



*Historic State
Capital Commission*
2007 Annual Report

Historic State Capitol Commission • State of California
Presented to the Legislature September 2008

**Historic State Capitol Commission
2007 Annual Report**

Historic State Capitol Commission
State of California

Presented to the Legislature
August 2008

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Historic State Capitol Commission
2007 Annual Report Contents

Page 1Introduction

Page 2Message from Chair

Page 3Capitol Commission Members

Page 4Commission Legislative Liaisons

Page 5Commission Meetings
(1998 – present)

Page 72007 Activities and
Accomplishments

Page 82007 Committee Action

Page 102008 Goals

Page 12Appendix

Introduction

This document represents the California Historic State Capitol Commission's annual report for the year 2007, with highlights of its activities and accomplishments for the calendar year. Also included are the Commission's goals for 2008. The activities and accomplishments for the year are organized by subject matter: art, furnishings, maintenance, outside projects, and one or two highlights. Included in the appendix is a copy of the Commission's statute.

Summaries and goals from past years are included in the 2003 Annual Report and are available upon request. The 1999 Annual Report includes summaries of the Commission's art, furnishings, and maintenance activities and accomplishments for calendar years 1976-1995. It is also available upon request.

BACKGROUND

Prior to the 1976 California Capitol Restoration Project, there existed no guidelines or advisory authority to preserve and maintain the historic integrity of the Capitol and its artifacts, antiques and art. Consequently, succeeding administrations were unrestricted and free to do as they saw fit with the premises, its architecture and historical contents. By Joint Resolution of the Legislature in February 1976, however, the Restoration Project was declared the State's Bicentennial Project and a Capitol Commission was authorized to protect its historical and architectural restoration integrity in perpetuity. The Commission was to be composed of qualified persons in architecture, history and government who would review the maintenance and use of the landmark.

Officially established in 1984 at the close of the Capitol Restoration Project, the seven-member Commission was provided specific powers to review and advise the Legislature on any development, improvement, or change in the Historic State Capitol. The Commission met sporadically from September 1985 through April 1987. In 1998, the Commission reconvened with new members and recommitted itself to establishing advisory and working relationships with other stewards of the Historic State Capitol, as well as following its statutory charges.

One such requirement is to provide an annual report to the Legislature on its activities.

On behalf of my colleagues on the Historic State Capitol Commission, I am pleased to present you with our annual report for **2007**. This document looks back on our scope of work for the past year and presents goals for this year. This ninth annual report includes background information about the Commission as well as current information about our mission, goals and accomplishments.

The Historic State Capitol Commission continues to work on a variety of ongoing programs, which includes greater interaction with our legislative liaisons and staff, and the city of Sacramento. To maximize our effectiveness as an advisory commission, we make every effort to keep abreast of programs and projects that could affect the restoration, preservation and maintenance of the Historic State Capitol. The Department of General Services keeps us updated regularly on its Capitol Park Master Plan, for example.

Our proposal for the longstanding Governors' portrait signage is complete and awaiting implementation. As issues emerge, we establish and utilize subcommittees to do the legwork. The Capitol View Protection Plan is one such example. The proliferation of memorials in Capitol Park is another. We have offered our expertise to research and write guidelines to best serve and protect Capitol Park with respect to these memorials.

We are, as always, concerned for the maintenance of our state Capitol and its environs, especially in these times of budget crisis. The seat of government acts as the center for lawmaking and a respected educational institution that enhances and maintains the historic and cultural legacy of the Historic State Capitol.

We thank you for allowing us to serve. And we welcome any suggestions to achieve the goals for which the Historic State Capitol Commission was established.

Respectfully,



Julie Lugo Cerra

**Historic State Capitol Commission
Current Members and Backgrounds**

Article 9 (commencing with Section 9149) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code states: *“There is in state government, the Historic State Capitol Commission, which shall consist of seven members: two members appointed by the Speaker of the Assembly, two members appointed by the President pro Tempore of the Senate, and the State Historic Preservation Officer, the State Librarian, and the State Archivist, who shall serve ex officio.”*

