

HISTORIC STATE CAPITOL COMMISSION



2012 ANNUAL REPORT

*Historic State Capitol Commission
State of California*

*Presented to the Legislature
October 2013*

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2012 Annual Report**

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State of California

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INTRODUCTION

The Historic State Capitol Commission is pleased to present its annual report for 2012, which includes highlights of its activities and accomplishments for the calendar year. The Commission's goals for 2013 are also included. The appendix includes the Commission's statutes and bylaws.

BACKGROUND

Prior to the 1976 California Capitol Restoration Project, no guidelines or advisory authority existed to preserve and maintain the historical 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. In February 1976, by Joint Resolution of the Legislature, 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 individuals in architecture, history and government who would review the maintenance, restoration, development, and management of this landmark building.

The seven-member Commission was officially established in 1984 at the close of the Capitol Restoration Project. It 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. One such charge is to provide an annual report to the Legislature on the activities of the Commission.

For copies of previous reports, please contact Koren Benoit, Executive Director, Historic State Capitol Commission, at 916-651-1504 or Koren.benoit@sen.ca.gov

California Historic State Capitol Commission



MEMBERS
RICHARD COWAN, PE
CATHY GARRETT, ASLA, LEED AP
LUIS R. SANCHEZ, AIA, LEED AP
JANIE SCHWARTZ

EX-OFFICIO MEMBERS
NANCY LENOIL, CA, FSAA
STATE ARCHIVIST
GERALD MAGINNITY
ACTING STATE LIBRARIAN
CAROL ROLAND-NAWAI, Ph.D. SHPO
OFFICE OF HISTORIC PRESERVATION

KOREN R. BENOIT
EXECUTIVE DIRECTOR

RAYMOND GIRVIGIAN, FAIA
RETIRED CHAIR EMERITUS

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October 2013

On behalf of the Historic State Capitol Commissioners, I am proud to forward you our 2012 Annual Report.

This report provides you some details on our efforts this year and our goals for 2013, both of which focus on the following important issues:

We need a Master Plan for Capitol Park, one that can guide further improvements and ensure the preservation of this unique asset. The Commission is working with the Department of General Services (DGS) and State Parks to develop a strategy for funding, contracting, and leading this effort. We hope Joint Rules will fund a phase of the plan this fiscal year.

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 alternative locations are both elements of a strategy to accommodate valid requests for recognition, while preserving the intent and beauty of Capitol Park. The Commission is working with the Department of Veterans Affairs to adopt a policy for future Veterans memorials in sympathy with the existing All Veterans Memorial.

We continue our work with the City of Sacramento to create a Monument District surrounding the Capitol building. The district would identify and provide additional sites suitable for important monuments recognizing statewide figures or groups. We hope to have an agreed upon process and timeline this calendar year.

We hope our more frequent written updates have proven useful to you and your staff. We thank you for the opportunity to serve and invite your questions and guidance.

Sincerely,

A handwritten signature in black ink that reads "Richard F. Cowan".

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>
Stacey A. Aldrich Acting State Librarian State Librarian Sacramento, CA	Ex officio (Appointed February 2009) (Appointed November 2009) (Left office October 2012)	N/A	History

Stacey Aldrich was appointed State Librarian 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.

Richard Cowan Sacramento, CA	Senate Appointee January 2011	Jan. 2017	Public Member (Construction Engineer)
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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 is an independent consultant, specializing in alternate delivery of public sector design and construction projects.

Milford Wayne Donaldson SHPO Sacramento, CA	Ex officio (Appointed July 2004) (Retired September 2012)	N/A	Preservation Architect
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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.

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
Raymond Girvigian 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.

Lizzetta LeFalle-Collins	Assembly Appointee October 2009 (Resigned September 2012)	Jan. 2013	Public Member
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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.

Luis R. Sanchez, AIA Sacramento, CA	Senate Appointee January 2009	Jan. 2015	Public Member (City Planning)
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Luis R. Sanchez, AIA, LEED AP, has been a Licensed Architect in the State of California since 1994. He has a former Commissioner with the California Architects Board 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.

Nancy Lenoil, CA, FSAA State Archivist Sacramento, CA	Ex officio (Appointed June 2006)	N/A	History
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Nancy Lenoil, CA, FSAA, 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. Ms. Lenoil is a Certified Archivist and member of the Academy of Certified Archivists and is a Fellow of the Society of American 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.

