

Historic State Capitol Commission

2009 Annual Report

Historic State Capitol Commission
State of California

Presented to the Legislature
August 2010

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Historic State Capitol Commission
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Introduction

This document represents the California Historic State Capitol Commission's annual report for the year 2009, with highlights of its activities and accomplishments for the calendar year. Also included are the Commission's goals for 2010. 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 and bylaws.

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.

California Historic State Capitol Commission



MEMBERS
RICHARD COWAN, PE
LIZZETTA LEFALLE-COLLINS, PHD
LUIS R. SANCHEZ, AIA, LEED AP

EX-OFFICIO MEMBERS
NANCY LENOIL
STATE ARCHIVIST

STACEY ALDRICH
STATE LIBRARIAN

MILFORD WAYNE DONALDSON, SHPO
OFFICE OF HISTORIC PRESERVATION

KOREN R. BENOIT
EXECUTIVE DIRECTOR

RAYMOND GIRVIGIAN, FAIA
RETIRED CHAIR EMERITUS

1020 N STREET, SUITE 255, SACRAMENTO, CA 95814 (916) 651-1504 FAX (916) 324-6176

Members of the Legislature and Interested Parties:

On behalf of all of the Historic State Capitol Commissioners, I am proud to forward you our 2009 Annual Report.

The report gives you some details on our efforts this year and the Goals for 2010 which both focus on these important issues:

We need a Master Plan for Capitol Park, one that can guide further improvements and ensure the preservation of this unique asset. Through funding and scope questions, this task has not moved as quickly as we had hoped. We will press in 2010 for attainment of this goal.

We need to find a way to limit the proliferation of monuments in Capitol Park. Enacting guidance on the scale of future monuments and finding alternate locations for monuments are both elements of a strategy to accommodate valid requests for recognition, while preserving the intent and beauty of Capitol Park.

We should find ways to not only preserve, but improve the visual corridors of the Historic State Capitol. We have met with the City of Sacramento and the Capital Area Development Authority and find all partners willing to work with us to find ways to improve the current view access of the Capitol.

Finally, we have begun work to improve the Commission's usefulness to you by increasing our contact and feedback to the Liaison Members and the staff of the Legislature.

We thank you for the opportunity to serve and invite your questions and guidance.

Sincerely,

Richard F. Cowan, PE
Chairman

**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>Stacey A. Aldrich</i> Acting State Librarian State Librarian Sacramento, CA | Ex officio (appointed February 2009) (appointed November 2009) | N/A | History |

Stacey Aldrich was appointed State Librarian of California by Governor Arnold Schwarzenegger on November 19, 2009 after serving as Acting State Librarian from February 2009; she also served as Deputy State Librarian from August 2007. As State Librarian, she directs a staff of 155, oversees a budget of close to \$70 million, and works with state and local officials on library bonds, programs and initiatives.

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|---|------------------------------------|-----------|--|
| <i>Richard Cowan</i> Sacramento, CA | Senate Appointee September 2006 | Jan. 2011 | Public Member (Construction Engineer) |
|---|------------------------------------|-----------|--|

Dick Cowan is a Sacramento area native and a registered Professional Engineer. After his active duty in the Naval Civil Engineer Corps, Dick spent three years on the Historic State Capitol Restoration. He has built projects in Asia, Europe, and around the U.S. He currently works for DavisReed Construction, specializing in alternate delivery of public sector design and construction projects.

| | | | |
|---|-------------------------------------|-----|------------------------|
| <i>Milford Wayne Donaldson</i> SHPO Sacramento, CA | Ex officio (appointed July 2004) | N/A | Preservation Architect |
|---|-------------------------------------|-----|------------------------|

Milford Wayne Donaldson, FAIA, LEED AP, is the California State Historic Preservation Officer. Before his appointment in 2004 by Governor Schwarzenegger, he had a successful 26 year practice as a preservation architect and contractor in California, Arizona and Nevada. He is a member of the California State Historic Capitol Commission, a former Chair of the State Historical Building Safety Board, a past member of the State Historical Resources Commission and past-president of the California Preservation Foundation. He currently heads the Sustainable and LEED Committee for the National Conference of State Historic Preservation Officers in Washington, DC. Mr. Donaldson was recently appointed by President Barack Obama as Chairman of the Advisory Council on Historic Preservation.

| | | | |
|---|------------------------|-------------|-----------------|
| <i>Raymond Girvigian</i> Pasadena, CA | Retired Chair Emeritus | 1984 - 1998 | Honorary Member |
|---|------------------------|-------------|-----------------|

Ray Girvigian, FAIA, has been a pioneer in the Historic Preservation Movement for the past half century by initiating, creating, drafting and actively coordinating the passage of many firsts in preservation law, ordinances, and regulations in California and Washington. He has contributed to the California Environmental Quality Act with respect to historic elements of its regulations. Mr. Girvigian has also assisted in other legislative firsts such as the Mills Act, the State Historic Building Code, as well as the laws enabling the Capitol Restoration Project and the subsequent Historic State Capitol Commission.