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
<i>Julie Lugo Cerra</i> Culver City, CA	Assembly Appointee September 2003	Jan. 2009	Public Member (Historic Preservation, Art, Outreach)
<i>Richard Cowan</i> North Highlands, CA	Senate Appointee September 2006	Jan. 2011	Public Member (Construction Engineer)
<i>Wayne Donaldson</i> SHPO Sacramento, CA	Ex officio (appointed 7/04)	N/A	Preservation Architect
<i>Raymond Girvigian</i> Pasadena, CA	Retired Chair Emeritus	1984 - 1998	Honorary Member
<i>Susan Hildreth</i> State Librarian Sacramento, CA	Ex officio (appointed 10/04)	N/A	History
<i>Luis R. Sanchez, AIA</i> Sacramento, CA	Senate Appointee September 2003	Jan. 2009	Public Member (City Planning)
<i>Nancy Lenoil</i> State Archivist Sacramento, CA	Ex officio (appointed 6/06)	N/A	History

Historic State Capitol Commission
2007 Legislative Liaisons

Member

Honorable Dave Jones, AD9
Member of the Assembly
State Capitol, Room 3146
Sacramento, CA, 95814
(916) 319-2009

□□

Honorable Betty Karnette, AD54
Member of the Assembly
State Capitol, Room 2136
Sacramento, CA 95814
(916) 319-2054

□□

Honorable Mark Wyland, SD38
Member of the Senate
State Capitol, Room 4066
Sacramento, CA 95814
(916) 651-4038

□□

Honorable Christine Kehoe, SD39
Member of the Senate
State Capitol, Room 4038
Sacramento, CA 95814
916) 651-4039

□□

Historic State Capitol Commission
Meetings Held
1998 – present

Article 9 (commencing with Section 9149) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code states:

“The Commission shall meet upon call of the chairperson and at such other times as it may prescribe.”

1998

July 10, 1998	Sacramento, State Capitol, Rm. 127
October 16, 1998	Sacramento, State Capitol, Rm. 113

1999

January 15, 1999	Sacramento, State Capitol, Rm. 112
April 30, 1999	Sacramento, State Capitol, Rm. 113
July 16, 1999	Sacramento, State Capitol, Rm. 113
October 15, 1999	Sacramento, State Capitol, Rm. 113

2000

March 10, 2000	Sacramento, State Capitol, Rm. 113
April 28, 2000	Sacramento, State Capitol, Rm. 2040
July 14, 2000	Sacramento, State Capitol, Rm. 2040
October 13, 2000	Sacramento, State Capitol, Rm. 2040

2001

January 12, 2001	Sacramento, State Capitol, Rm. 112
April 20, 2001	Sacramento, State Capitol, Rm. 3191
August 24, 2001	Sacramento, State Capitol, Rm. 3191
October 12, 2001	Sacramento, State Capitol, Rm. 3191

2002

January 11, 2002	Sacramento, State Capitol, Room 3191
April 12, 2002	Sacramento, State Capitol, Room 113
July 12, 2002	Sacramento, State Capitol, Room 113
November 1, 2002	Sacramento, State Capitol, Room 113

2003

January 10, 2003	Sacramento, State Capitol, Room 3191
April 18, 2003	Sacramento, State Capitol, Room 113
July 11, 2003	Sacramento, State Capitol, Room 3191
October 10, 2003	Sacramento, State Capitol, Room 113

Historic State Capitol Commission
Meetings Held
1998 – present (*con't*)

2004

January 9, 2004	Sacramento, State Capitol, Room 3191
April 2, 2004	Sacramento, State Capitol, Room 3191
July 9, 2004	Sacramento, State Capitol, Room 113
October 8, 2004	Sacramento, State Capitol, Room 113

2005

January 14, 2005	Sacramento, State Capitol, Room 113
April 15, 1005	Sacramento, State Capitol, Room 113
July 15, 2005	Sacramento, State Capitol, Room 113
October 14, 2005	Sacramento, State Capitol, Room 113

2006

January 13, 2006	Sacramento, State Capitol, Room 2040
April 28, 2006	Sacramento, State Capitol, Room 2040
July 14, 2006	Sacramento, State Capitol, Room 3191
October 13, 2006	Sacramento, State Capitol, Room 3191

2007

January 19, 2007	Sacramento, State Capitol, Room 3191
April 13, 2007	Sacramento, State Capitol, Room 112
July 20, 2007	Sacramento, State Capitol, Room 113
November 2, 2007	Sacramento, State Capitol, Room 113

Historic State Capitol Commission Activities and Accomplishments 2007

In 2007, the Commission continued its advisory work with various agencies on projects outside the Capitol. Despite the lack of funding earlier in the year, members were kept apprised by the Department of General Services (DGS) on the Capitol Park Master Plan and asked to continue their support. Members were also kept apprised on renovation plans for both the Library and Courts and Treasurer's Buildings.