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
Janie Schwartz Sacramento, CA	Assembly Appointee November 2010	Jan. 2015	Public Member

Jane Ann (Janie) Schwartz is retired and formerly served as a staff member and consultant in the State of California Executive Branch and Legislature for more than 38 years. Ms. Schwartz served with the Lt. Governor and was an active participant during the time of the last major State Capitol restoration project. She was also instrumental in orchestrating the restoration of the Speaker's offices during the tenures of the Hon. Willie L. Brown and the Hon. Fabian Nunez. Ms. Schwartz's family currently has various pieces of art and furniture on loan in the historic wing of the Capitol.

Cathy Garrett Oakland, CA	Assembly Appointee September 2012	Jan. 2013	Public Member (Landscape Architect)
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Cathy Garrett, ASLA LEED AP, is a principal at PGAdesign, Inc., a firm of landscape architects in Oakland. She specializes in preservation projects and has been a licensed landscape architect since 1987. Prior to settling in California in 1993, Ms. Garrett practiced landscape architecture in New York, England and her native Australia. She is a past president of the California Preservation Foundation, a founding chair of the Northern California chapter of the Historic American Landscape Survey, and is currently on the board of the National Association of Olmstead Parks.

Gerald (Gerry) Maginnity Acting State Librarian Sacramento, CA	Ex officio (Appointed October 2012)	N/A	History
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Gerry Maginnity came to the State Library in November 2005 with experience in a variety of public libraries and cooperative library systems. He began in the Library Development Services Bureau and became the Bureau Chief in May 2008. In October 2012, he was named Acting State Librarian following the departure of Stacey Aldrich.

Founded in 1850, the California State Library is the central reference and research library for the Governor's office, Legislature, state employees, and the general public. The State Library administers federal and state grants for programs in historical preservation, literacy, volunteering, cooperative library systems, and broadband connectivity in public libraries.

<u>Member</u>	<u>Appointment</u>	<u>End of Term</u>	<u>Background</u>
Carol Roland-Nawi, Ph.D. State Historic Preservation Officer Sacramento, CA	Ex officio (appointed October 2012)	N/A	Preservation Architect

Dr. Roland-Nawi recently served as a senior historian and project manager at the environmental consulting firm of Mead & Hunt Inc. Prior to that, she was the principal of Roland-Nawi Associates from 2003 to 2009.

She served as senior environmental planner at the California Department of Transportation from 2001 to 2003 and State Historian II at the State Office of Historic Preservation from 1983 to 2001.

Dr. Roland-Nawi has been a member of the California Preservation Foundation (CPF) since 1991, and served as CPF president from 2005 to 2007. She has also been a member of the National Trust for Historic Preservation since 1995 and was a board member of Sacramento Heritage Inc. from 1995 to 1999

COMMISSION ACTIVITIES AND ACCOMPLISHMENTS 2012 SUMMARY

Throughout 2012, the Commission continued its advisory work with various agencies on projects both inside and outside the Capitol building. Members were kept apprised by the Department of General Services (DGS) on the Capitol Park Master Plan and were asked to continue their support, despite the continual change in funding. The park topographic map, compiled by DGS staff with the assistance of UC Davis and American River College students, was completed, and students began researching the historical plantings and history of the park.

The Commission resumed its review and commentary on the DGS-prepared infrastructure study, which addressed all aspects of the Capitol's present and future maintenance. Several infrastructure projects were completed in 2012, including the replacement of the East Doors, water intrusion repairs, and the creation of a prototype fan room. DGS also informed members of a proposed renovation project for the East Annex, which will focus on fire/life safety issues.

The Commission was kept informed on proposed alternative lighting lamps for the Historic West Wing as part of the governor's green initiative. A 'Green Team' has been data logging energy consumption in the West Wing, East Annex and the Legislative Office Building. Various LED lamps were installed in the West Wing for study purposes.

Senate and Assembly Facilities kept the Commission informed on numerous projects, including the installation of graphic displays in the East Annex corridors. Senate Facilities conducts weekly walkthroughs with DGS on basic maintenance and cleaning issues. Commission members reviewed and supported a request to install two additional security cameras at the West entrance. The monumental door repair project was also completed in 2012. Members heard details concerning the proposed Profile in Courage display, to be installed at the East Annex entrance.

