There is hereby established the veterans memorial advisory committee which shall be composed of nine members as follows:

(1) Eight representatives of veterans organizations each appointed by the governor, with no more than two representatives selected from a single veterans organization; and

1 (2) the secretary of administration, or the secretary's designee.

2 (b) Each veterans organization may submit a list of at least three
3 names for consideration by the governor in making an appointment. The
4 governor shall consider each such list if timely submitted and may appoint
5 from among those listed.

6 (c) The veterans memorial advisory committee shall serve in an
7 advisory role to the secretary of administration ~~and the capitol area plaza~~
8 ~~authority~~ with regard to matters concerning memorials to veterans on the
9 statehouse grounds. The veterans memorial advisory committee may also
10 make recommendations to the governor and legislature regarding
11 appropriate activities memorializing or commemorating veterans. The
12 advisory committee may solicit grants, gifts, contributions and bequests
13 for the memorial and shall remit all moneys so received to the state
14 treasurer in accordance with the provisions of K.S.A. 75-4215, and
15 amendments thereto. Upon receipt of each such remittance, the state
16 treasurer shall deposit the entire amount in the state treasury to the credit
17 of the veterans memorial fund.

18 (d) The members of the advisory committee shall organize annually
19 by electing a chairperson and vice-chairperson. The advisory committee
20 shall meet at least once each year upon call of the chairperson. The
21 secretary of administration, or the secretary's designee, shall serve as
22 secretary for the advisory committee. Members of the advisory committee
23 appointed by the governor under this section shall serve at the pleasure of
24 the governor.

25 Sec. 4. K.S.A. 75-2255 is hereby amended to read as follows: 75-
26 2255. (a) A memorial to veterans of the 9th and 10th cavalry units, which
27 are known as the Buffalo Soldiers, may be placed on the grounds of the
28 statehouse. If constructed, the memorial authorized by this section shall be
29 located south of the statehouse ~~at a site to be selected by the capitol area~~
30 ~~plaza authority~~. The memorial authorized by this section shall be
31 constructed in accordance with design and architectural drawings reviewed
32 by the division of facilities management of the department of
33 administration ~~and approved by the capitol area plaza authority~~. Additions
34 and modifications to the memorial authorized by this section shall be
35 constructed in accordance with design and architectural drawings reviewed
36 by the division of facilities management of the department of
37 administration ~~and approved by the capitol area plaza authority~~. ~~The state~~
38 ~~preservation officer shall serve in an advisory capacity to the capitol area~~
39 ~~plaza authority regarding the memorial authorized by this section.~~

40 (b) The selection of an architect for the memorial authorized by this
41 section shall be made by the veterans memorial advisory committee and
42 shall not be subject to the advertising and architectural selection provisions
43 of K.S.A. 75-430a and 75-1250 et seq., and amendments thereto. The

1 construction of the project for the memorial authorized by this section
2 shall be competitively bid pursuant to applicable statutes or regulations in
3 effect at that time.

4 Sec. 5. K.S.A. 2018 Supp. 75-2256 is hereby amended to read as
5 follows: 75-2256. (a) There may be placed on the grounds of the state
6 capitol a life-size version of the sculpture "Ad Astra," which has been
7 selected pursuant to K.S.A. 75-2249, and amendments thereto, for
8 placement atop the state capitol. ~~If placed on the state capitol grounds, the~~
9 ~~sculpture shall be located at a site to be selected by the capitol area plaza~~
10 ~~authority.~~ The sculpture and its pedestal shall conform to design and
11 architectural drawings reviewed by the division of facilities management
12 of the department of administration ~~and approved by the capitol area plaza~~
13 ~~authority.~~

14 (b) The secretary of administration is hereby authorized to receive
15 moneys from any grants, gifts, contributions or bequests made for the
16 purpose of financing the creation, construction or maintenance of the
17 sculpture and its pedestal and to expend such moneys for the purpose for
18 which received. The secretary of administration shall remit all moneys so
19 received to the state treasurer in accordance with the provisions of K.S.A.
20 75-4215, and amendments thereto. Upon receipt of each such remittance,
21 the state treasurer shall deposit the entire amount in the state treasury to
22 the credit of the ad astra sculpture fund. No public moneys shall be
23 expended for the purpose of financing the creation, construction or
24 maintenance of the sculpture or its pedestal.

25 (c) There is hereby established in the state treasury the ad astra
26 sculpture fund. Expenditures from the fund may be made for the purposes
27 of creating, constructing and maintaining the sculpture and its pedestal and
28 for such purposes as may be specified with regard to any grant, gift,
29 contribution or bequest. All such expenditures shall be made upon
30 warrants of the director of accounts and reports issued pursuant to
31 vouchers approved by the secretary of administration or the secretary's
32 designee.