The Commission continued to review and comment on the DGS-prepared long-term maintenance plan, which addressed aspects of the Capitol's infrastructure. Members were asked to weigh in on the priority matrix. Included in the project was replacing the Capitol's roof; work began in the fall. Commission staff researched other State Capitols who are incorporating 'greening' into new projects, as 'greening' aspects are being used by DGS.

The Commission was encouraged by its non-profit arm, the California Capitol Historic Preservation Society, to review and approve a proposal to extend the boundaries of the Capitol View Protection Plan. Of primary concern is the protection of the Capitol view shed along Capitol Mall. A new subcommittee was established to look into the issue.

2007 saw the successful completion of the security project for the State Capitol and Capitol Park.

Members also worked with the DGS on memorials planned for Capitol Park, finalizing the Sisters of Mercy commemorative piece. The finished sculpture was installed in September. A new subcommittee was established to further examine the problem of memorials in Capitol Park. The Commission also continued to advise on the placement of 4 murals by Gottardo Piazzoni, currently stored in the State Parks Resource Center.

Committee action for the year 2007

Maintenance Manual Subcommittee

Purpose: to produce a maintenance manual for the continued use and preservation of the Historic State Capitol. According to its statute, the Commission is charged with developing “a comprehensive master plan for the restoration, preservation and maintenance of the Historic State Capitol.” The Commission submitted a proposal for a maintenance plan to the Legislature in 2003. The Legislature responded, stating that due to budget constraints, the proposed manual would have to remain on hold; however, a more modest proposal should be submitted in 2005/06. The Commission submitted a much-reduced proposal in mid 2005; unfortunately, due to a lack of funds, the proposal was denied. Subcommittee members decided to reexamine the manual idea and focus their attentions on establishing a more productive working relationship with DGS and other agencies. Joint Rules requested DGS prepare an infrastructure study for long-term maintenance; members reviewed and provided comments. Members also discussed holding a charette in 2008 to discuss maintenance issues.

Annual Report Subcommittee

Purpose: to produce an annual report for the Legislature that would include a history of the Commission and a list of its activities. According to its statute, the Commission is charged with such a duty, to “annually report to the Legislature on its activities.” The subcommittee completed the 2006 report, which was distributed to an extensive mailing list in August 2007.

Capitol Restoration Project Repository Subcommittee

Purpose: to identify current locations of all Capitol Restoration Project (CRP) materials and make recommendations to the Legislature regarding the most appropriate storage and care of these materials. Having received approval from Joint Rules in 2002 to appoint the State Archives as the centralized repository for all CRP materials, the subcommittee continued to work on gathering materials. The salvaged South Portico pieces were re-identified and plans made to have them transferred to the Archives. Additional information was located on the Marvin Breinas oral histories. Members discussed the logistics of expanding the oral history program. A Rules Committee staffer continued to work on the ‘finders file’ of Restoration materials, and maintaining a contractor list and glossary. Commission staff worked with the Archives staff to better identify Restoration Project materials stored in the Archives.

Committee action for the year 2007 (con't)

Bylaws/Guidelines Subcommittee

Purpose: to establish, with the review and approval of both Rules Committees, rules of order and/or bylaws to provide consistency in the way the Commission conducts its business. Previously, the Commission conducted itself in accordance with provisions stated in the statute. Certain orders of business, however, were not defined, or were done so loosely. After reviewing several bylaw drafts, the Commission submitted them to the Legislature. They were reviewed and approved by both Legislative Counsel and the Legislature, with the caveat that the bylaws would not supercede the statute and no additional authority was implied.

Capitol View Protection Plan

Purpose: to review the existing Capitol View Protection Plan and recommend whether an extension of the area defined by the plan is advisable. The California Capitol Historic Preservation Society continued to apprise the Commission on its desire to expand the Capitol View Protection Plan (a letter had previously been sent to Joint Rules expressing the Commission's concern over proposed developments along Capitol Mall). A subcommittee was established to further examine the issue.