During the year, the Commission was given special presentations by several groups:

- ❖ The State Treasurer's Office provided information on their security upgrade for the State Treasurer's building and grounds. The project includes supplementary security lighting and cameras, additional card readers, and a proposed security booth for the receptionist.
- ❖ California State Parks/State Capitol Museum updated members on its exhibit schedule. The volunteer association provided members a history of their organization and their purpose (to promote the educational and interpretive activities of the museum).

- ❖ DGS apprised members of the extensive renovation project of the 1928 Stanley Mosk Library and Courts Building. The project encompassed complete fire/life safety upgrades and replacement of mechanical, electrical, plumbing and telecommunications systems, as well as restoration of the historic materials. The project was near completion in December 2012. Tenants are expected to resume occupancy in early 2013.
- ❖ The California Federation of Women's Clubs proposed funding a project to label all 1,100 trees in Capitol Park. Each label would show the common and botanical names and be designed to allow tree growth.
- ❖ The Commission learned of the Capitol Mall District, a co-op of property managers that promotes a work/life balanced environment for tenants and residents in nearby apartments.
- ❖ The City of Sacramento updated members on the Capitol Mall competition design winners. The idea behind the competition was to create a "melting pot of ideas" from which the city can draw for future discussions.

Commission members continued their involvement with Capitol park memorials. Special presentations were given by the Committee for the Beautification and Enhancement of the California Mexican-American Veteran's Memorial (the Commission Executive Officer attends monthly meetings and invites the Committee Chair to provide updates at the Commission's quarterly meetings), as well as the American Portuguese Club on their proposed memorial honoring American Portuguese veterans. Members continued to caution DGS on the need for a moratorium on memorials and discussed the creation of a Veterans Memorial Development Plan with the California Department of Veterans Affairs. Members also studied the concept of a Monument District, which would provide alternative locations throughout the city.

The Commission also followed proposed legislation that would authorize a memorial to Ronald Reagan in the State Capitol building. A 2011 resolution commemorated the 100th birthday of Reagan and created a centennial commission that would be responsible for placing monuments throughout the country. All parties involved agreed to the need for a statutory policy and guidelines.

AB 2445 was signed into law, extending the purview of the Commission. The new legislation clarifies the Commission's role in the East Annex and on Capitol Park issues.

In September 2012, the Commission distributed its 2011 annual report to the Legislature.

COMMITTEE ACTIVITIES AND ACCOMPLISHMENTS 2012 SUMMARY

Following is an account of each Commission committee, their purpose and a summary to date of their actions and accomplishments.

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 maintenance plan proposal to the Legislature in 2003. The Legislature responded, stating that due to budget constraints, the proposed manual would be placed 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 the Department of General Services (DGS) and other agencies. DGS completed its infrastructure study for long-term maintenance; members reviewed and provided comments. Members discussed holding a charette to examine maintenance issues. DGS continued to work on custodial practices 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 2011 report, which was distributed to an extensive mailing list in September 2012.

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.*

In 2002, the Joint Rules Committee approved the appointment of the State Archives as the centralized repository for all CRP materials. Salvaged South Portico pieces were re-identified and plans made to transfer them 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 staffer continued her work on the 'finders file' of Restoration materials, expanding a contractor list and glossary, and scanning the collection of 5,000+

slides. Commission and Archives staff worked 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, selectively removing restrictions and transfer of ownership issues. Legislative Counsel reviewed the recommendation to transfer ownership, how it may affect Legislative Open Records Act (LORA) requests, and the draft deed of gift language.

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.*

Members formed a subcommittee to discuss their concerns over proposed developments along Capitol Mall. Members attended several Capitol Mall improvement meetings and were involved in various workshops. Committee members were kept apprised on the architectural design competition for re-use of Capitol Mall, and reviewed the submissions and provided comments. The Commission has requested a position on any steering committee that may be created as follow-up to the competition.

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 advise them of the Commission's desire to cultivate and foster better working relationships. Quarterly meetings were scheduled to keep both apprised of Commission business. Letters and bulleted memos were sent to all legislative members highlighting important issues discussed at each quarterly meeting.