33 (d) On or before the 10th day of the month following the month in
34 which moneys are first credited to the ad astra sculpture fund interest
35 earnings based on: (1) The average daily balance of moneys in the ad astra
36 sculpture fund for the preceding month; and (2) the net earnings rate for
37 the pooled money investment portfolio for the preceding month.

38 Sec. 6. K.S.A. 2018 Supp. 75-2265 is hereby amended to read as
39 follows: 75-2265. (a) The secretary of administration is hereby authorized
40 to accept on behalf of the state any grants, gifts, contributions, bequests or
41 donations of personal property or money for the purpose of restoring,
42 renovating, furnishing, improving or beautifying the statehouse. Prior to
43 accepting any such grant, gift, contribution, bequest or donation, the

1 secretary may consult with the legislative coordinating council, the
2 statehouse art and history committee, ~~the capitol area plaza authority~~ or
3 any other appropriate advisory committee.

4 (b) Any moneys donated for the statehouse and received and accepted
5 by the secretary of administration shall be paid to the department of
6 administration and shall be remitted to the state treasurer in accordance
7 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
8 receipt of each such remittance, the state treasurer shall deposit the entire
9 amount in the state treasury to the credit of a statehouse account within the
10 state facilities gift fund established by K.S.A. 2018 Supp. 75-3684, and
11 amendments thereto.

12 Sec. 7. K.S.A. 2018 Supp. 75-36,104 is hereby amended to read as
13 follows: 75-36,104. (a) The secretary of administration shall review the
14 historic structure report on the capitol and shall develop and maintain a
15 preservation plan for the capitol grounds. In addition, the secretary of
16 administration shall develop guidelines and standards for memorials on the
17 grounds of the capitol. All guidelines and standards for memorials on the
18 grounds of the capitol shall be consistent with the statement of purpose
19 and use for the capitol grounds and shall be designed to:

20 (1) Ensure the subjects of memorials are of historic and lasting
21 significance for Kansas;

22 (2) ensure the design excellence of all memorials on the grounds of
23 the capitol;

24 (3) preserve, protect and enhance the limited amount of available
25 space on the capitol grounds;

26 (4) preserve and further the implementation of the long-range plan of
27 development for the capitol area;

28 (5) ensure that memorials proposed for the grounds of the capitol are
29 appropriately planned, designed and sited and are reviewed, funded and
30 constructed in a timely manner;

31 (6) ensure that adequate and appropriate opportunities are provided
32 for the involvement of or comment by interested members of the public
33 throughout the development of the proposal for the memorial; and

34 (7) ensure that individuals, groups and organizations have a clear
35 understanding of the process that must be completed in order to propose
36 and to have a memorial constructed or placed on the grounds of the
37 capitol.

38 (b) After advising and consulting with the state historic preservation
39 officer of the state historical society, the legislative coordinating council
40 and the heads of other state agencies with offices located in the capitol, the
41 secretary of administration shall ~~recommend~~ *adopt* guidelines and
42 standards for memorials on the grounds of the capitol ~~to the capitol area~~
43 ~~plaza authority. After receipt of such guidelines and standards, the capitol~~

1 ~~area plaza authority shall review and consider such guidelines and~~
2 ~~standards. If the authority approves of the proposed guidelines and~~
3 ~~standards, the authority shall adopt the proposed guidelines and standards~~
4 ~~for memorials on the grounds of the capitol. If the authority does not adopt~~
5 ~~the recommended guidelines and standards or any amendments thereto, the~~
6 ~~authority shall make recommendations to the secretary of administration~~
7 ~~for amendments or additions to the proposed guidelines and standards or~~
8 ~~any amendments thereto.~~

9 ~~(e) In the same manner, the secretary of administration may propose~~
10 ~~and recommend amendments or additions to the guidelines and standards~~
11 ~~for memorials on the grounds of the capitol for consideration by the~~
12 ~~capitol area plaza authority.~~

13 Sec. 8. K.S.A. 75-2237a, 75-2237b, 75-2238a, 75-2239, 75-2240a,
14 75-2241a, 75-2242, 75-2252, 75-2255 and 75-3620 and K.S.A. 2018 Supp.
15 75-2237, 75-2253, 75-2256, 75-2265 and 75-36,104 are hereby repealed.

16 Sec. 9. This act shall take effect and be in force from and after its
17 publication in the statute book.