Communications

Purpose: to help strengthen the Commission's relationship with Joint Rules Committee. Commission Chair Nelson met with the Senate Rules EO and the Assembly CAO to apprise them of the Commission's desire to cultivate and foster a better working relationship. Members scheduled quarterly meetings to keep both up to date on Commission business. Members also discussed options on furthering relationships with their legislative liaisons.

Capitol Park Memorials

Purpose: to examine and comment on the future development of memorials in Capitol Park. Concern over the proliferation of memorials in Capitol Park prompted members to create a new subcommittee to further research alternatives to placing memorials in Capitol Park. Members hope to play a more active role in advising offices on proposed memorials.

HISTORIC STATE CAPITOL COMMISSION GOALS FOR 2008

Assist in the Development of a Capitol Park Master Plan

An outline for the development of the Capitol Park Master Plan was produced by the Department of General Services in 2002, but little has come of it. With the lack of a comprehensive Master Plan, the Commission, as well as other agencies, continues to struggle with memorial/monument sites in and out of Capitol Park, infrastructure consideration, school visitations, programmatic improvements, security, landscape and wildlife issues, budget and funding constraints. In 2005, a consultant was selected, but due to DGS's inability to more clearly state the scope of the plan, projects had to be prioritized, and additional funding was unlikely. Unfortunately, funding was not obtained until late 2006, with additional funds budgeted in the 07/08 budget. DGS is now waiting scope approval from the Joint Rules Committee. It is the hope of the Commission that approval will be received and work on this much-needed master plan will finally begin.

Continue work with other State Agencies on the Capitol Repository Project

In 1999, the Commission convened a subcommittee, consisting of representatives from seven agencies that either managed project-related materials or had an interest in utilizing the collection. The committee recommended that the State Archives be the centralized repository for all such materials. In 2001, the Legislature approved the recommendation (but retained legal rights). The subcommittee will continue to identify gaps in the collection, request inventories from other agencies, and invite individuals to donate their materials. Discussions continue with Chair Emeritus Raymond Girvigian regarding the final repository of his personal papers.

Explore outside funding sources to produce a definitive report on the State Capitol paint history

In 2001, the Capitol was repainted for the first time since the Capitol Restoration Project. At that time, the Commission, operating under the belief that the building's original exterior paint may not have been monochromatic, recommended that a 2nd paint analysis be done to determine its true colors. The second report, completed in 2004 by Peggy Olley (the first report was completed in 2001 by Matthew Mosca), was inconclusive. In 2005, the Commission was able to obtain funding through the non-profit society to arrange a 3rd, in-situ analysis, which

2008 Goals (con't)

took place in December 2006 by Susan Buck. Her preliminary report indicated that colors may have been used to pick out exterior elements. The Commission plans on exploring outside funding sources, including grants, to produce a more comprehensive paint study.

Continue outreach and strengthen the Commission

It is the hope that each year members will continue to strengthen the Commission by reinforcing relationships with the Legislative Liaisons and their staff in order to make them stronger advocates for the Commission. A stronger Commission means improved working relations with various agencies and organizations as well as a greater understanding of the commission's responsibilities and duties. The continued preservation and maintenance of the Capitol is our highest priority.

Pursue other options for creating an Integrated Maintenance Plan

Hand in hand with strengthening the Commission is the ongoing goal to provide a maintenance manual for the ongoing preservation and restoration of the Historic State Capitol. The Commission's charter mandates a maintenance manual (9149.7.a. To prepare, complete, and, from time to time, to amend, a comprehensive master plan, based on a priority of needs, for the restoration, preservation, and maintenance of the historic State Capitol). The Commission plans to explore various strategies to enable it to accomplish this fundamental goal.

Increase Communication with the City of Sacramento

Although the Commission's statute limits its jurisdiction to the Historic State Capitol, Commission members have strong opinions on the building's environs; of primary concern is the protection of the Capitol viewshed along Capitol Mall. To that end, the Commission would like to increase its communications with the City of Sacramento on issues affecting the Capitol Building and Capitol Mall. The Commission would also like to explore an MOA with the City concerning any project that permanently affects the Capitol Building.