Capitol Park and Memorial Committee

Purpose: *to examine and comment on the future development of memorials in Capitol Park.*

Members, concerned over the proliferation of memorials in Capitol Park, created a subcommittee to research alternative locations. Members would like to play a more active role in advising offices on proposed memorials. In the meantime, they continued to provide advice to DGS on planned/proposed memorials, and took an active role in the planning of the California Mexican-American Veterans Memorial and the American Portuguese Veterans Memorial. Commission members met with Sacramento City Parks Planning and Development, City of Sacramento Department of Urban Design, and the city council to discuss the creation of a monument district that could provide alternative sites for monuments throughout the city. A letter of introduction to the idea was sent to interested parties. Members discussed the need for a Veterans Memorial Development Plan and Commission Chair Cowan began a dialogue with the Department of Veterans Affairs.

HISTORIC STATE CAPITOL COMMISSION GOALS FOR 2013

Develop a Practical and Appropriate Mechanism to Achieve the Completion of the Capitol Park Master Plan

In 2002, an outline for the development of the Capitol Park Master Plan was produced by the Department of General Services (DGS), but little came of it. In 2005, DGS selected a Master Plan consultant, but due to DGS's inability to scope the plan, additional funding was withheld. Funding was again obtained late 2006, with additional funds budgeted a year later. Due to lack of progress and no DGS scheduling or management, funds were reverted in 2010. Without a comprehensive Master Plan, the Commission, as well as other agencies, struggles with memorial/monument sites in Capitol Park, infrastructure considerations, school visits, programmatic improvements, security, landscape and wildlife issues, budget and funding constraints. The Commission plans on researching alternative funding sources in order to move the project forward.

Sustain Outreach and Commission Visibility

Each year, members hope to strengthen the Commission by reinforcing a relationship with Legislative members and their staff in order to make them stronger advocates for the Historic State Capitol and East Annex. A stronger Commission means improved working relations with various agencies and organizations and thus better preservation and maintenance of the Capitol.

Continue Collaboration with Other Agencies on Capitol View Protection and Creation of a Memorial District

The Commission continues its communications with the City of Sacramento on issues affecting the Capitol Building and Capitol Mall; particularly, the protection of the Capitol view corridor. The Commission is exploring an MOA with the City concerning development projects that permanently affect the Capitol Building, and is increasing its communications with the City of Sacramento, DGS and Capitol Area Development Authority (CADA) on the concept of placing statewide significant monuments throughout the city. This policy would benefit both the city and the State Capitol Building and seems appropriate to the city, State real estate officers, CADA, and the Commission.

Complete and Appropriately Circulate Draft Guidelines for Statuary Project

With the passage of AB 2358, authorizing a Ronald Reagan statue in the East Annex of the State Capitol building, the Commission recognized the need for a statuary policy. The policy would provide the Legislature with a framework for the review, acceptance and appropriate siting of statuary in the State Capitol Building. Staff is currently working on a draft.

Assist CDVA in Drafting Policy for all Veteran's Memorial

The Commission has encouraged the Department of Veterans Affairs (CDVA) to create a development plan for future veteran memorials. There is need for a plan that would ensure any future additions or augmentations to the existing All Veterans Memorial are done in a harmonious and appropriate way. Current law states that any new veteran memorial shall be constructed within the boundaries of the All Veterans Memorial.

CAPITOL PARK
MEMORIAL ALERT

It has been an ongoing practice for the Department of General Services (DGS) to advise the Commission of pending memorials proposed for Capitol Park and to ask for their input and recommendations. In some cases, legislation for a specific memorial contains language including the Commission in the review process. The Commission continues to track the memorials listed below.

SB 1297 (Blakeslee)
Iraqi War Veteran Plaque

Would require the Department of Veterans Affairs (CDVA) to plan and construct a memorial plaque in Capitol Park, in consultation with DGS, to honor California veterans who have fought and served in the War in Iraq. Would prohibit the construction or affixion of the plaque until CDVA has determined that sufficient private funding is available to construct the plaque.