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

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|---|--|-----|---------|
| <i>Susan Hildreth</i> State Librarian Sacramento, CA | Ex officio (appointed October 2004) | N/A | History |
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|--|------------------------------------|-----------|---------------|
| <i>Lizzetta LeFalle-Collins</i> | Assembly Appointee October 2009 | Jan. 2013 | Public Member |
|--|------------------------------------|-----------|---------------|

Lizzetta LeFalle-Collins is a freelance curator/writer and owner of LeFalleCuratorial, an independent curatorial firm. A graduate of the University of California, Los Angeles, Ph.D./History of Art and the University of California, Santa Barbara, M.F.A./Fine Art, LeFalle-Collins joined the Commission in 2009 with over twenty-three years of curating for museums and fifteen years of teaching at universities.

| | | | |
|--|----------------------------------|-----------|----------------------------------|
| <i>Luis R. Sanchez, AIA</i> Sacramento, CA | Senate Appointee January 2009 | Jan. 2015 | Public Member (City Planning) |
|--|----------------------------------|-----------|----------------------------------|

Luis R. Sanchez, AIA, LEED AP, has been a Licensed Architect in the State of California since 1994. He has been a Commissioner with the California Architects Board for the last 6 years and is currently serving a second term as a Commissioner with the Historic State Capitol Commission appointed by the Senate. Mr. Sanchez is a LEED Accredited Professional that has worked in Design Review for the City of Sacramento Community Development Department since May of 1990, and is currently Senior Architect managing the Design Review function.

| | | | |
|---|-------------------------------------|-----|---------|
| <i>Nancy Lenoil</i> State Archivist Sacramento, CA | Ex officio (appointed June 2006) | N/A | History |
|---|-------------------------------------|-----|---------|

Nancy Lenoil is the State Archivist and Chief of the Archives Division of the Office of the Secretary of State and is responsible for administration of the California State Archives. She has served as State Archivist since 2006 and has the distinction of being the first woman in California history to occupy the position. She is a Certified Archivist and member of the Academy of Certified Archivists. She has a Master of Arts degree in History with Graduate Certificate in Archives Administration and has worked at the California State Archives as an archivist since 1987.

| | | | |
|----------------|--------------------|--|--|
| Vacancy | Assembly Appointee | | |
|----------------|--------------------|--|--|

**Historic State Capitol Commission
2009 Legislative Liaisons**

Member

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

□□

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

□□

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

□□

Historic State Capitol Commission Activities and Accomplishments 2009

On January 27, 2009, the Commission was presented a resolution from the State Historical Resources Commission, noting its outstanding efforts to preserve and maintain the historic integrity of California's Capitol.

Throughout 2009, the Commission continued its advisory work with various agencies on projects both inside and outside the Capitol building. Despite the continual change in scope and priorities, members were regularly kept apprised by the Department of General Services (DGS) on the Capitol Park Master Plan and asked to continue their support. The Commission was also asked to garner support from their legislative liaisons. Members were kept apprised on other Capitol area projects that had been suspended due to budget constraints, including renovation plans for the Library and Courts building. The Commission re-emphasized the importance of prequalification to ensure quality restoration work. 2009 also saw the completion of the Capitol Roof Project. Benefits included better drainage, replacement of conduits and mechanical equipment and an improved window-washing system.

The Commission continued to review and comment on the DGS-prepared infrastructure study, which addresses all aspects of the Capitol's maintenance for the next 20 years. Commission members offered knowledge and insight on "sustainable" products and other greening issues, including the repairs/replacement of the East Annex aluminum doors and window frames. Several Commission members are LEED-accredited professionals.

2009 also saw movement with the Commission's interest in the Capitol View Protection Plan and Capitol Mall. The City of Sacramento provided a special presentation on the proposed development of Capitol Mall, and the effects it may have on the city's downtown urban plan. The Commission asked that it be included in the Capitol Mall design process. In addition, the Commission organized two workshops with the City of Sacramento and other interested parties to discuss downtown developments as they might encroach upon the view corridor. Members continued their recommendations for judicious pruning of trees along the view corridor. DGS provided an informative history of the trees in Capitol Park and agreed to schedule a walkthrough for interested Commission members.