APPENDIX

CHAPTER 1757, STATUTES OF 1984

(Became law without governor's signature: filed with Secretary of State October 1, 1984)

The people of the State of California do enact as follows:

SECTION 1. The heading of Article 5 (commencing with Section 9105) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code is amended to read:

Article 5. The State Capitol Building Annex

SEC. 2. Section 9105 of the Government Code is amended to read:

9105. The State Capitol Building Annex is the annex to the historic State Capitol, constructed to the east of the original building, situated in the area bounded by 10th, L, 15th and N Streets in the City of Sacramento.

SEC. 3. Section 9106 of the Government Code is amended to read:

9106. The State Capitol Building Annex is intended primarily for the use of the legislative department and, except as otherwise provided in this article, shall be devoted exclusively to such use.

SEC. 4. Section 9108 of the Government Code is amended to read:

9108. The first floor of the State Capitol Building Annex is excepted from the provisions of this article. Such excepted space shall continue under the control of the Department of General Services. All other space in the State Capitol Building Annex shall be allocated from time to time by the Joint Rules Committee in accordance with its determination of the needs of the Legislature and the two houses thereof. The committee shall allocate such space as it determines to be necessary for facilities and agencies dealing with the Legislature as a whole including, but not limited to, press quarters, billrooms, telephone rooms, and offices for the Legislative Counsel and for committees created by the two houses jointly. The committee shall allocate to the Senate and Assembly, respectively, the space it determines to be needed by those houses and their committees and the officers, employees, and attachés thereof. The space thus allocated to the Senate and to the Assembly shall be allotted from time to time by the Senate Rules Committee and the Assembly Rules Committee, respectively.

SEC. 5. Section 9109 of the Government Code is amended to read:

9109. The determination of the Joint Rules Committee as to the needs of the Legislature shall be subject to change only by action of the committee or by concurrent resolution. If, at any time, the committee determines that there is space in the State Capitol Building Annex in excess of the needs of the legislative branch of the state government, it may release that space for use by the executive branch of the state government until such time as the space is needed by the legislative branch. The release shall be effected by notifying the Director of General Services that certain described space is not necessary for the use by the Legislature for the time being. Thereafter, the Department of General Services, until such time as the Director of General Services is notified that the space has become needed by the legislative branch, shall

have the same jurisdiction over the excess space as if this article had not been enacted.

SEC. 6. Section 9110 of the Government Code is amended to read:

9110. The maintenance and operation of all of the State Capitol Building Annex shall continue under the control of the Department of General Services, subject to the provisions of this article.

SEC. 7. Section 9112 of the Government Code is repealed.

SEC. 8. Article 9 (commencing with Section 9149) is added to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to read:

Article 9. The Historic State Capitol Commission

9149. The Legislature finds and declares that the historic State Capitol is a state historic and architectural legacy which must be preserved and maintained in a manner befitting the significance of the structures to the history and people of California. It is the intention of the Legislature, in enacting this article, to provide a permanent, official body to be charged with advisory review of the maintenance, restoration, development, and management of the historic State Capitol.

9149.1. As used in this article:

(a) "Commission" means the Historic State Capitol Commission created by Section 9149.2.

(b) "Historic State Capitol" is the building housing the state legislative offices and chambers, situated in the area bounded by 10th, L, 15th and N Streets in the City of Sacramento, except the east annex thereto.

9149.2. (a) There is in state government, the Historic State Capitol Commission, which shall consist of seven members, initially appointed as follows:

(1) Two members appointed by the Speaker of the Assembly, with one member initially serving a term of four years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(2) Two members appointed by the President pro Tempore of the Senate, with one member initially serving a term of two years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(3) The State Historic Preservation Officer, the State Librarian, and the State Archivist, who shall serve ex officio.

(b) Each member shall serve until his or her successor is appointed and qualified. Vacancies shall be filled by the appointing power for the remainder of the term. The commission shall from time to time elect one of its members to chair the commission.

9149.3. The appointees of both the Speaker of the Assembly and the President pro Tempore of the Senate shall include one person who represents the arts or humanities and one person from the general public.

9149.4. The members of the commission shall serve without compensation, but shall receive reimbursement for travel and living expenses in connection with their official duties, at rates established by the Department of Personnel Administration.

9149.5. The Joint Rules Committee shall appoint a Subcommittee on the Capitol Restoration Project, comprised of three members from the Senate and three from the Assembly, to monitor the commission. The legislators so appointed shall have no vote in commission proceedings.