CHAPTERED MEMORIALS
CAPITOL HISTORIC REGION

AB 1652 (Olsen and Valadao)
California American Portuguese Veterans Memorial
CHAPTERED 9/28/12

Would authorize the American Portuguese Club Inc., in consultation with DGS and a special committee, to construct and maintain a memorial within the existing boundary of the All Veterans Memorial to honor California American Portuguese veterans. Would establish the California American Portuguese Veterans Memorial Committee, consisting of the Director of DGS, the State Historic Preservation Officer, a member of the Assembly, appointed by the Speaker, and a member of the Senate, appointed by the Senate Rules Committee. Would prohibit the construction of the memorial until the Capitol Park Master Plan is approved and adopted by the Joint Rules Committee, and the Joint Rules Committee and the Department of Finance have determined that sufficient private funding is available to construct and maintain the memorial.

UPDATE: Several meetings have been held with the Portuguese Memorial Committee representatives, DGS and CDVA to discuss design, size and location within the All Veterans Memorial. Rhukala Monument has been selected to create the monument. There has been discussion about installing a temporary bronze marker at the proposed site by June 2013; this would allow time for the Memorial Committee to meet and agree on a final design and location. Assemblyman Adam Gray and Senator Ted Lieu have been appointed to the Memorial Committee.

**AB 2358 (Hagman)
Ronald Reagan Statue
CHAPTERED 9/28/12**

Would authorize the Ronald Reagan Centennial Capitol Foundation, in consultation with DGS, to plan, construct and maintain a statue of Ronald Reagan in the State Capitol Building Annex. Would prohibit the construction of the statue until the Joint Rules Committee has approved and adopted the plan for the statue and, with the Department of Finance, have determined that sufficient private funding is available to construct and maintain the statue.

UPDATE: Several meetings have been held with Assemblyman Hagman's office, DGS, Joint Rules and the sculptor (Douglas Van Howd). Several potential locations have been identified in the East Annex. Hagman's staff has contacted the Reagan family for input on the maquettes created by Van Howd.

**SCR 82 (Blakeslee)
Iraq War Veteran Memorial
CHAPTERED 8/24/12**

Would request that DGS work with appropriate third parties to advise and oversee the creation of a memorial in Capitol Park for California veterans who fought and served in Iraq. The measure would state the intent of the Legislature to enact future legislation authorizing the creation of a larger memorial honoring those who served in both Iraq and Afghanistan.

**AB 1210 (Levine)
International Genocide Memorial
CHAPTERED 9/30/06**

Dedicated to survivors and descendants of survivors of government-sponsored ethnic cleansing. Would establish an International Genocide Memorial Commission that would work to establish an accurate historical record of atrocities and would have the authority to seek private funding for a memorial, consisting of:

Two Assembly appointees (one a member, the other a survivor or descendant of) Assemblyman Mike Gatto and Maria Mehranian sworn in April 2011

UPDATE: Maria Mehranian is no longer in the Assembly

Two Senate appointees (one a member, the other a survivor or descendant of)

UPDATE: Senator Carol Liu appointed February 2013

Five Governor appointees (one a member of staff or executive branch and four survivors or descendants of)

UPDATE: NO APPOINTEES AT THIS TIME

AB 136 (Emmerson)
Search and Rescue Memorial
CHAPTERED 10/8/07

Would authorize the California State Sheriffs' Search and Rescue Coordinators to construct a memorial to honor California search-and-rescue volunteers who have died in the line of duty. Would establish the Search and Rescue Memorial Review Committee, consisting of:

Director of DGS

State Historic Preservation Officer

Assembly appointee (Assemblyman Bill Emmerson appointed January 2008)

UPDATE: Bill Emmerson is now a Senator

Senate appointee

UPDATE: NONE AT THIS TIME

AB 2043 (Spitzer and Ma)
Crime Victims' Memorial
CHAPTERED 9/29/08

Would establish and authorize the California Crime Victims' Memorial Foundation to construct a memorial to honor California residents who are victims of crime in the Capitol Historic Region. The Foundation would consult with the California Crime Victims' Memorial Review Committee, comprised of:

Director of DGS

State Historic Preservation Officer

Assembly appointee (Assemblywoman Cathy Galgiani appointed March 2009)

UPDATE: Assemblywoman Cathy Galgiani is now a Senator; Assemblywoman Sharon Quirk-Silva appointed February 2013

Senate appointee (Senator Lou Correa appointed March 2009)

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.

Assembly Bill No. 2445

CHAPTER 547

An act to amend Sections 8164.1, 8164.2, 8164.3, and 9149.1 of the Government Code, relating to the State Capitol.

