

Assembly Bill No. 34

Passed the Assembly September 6, 2013

Chief Clerk of the Assembly

Passed the Senate September 3, 2013

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 5024.6 of, and to add Section 5029.6 to, the Public Resources Code, relating to historical resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 34, Roger Hernández. State historical resources.

Existing law establishes the State Historical Resources Commission and the California Register of Historical Resources. Existing law requires the Department of Parks and Recreation to consider all recommendations for registration made by the commission, and requires the department to register, as state historical landmarks, those buildings, structures, sites, or places that the department deems to be important historical resources.

Existing law authorizes a resource to be nominated for listing as a historical resource in the California Register of Historical Resources in accordance with specified nominating procedures. Existing law establishes the State Office of Historic Preservation and requires the office to perform certain duties, including recommending properties of historical significance for nomination by the commission for, among other things, listing in the California Register of Historic Resources.

This bill would require the office to educate the public on the process required to nominate a resource for listing in the California Register of Historical Resources, as provided. The bill would also require the office, by January 1, 2015, to identify publicly owned resources that may be appropriate for potential listing as historical resources, historical landmarks, or points of historical interest for their association with the labor and civil rights movements or California's modern history, as defined, and report its findings to the commission.

This bill would require the land known as Nuestra Señora Reina de La Paz, which includes the home and burial site of the late Cesar Chavez, to be registered as a state historical landmark.

This bill would make legislative findings and declarations as to the necessity of a special statute.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The state park system was created for the purposes of preserving outstanding natural and scenic sites of cultural value and areas of historical significance.

(b) Nuestra Señora Reina de La Paz, or La Paz, the farm where the late Cesar Chavez lived, was recently named by President Obama as a national monument. This designation brings to the forefront the deep national significance of the land.

(c) La Paz, located in Kern County, is a historic and culturally significant land that contains both the house in which the late Cesar Chavez once lived and his burial site.

(d) Kern County is home to the origins of the farmworker movement and contains several sites associated with the movement, including La Paz and the land known as the Forty Acres.

(e) Currently, the Office of Historic Preservation does not have these two sites, or any other site located in Kern County associated with the farmworker movement, listed as a state historical landmark.

(f) Further, there is a desire to recognize more historical sites as historical resources, historical landmarks, and points of historical interest that are associated with California's labor and civil rights movements and modern history.

SEC. 2. Section 5024.6 of the Public Resources Code is amended to read:

5024.6. There is in the department the State Office of Historic Preservation, which is under the direction of the officer. The office shall do all of the following:

(a) Serve as the staff of the commission in carrying out its responsibilities, and as the staff of the officer in carrying out the responsibilities of that position.

(b) Recommend properties of historical significance for nomination by the commission for the National Register of Historic Places, for registration as historical landmarks and points of historical interest, and for listing in the California Register.

(c) Administer state and federal incentive programs for the preservation of historical resources, including the California Register.

(d) Provide information on federal and state benefits for preservation projects and enhancement of historical resources.

(e) Administer grant and loan programs to survey historical resources and assist the development and enhancement of these resources.

(f) Assist other state agencies by providing information and education on the economic and social benefits of utilizing historical resources.

(g) Provide public education and information on the preservation and enhancement of historical resources.

(h) Provide information and technical assistance to local, state, and national organizations to promote preservation and enhancement of historical resources by developing model ordinances, financial mechanisms, educational programs, conferences, workshops, and other materials.

(i) Cooperate with cultural and ethnic commissions, such as the Native American Heritage Commission, or other organizations or representatives when projects involve these groups' concerns.

(j) Review and comment on the impact on historical resources of publicly funded projects and programs undertaken by other governmental agencies.

(k) Review applications for excavation and salvage permits for salvage in state waters.

(l) Assist the State Lands Commission in administering Section 6313.

(m) Administer the California Register in accordance with procedures adopted by the commission.

(n) Administer and maintain the State Historic Resources Inventory in accordance with procedures developed by the office and adopted by the commission.

(o) Administer the California Heritage Fund created pursuant to Section 5079.10.

(p) Educate the public on the process required to nominate a resource for listing as a historical resource in the California Register pursuant to subdivision (f) of Section 5024.1, with particular emphasis on educating the public regarding nominating resources associated with the labor movement, the civil rights movement, and the state's modern history by providing information in its quarterly newsletter or other appropriate publications, and on the State Office of Historic Preservation's Internet Web site.

(q) By January 1, 2015, identify publicly owned resources that may be appropriate for potential listing as historical resources, historical landmarks, or points of historical interest for their association with the labor movement, the civil rights movement, or the state’s modern history. The State Office of Historic Preservation shall report its findings to the commission.

(r) For the purposes of this section, “modern history” means history on and after 1940.

SEC. 3. Section 5029.6 is added to the Public Resources Code, to read:

5029.6. Notwithstanding the nomination process established pursuant to Section 5021, the land known as Nuestra Señora Reina de La Paz, which includes the home and burial site of the late Cesar Chavez, shall be registered as a state historical landmark.

SEC. 4. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the necessity to ensure in perpetuity the unique historical, cultural, and recreational significance of Nuestra Señora Reina de La Paz in Kern County.

Approved _____, 2013

Governor