9149.6. (a) Four members of the commission shall constitute a quorum to do business, and no action of the commission may be taken except upon an affirmative recorded vote of four or more members.

(b) All meetings of the commission shall be open to the public.

(c) The commission shall meet upon call of the chairperson and at such other times as it may prescribe.

9149.7. The commission shall have the following powers and duties:

(a) To prepare, complete, and, from time to time, to amend, a comprehensive master plan, based on a priority of needs, for the restoration, preservation, and maintenance of the historic State Capitol.

(b) To review and advise the Legislature on any development, improvement, or other physical change in any aspect of the historic State Capitol.

(c) To manage, with the approval of the Joint Rules Committee, all historic and museum spaces and any concessions, in the historic State Capitol.

(d) To develop and manage historic art loans or other programs, exhibits, films, convocations, or other activities of an historic, architectural, or cultural nature, including any museum space in the historic State Capitol, as the commission determines will serve the interests of the public and promote public interest in the historic State Capitol under Joint Rules Committee supervision.

(e) To purchase for the state, or to accept as gifts to the state, any furnishings, artifacts, works of art, or other property which the commission determines will enhance the historic and cultural aspects of the historic State Capitol. All furnishings, artifacts, works of art or other property so acquired shall be managed by the commission under supervision of the Joint Rules Committee.

(f) To accept financial contributions from any source, public or private, including any advisory foundation or group.

(g) To do any other act which the commission determines will maintain or enhance the historic and cultural legacy of the historic State Capitol.

9149.8. In carrying out its duties and responsibilities under this article, the commission shall follow accepted standards for restoration, preservation, and maintenance of historic structures, including all of the following, where applicable and feasible:

(a) Standards for historic preservation, maintenance, recordation, and documentation of landmarks, promulgated by the United States Department of the Interior or its successor.

(b) Guidelines and museum management procedures, established by the National Trust for Historic Preservation or its successor.

(c) Standards, procedures, and guidelines for maintenance and protection of historic properties established or administered by the State Historic Preservation Officer and the Office of Historic Preservation.

(d) The management, conservation, and accession policies and procedures for historic features and artifacts developed for the Capitol

Museum project interpretive program of the Joint Rules Committee in connection with the State Capitol Restoration Project conducted under Section 9124.

(e) Recommended procedures of the American Association of Museums.

9149.9. The commission shall maintain and may utilize all historic data, research, and project files developed and gathered by the state, and in the possession of the state, in connection with the State Capitol Restoration Project. On the date that the commission commences business, all of the written materials covered under this section shall be transferred to the State Archives to inventory, process, and store on behalf of the commission.

9149.10. The commission may request and shall receive assistance and data, relevant to the commission's duties and responsibilities, from every agency of state government.

9149.11. The commission shall maintain complete records of its proceedings and may publish reports and other publications in connection with its duties and responsibilities.

9149.12. The commission shall use any funds appropriated to its use, or allocated to its use by the Joint Rules Committee, donated to it, or acquired as revenue from any concession operated in the State Capitol, only for purposes of furthering the objectives of this article.

9149.13. The commission shall review and advise on any interagency agreement for management of concessions within historic State Capitol.

9149.14. The commission shall employ an executive officer, who shall have at least three years of administrative curatorial experience in the cultural or historic preservation fields, and staff persons as may be necessary to provide administrative services to the commission. No person may be employed as executive officer without approval, by majority vote, of the members of the Joint Rules Committee.

9149.15. The commission may contract with any agency, public or private, for services, in connection with the commission's duties and responsibilities, as the commission determines to be necessary, including, but not limited to, the Department of Parks and Recreation in connection with the management of the Capitol Museum, as approved by the Joint Rules Committee. These contracts shall be subject to and consistent with existing laws, rules, and state policy regarding contracts with private firms or individuals for services provided to the state.

9149.16. The commission annually shall report to the Legislature on its activities. The commission shall propose to the Legislature such recommendations for legislation in connection with the historic State Capitol as the commission determines to be necessary.

9149.17. The commission shall be supported by allocations by the Joint Rules Committee from the Contingent Funds of the Assembly and Senate. The commission annually shall submit to the Joint Rules Committee a proposed budget for each fiscal year. The budget shall be subject to approval by a majority vote of the Joint Rules Committee.