[Approved by Governor September 25, 2012. Filed with Secretary of State September 25, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2445, Dickinson. State Capitol.

(1) Existing law provides that the Capitol Area Plan is the official state master plan for the development of the central city of the City of Sacramento, and provides that the Department of General Services is responsible for the ongoing formulation and revision of this plan. Existing law establishes the Capitol Area Committee, which consists of 9 appointed members, for the purpose of independently reviewing reports of the department to the Legislature and counsel and advising the department in carrying out its responsibilities regarding the Capitol Area Plan. Existing law requires the committee to meet at least quarterly or upon the call of the chairperson or the written request of any 3 members. Existing law provides for the repeal of the provisions that establish and govern the operation of the Capitol Area Committee on January 1, 2013.

This bill instead would require the committee to meet annually and upon the call of the chairperson or the written request of any 3 members. The bill would extend the repeal date for those provisions regarding the committee to January 1, 2018, thereby extending the operation of the committee by an additional 5 years.

(2) Existing law establishes the Historic State Capitol Commission for the purpose of providing advisory review of the maintenance, restoration, development, and management of the historic State Capitol. Existing law defines the term "historic State Capitol" for this purpose as 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.

This bill would revise this definition by providing that the historic State Capitol also includes the portions of the State Capitol Building Annex that contain historic fabric, as defined, and Capitol Park, provided that Capitol Park will be included in the historic State Capitol only upon the adoption by the Joint Rules Committee of a master plan regarding Capitol Park.

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

SECTION 1. Section 8164.1 of the Government Code is amended to read:

8164.1. There is in state government a Capitol Area Committee consisting of nine members who shall be appointed in the following manner:

(a) Four members of the committee shall be appointed by the Governor of which at least one member shall be appointed from a list of three candidates submitted by the City of Sacramento and at least one member shall be appointed from a list of three candidates submitted by the County of Sacramento. Two members shall be appointed for a term expiring December 31, 1979, and two for a term expiring December 31, 1981.

(b) Two members shall be appointed by the Speaker of the Assembly, one of whom may be a Member of the Assembly, and two members shall be appointed by the Senate Rules Committee, one of whom may be a Member of the Senate. Legislative members of the committee shall meet and, except as otherwise provided by the Constitution, advise the department to the extent that the advisory participation is not incompatible with their respective positions as Members of the Legislature. Of the four appointments by the Legislature, two shall be appointed for a term expiring December 31, 1979, and two for a term expiring December 31, 1981.

(c) One shall be appointed by and serve at the pleasure of the director.

Subsequent appointments pursuant to subdivisions (a) and (b) shall be for terms of four years, ending on December 31 of the fourth year after the end of the prior term, except that appointments to fill vacancies occurring for any reason other than the expiration of the term shall be for the unexpired portion of the term in which they occur. The members of the board shall hold office until their successors are appointed and qualify.

The members of the committee shall not receive compensation from the state for their services under this article but, when called to attend a meeting of the committee, shall be reimbursed for their actual and necessary expenses incurred in connection with the meeting in accordance with the rules of the Department of Personnel Administration.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 2. Section 8164.2 of the Government Code is amended to read:

8164.2. (a) The committee shall elect a chairperson. The committee shall meet annually and upon the call of the chairperson or the written request of any three members.

(b) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 3. Section 8164.3 of the Government Code is amended to read:

8164.3. (a) It is the purpose of the committee to independently review the reports of the department to the Legislature and counsel and advise the department in carrying out its responsibilities related to the Capitol Area

Plan. The committee may submit separate comments on the departmental reports on the Capitol Area Plan to the Legislature. The committee shall involve a broad cross section of interested citizens in the form of an advisory body. The advisory body shall serve without compensation.

(b) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 4. Section 9149.1 of the Government Code is amended to read:

9149.1. As used in this article, the following terms have the following meanings:

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

(b) "Historic State Capitol" means 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, including the portions of the State Capitol Building Annex that contain historic fabric, and Capitol Park, provided that Capitol Park shall be included in the historic State Capitol for purposes of this article only upon the adoption by the Joint Rules Committee of a master plan regarding Capitol Park.

(c) "Historic fabric" means original or added building or construction materials, features, and finishes that are deemed by the commission as historically or architecturally significant.

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.

1551-S

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