

**SENATE BILL No. 229**

By Committee on Federal and State Affairs

3-14

1 AN ACT abolishing the capitol area plaza authority; amending K.S.A. 75-  
2 2252 and 75-2255 and K.S.A. 2018 Supp. 75-2253, 75-2256, 75-2265  
3 and 75-36,104 and repealing the existing sections; also repealing  
4 K.S.A. 75-2237a, 75-2237b, 75-2238a, 75-2239, 75-2240a, 75-2241a,  
5 75-2242 and 75-3620 and K.S.A. 2018 Supp. 75-2237.

6  
7 *Be it enacted by the Legislature of the State of Kansas:*

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

13 Sec. 2. K.S.A. 75-2252 is hereby amended to read as follows: 75-  
14 2252. (a) A memorial to veterans may be placed on the grounds of the  
15 statehouse. If constructed, the memorial shall be located south of the  
16 statehouse ~~at a site to be selected by the capitol area plaza authority~~. The  
17 memorial shall be constructed in accordance with design and architectural  
18 drawings reviewed by the division of facilities management ~~and approved~~  
19 ~~by the capitol area plaza authority~~. Additions and modifications to the  
20 memorial shall be constructed in accordance with design and architectural  
21 drawings reviewed by the division of facilities management ~~and approved~~  
22 ~~by the capitol area plaza authority~~. ~~The state preservation officer shall~~  
23 ~~serve in an advisory capacity to the capitol area plaza authority regarding~~  
24 ~~the memorial.~~

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

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

34 (1) Eight representatives of veterans organizations each appointed by  
35 the governor, with no more than two representatives selected from a single  
36 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 9<sup>th</sup> and 10<sup>th</sup> 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 10<sup>th</sup> 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.