SEC. 9. Of any funds appropriated by Chapter 246 of the Statutes of 1975, Chapter 28 of the Statutes of 1979, and Chapter 214 of the Statutes of 1980 to the Contingent Funds of the Assembly and Senate for purposes of restoration or rehabilitation of the State Capitol as provided

in Section 9124 of the Government Code, which are not expended upon completion of the project of restoration or rehabilitation by the prime contractor and the return of the custody of the building to the state, one-half is reappropriated to the Assembly Contingent Fund and one-half is reappropriated to the Senate Contingent Fund.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the Historic State Capitol Commission commence its work as soon as possible, it is necessary that this act take effect immediately.

Historic State Capitol Commission By-Laws

Commission—Name

The "***Historic State Capitol Commission***" shall be constituted and shall have the powers and duties as specified herein.

The Commission's address is: 1020 N Street, Suite 255, Sacramento, CA 95814

Commission – Appointment

- A. The Board shall consist of seven (7) members.
- B. Three members shall be ex officio members: the State Historic Preservation Officer, the State Librarian, and the State Archivist.
- C. If an Ex Officio member cannot attend, they may designate a representative to attend meetings with voting privileges, as set forth herein.
- D. Each member shall serve until his or her successor is appointed
- E. The Appointees of the Speaker of the Assembly and the President pro Tempore of the Senate shall include one person who represents the arts or humanities and one person from the general public *with interest or expertise in historic preservation*.

(CA Gov. Code, Article 9, Sec. 9149.3)

COMMISSION – Term of Office

Two members shall be appointed by the **President pro Tempore of the Senate**, with one member initially serving a term of two years and one member initially serving a term of six years; thereafter any appointment under this paragraph shall be for a term of six years.

Two members appointed by the **Speaker of the Assembly**, with one member initially serving a term of four years and one member initially serving a term of six years; thereafter, any appointment under this paragraph shall be for a term of six years.

(CA Gov. Code, Article 9, Section 9149.2)

Commission – Compensation

The members of the Commission shall serve without compensation, but shall receive reimbursement for travel and living expenses in connection with their official duties, at rates established by the Department of Personnel Administration.

(CA Gov. Code, Article 9, Sec. 9149.4).

Commission – Vacancies

A vacancy on the Commission shall be filled by appointment by the appropriate appointing agency for the remainder of the term of the former member. Resignations shall be effective upon receipt in writing to the Senate, Assembly, Chair, or Vice Chair Elect unless a later effective date is specified in the resignation.

Commission – Rules and Procedures

- A. The Commission shall adopt its own rules of procedure, which shall include a provision requiring the Commission to select a **Chairperson** and **Vice-Chair Elect** from its membership.
- B. Election of the Chair & Vice-Chair elect shall be at its July quarterly meeting.
- C. The Chair & Vice-Chair Elect shall serve for two year terms.
- D. As stated under "vacancies," a vacancy shall be filled by appointment by the appropriate appointing agency for the remainder of the term of the former member. Should this member have been either the Chair or Vice-Chair, an emergency election will take place at the next regularly scheduled meeting. The newly-elected officer will fill the remainder of the two-year term.
- E. A quorum shall be required for the Commission to take any action. A quorum shall be four members present. The Board shall act by a majority vote of the quorum.
- F. The Commission shall be subject to, and shall comply with, the applicable open meeting laws.
- G. All meetings of the Commission shall be open to the public.

Commission – Meetings

The Commission shall meet at least four times per year.

The Chair may call special meetings.

Subcommittees may be formed, consisting of three Commission members

Commission – Secretary

The Secretary, or his or her designee, shall be designated by the Joint Rules Committee, and shall serve as a non-voting member and perform the duties required for the Commission.

Commission – Powers and Duties

- A. To prepare, complete, and, from time to time, to amend, a comprehensive master plan based on a priority of needs, for the restoration, preservation, and maintenance of the Historic State Capitol.