Commission members were treated to a special presentation by the Committee for the Beautification and Enhancement of the California Mexican-American Veteran's Memorial, and was assured that members would be advised on their continuing progress. Members again cautioned DGS on the need for a moratorium on memorials, and requested that a topographical map be developed for Capitol Park.

State Parks provided an update on proposed informational kiosks in the Capitol building, and the Assembly apprised the Commission on proposed lighting changes in the Assembly Chamber.

Committee action for the year 2009

Maintenance Manual Committee

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. A greatly-reduced proposal was submitted in mid-2005; due to a lack of funds, the proposal was again 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. DGS continued its infrastructure study for long-term maintenance; members reviewed and provided comments. Members discussed holding a charette to discuss maintenance issues. DGS continued to work on a custodial portion in order to meet state guidelines for sustainable and green/certified green products.

Annual Report Committee

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 2008 report, which was distributed to an extensive mailing list in September 2009.

Capitol Restoration Project Repository Committee

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 gather materials. The salvaged South Portico pieces were re-identified and plans made to have them transferred to the Archives. Additional information was found on the Marvin Breinas oral histories; members discussed the logistics of expanding the oral history program. A Senate Rules Committee staffer continued her work on the ‘finders file’ of Restoration materials, expanding a contractor list and glossary, and scanning the collection of 8,000+ slides. Commission staff worked with the Archives staff to better identify Restoration Project materials stored in the Archives, transferring an additional 47 boxes to the collection. Members discussed the necessity of preventative preservation measures.

Committee action for the year 2009 (con't)

Bylaws/Guidelines Committee

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 supersede the statute and no additional authority was implied.

Capitol View Protection Plan Committee

Purpose: *to review the existing Capitol View Protection Plan and recommend whether an extension of the area defined by the plan is advisable.*

Concern over the proposed developments along Capitol Mall prompted members to form a subcommittee to further examine the issue. As noted in "Activities and Accomplishments", members were provided presentations from the City of Sacramento concerning the city's proposed development of Capitol Mall.

Communications Committee

Purpose: *to help strengthen the Commission's relationship with Joint Rules Committee.*

Commission Chair Cowan continued to meet with the Secretary of the Senate 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 continued discussions on furthering relationships with legislative members and meeting regularly with liaisons.

Capitol Park and Memorial Committee

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 would like to play a more active role in advising offices on proposed memorials and discussed the need for a memorial 'information' sheet. In the meantime, they continued to provide advice to DGS on planned memorials.

State Historical Resources Commission

RESOLUTION NO. 2009-02

RESOLUTION OF RECOGNITION Historic State Capitol Commission

WHEREAS, 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; and,

WHEREAS, by Joint Resolution of the Legislature in February 1976, a Historic State Capitol Commission was authorized to protect the California Capitol's historical and architectural integrity in perpetuity; and,

WHEREAS, in 1998 the Historic State Capitol Commission reconvened with new members and recommitted itself to establishing advisory and working relationships with other stewards of the Historic State Capitol including the California Capitol Historic Preservation Society; and,

WHEREAS, the Commission recently completed its longstanding proposal to complete signage for the portraits of California's Governor and continues to work on a variety of ongoing programs and issues, including the Capitol View Protection Plan and the concern over proliferation of memorials in Capitol Park; and,


WHEREAS, the Commission promotes the principles of sustainable design in order to lay the foundation for the Greening of the State Capitol Project; and,

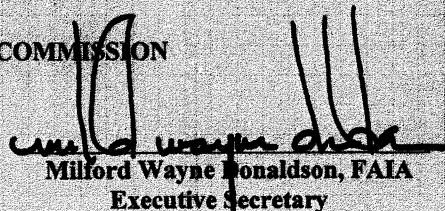
NOW, THEREFORE BE IT RESOLVED that official recognition on behalf of the State Historical Resources Commission is given to the Historic State Capitol Commission for its outstanding efforts to preserve and maintain the historic integrity of California's Capitol, enhance the Capitol's collection of art and artifacts, and prepare the Capitol to meet the needs of future Californians; and

BE IT FURTHER RESOLVED that this Resolution be recorded in the minutes of the State Historical Resources Commission and a suitable copy presented to the Historic State Capitol Commission.

January 27, 2009

STATE HISTORICAL RESOURCES COMMISSION


Julianne Polanco
Chairperson


Milford Wayne Donaldson, FAIA
Executive Secretary



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.