- B. To review and advise the Legislature on any development, improvement, or other physical change in any aspect of the Historic State Capitol.
- C. To manage, with the approval of the Joint Rules Committee, all historic and museum spaces and any concessions, in the Historic State Capitol.
- D. To develop and manage historic art loans or other programs, exhibits, films, convocations, or other activities of an historic architectural, or cultural nature, including any museum space in the Historic State Capitol, as the Commission determines will serve the interests of the public and promote public interest in the Historic State Capitol under Joint Rules Committee supervision.
- E. To purchase for the state, or to accept as gifts to the state, any furnishings, artifacts, works of art, or other property which the Commission determines will enhance the historic and cultural aspects of the Historic State Capitol. The Commission, under supervision of the Joint Rules Committee, shall manage all furnishings, artifacts, works of art, or other property so acquired.
- F. To accept financial contributions from any source, public or private, including any advisory foundation or group.
- G. To do any other act that the Commission determines will maintain or enhance the historic and cultural legacy of the Historic State Capitol.

(CA Gov. Code, Article 9, Sec. 9149.7 restated)

In carrying out its duties and responsibilities under this article, the Commission shall follow accepted standards for restoration, preservation, and maintenance of historic structures, including all of the following, where applicable and feasible:

- A. Standards for historic preservation, maintenance, recordation, and documentation of landmarks, promulgated by the United States Department of the Interior or its successor (The Secretary of the Interior's Standards for the Treatment of Historic Properties).
- B. Guidelines and museum management procedures established by the National Trust for Historic Preservation or its successor.
- C. Standards, procedures, and guidelines for maintenance and protection of historic properties established or administered by the State Historic Preservation Officer and the Office of Historic Preservation.
- D. The management, conservation, and accession policies and procedures for historic features and artifacts developed for the Capitol Museum project interpretive program of the Joint Rules Committee in connection with the State Capitol Restoration Project conducted under Section 9124.
- E. Recommended procedures of the American Association of Museums.

(CA Gov. Code, Article 9, Sec. 9149.8 restated)

The Commission shall maintain and may utilize all historic data, research, and project files developed and gathered by the state, and in the possession of the state, in connection with the State Capitol Restoration Project. On the date that the Commission commences business, all of the written materials covered under this section shall be transferred to the State Archives to inventory, process, and store on behalf of the commission.

(CA Gov. Code, Article 9, Sec. 9149.9 restated)

The Commission may request and shall receive assistance and data, relevant to the Commission's duties and responsibilities, from every agency of state government.

(CA Gov. Code, Article 9, Sec. 9149.10 restated)

The Commission shall maintain complete records of its proceedings and may publish reports and other publications in connection with its duties and responsibilities.

(CA Gov. Code, Article 9, Sec. 9149.11 restated)

The Commission shall use any funds appropriated to its use, or allocated to its use by the Joint Rules Committee, donated to it. Or acquired as revenue from any concession operated in the State Capitol, only for purposes of furthering the objectives of this article.

(CA Gov. Code, Article 9, Sec. 9149.12 restated)

The Commission shall review and advise on any interagency agreement for management of concessions within the Historic State Capitol.

(CA Gov. Code, Article 9, Sec. 9149.13 restated)

The Commission may contract with any agency, public or private, for services, in connection with the Commission's duties and responsibilities, as the Commission determines to be necessary, including, but not limited to, the Department of Parks and Recreation, in connection with the management of the Capitol Museum, as approved by the Joint Rules Committee. These contracts shall be

subject to and consistent with existing laws, rules, and state policy regarding contracts with private firms or individuals for services provided to the state.

(CA Gov. Code, Article 9, Sec. 9149.15 restated)

The Commission shall report annually to the Legislature on its activities. The Commission shall propose to the Legislature such recommendations for legislation in connection with the Historic State Capitol as the Commission determines to be necessary.

(CA Gov. Code, Article 9, Sec. 9149.16 restated)

The Commission shall be supported by allocations by the Joint Rules Committee from the Contingent Funds of the Assembly and Senate. The Commission annually shall submit to the Joint Rules Committee a proposed budget for each fiscal year. The budget shall be subject to approval by a majority vote of the Joint Rules Committee.

(Ca Gov. Code, Article 9, Sec. 9149.17 restated)

Changes to By-Laws, Rules and Procedures

The Commission may change, revise, modify or replace any by-laws or procedures at any time, by the majority vote of the members at any meeting, provided that all such proposed changes are communicated in writing to all Commissioners at least ten days prior to the meeting where action is contemplated.

Parliamentary Authority

The rules contained in Robert's Rules of Order Newly Revised, latest edition, open meeting laws, shall govern the Commission in all cases where they are applicable and in which they are not inconsistent with these by-laws and any rules and procedures the Commission may adopt.

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