

ASSEMBLY BILL

No. 482

Introduced by Assembly Member Atkins

February 19, 2013

An act to amend Sections 20053 and 20080 of, and to add Section 20092 to, the Education Code, relating to the California Cultural and Historical Endowment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 482, as introduced, Atkins. California Cultural and Historical Endowment.

(1) Existing law, the California Cultural and Historical Endowment Act, establishes the California Cultural and Historical Endowment (endowment) in the California State Library, and provides that it is chaired by the State Librarian. Among other things, the act authorizes the endowment to make grants and loans on a competitive basis to public agencies and nonprofit organizations, as defined, to encourage development of California's historical and cultural resources and requires the endowment to undertake a comprehensive survey of the state of cultural and historical preservation, accessibility, and interpretation in California.

This bill would transfer the California Cultural and Historical Endowment to the Natural Resources Agency and would provide that the endowment be chaired by the Secretary of the Natural Resources Agency and that the State Librarian remain as a member. The bill would also make a conforming change.

This bill would authorize the endowment to create a specified competitive grant program to support small capital projects in museums

and would require that moneys deposited in the California Cultural and Historical Endowment Fund from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund be made available to the endowment, for the purpose of initially funding the grant program. The bill would, if the endowment creates the grant program, require the endowment to apply, on or before October 1, 2013, to the Department of Motor Vehicles for the purpose of creating a specialized license plate program using the cartoon character Snoopy as created by Charles M. Schulz and made available through the California Association of Museums to assist museums in California. The bill would require that the additional fees collected from the sale of the specialized license plates be deposited in the California Cultural and Historical Endowment Fund, a continuously appropriated fund, to fund the grant program.

(2) By requiring that the additional fees collected from the sale of the specialized license plates be deposited into the continuously appropriated California Cultural and Endowment Fund, the bill would make an appropriation.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
 State-mandated local program: no.

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

- 1 SECTION 1. Section 20053 of the Education Code is amended
- 2 to read:
- 3 20053. (a) There is in the ~~California State Library~~ *Natural*
- 4 *Resources Agency, in the Archaeology, History and Museums*
- 5 *Division of the Department of Parks and Recreation, the California*
- 6 *Cultural and Historical Endowment, consisting of the following*
- 7 *10 members:*
- 8 (1) ~~The State Librarian~~ *Secretary of the Natural Resources*
- 9 *Agency, who shall serve as chair of the endowment, or his or her*
- 10 *designee.*
- 11 (2) ~~The Secretary of the Resources Agency~~ *State Librarian, or*
- 12 *his or her designee.*
- 13 (3) The Director of Finance, or his or her designee.
- 14 (4) Three members appointed by the Governor.
- 15 (5) Two members appointed by the Senate Committee on Rules.

1 (6) Two members appointed by the Speaker of the Assembly.

2 (b) Two Members of the Senate, appointed by the Senate
3 Committee on Rules, and two Members of the Assembly, appointed
4 by the Speaker of the Assembly, shall meet with the endowment
5 and participate in its activities to the extent that such participation
6 is not incompatible with their respective positions as Members of
7 the Legislature.

8 SEC. 2. Section 20080 of the Education Code is amended to
9 read:

10 20080. The endowment shall undertake a comprehensive survey
11 of the state of cultural and historical preservation, accessibility,
12 and interpretation in California. In conducting the survey, the
13 endowment shall coordinate with existing state agencies, including
14 the California Arts ~~Council, the Department of Parks and~~
15 ~~Recreation, Council~~ and the Secretary of State. The report shall
16 include all of the following:

17 (a) A survey of elements in California's existing assemblage of
18 buildings, sites, artifacts, museums, cultural landscapes, trails,
19 illustrations, the arts and artistic expressions, written materials,
20 and displays and interpretive centers that are missing or
21 underrepresented, such as if current facilities, materials, and
22 services leave out, misrepresent, or inadequately present some
23 important thread of the story of California as a unified society or
24 of the many groups of people that together comprise historic and
25 modern California.

26 (b) Recommendations for steps that should be taken to fill in
27 the missing or underrepresented elements identified in subdivision
28 (a).

29 (c) Recommendations for the manner of transferring the Office
30 of Historic Preservation in the Department of Parks and Recreation
31 to the endowment, consistent with the Legislature's intent
32 expressed in Section 20052.5.

33 (d) Recommendations for additional steps that should be taken
34 to better preserve and administer cultural and historic resources
35 efficiently and effectively, including additional actions that should
36 be taken to improve the governmental structures responsible for
37 historic and cultural preservation in California, including oversight
38 and support of museums. In particular, the endowment shall
39 examine the feasibility and desirability of establishing the
40 endowment as a separate institution in state government, without

1 ties to any existing agency or department, although under the
2 general authority of the Governor. The endowment shall also
3 identify the most appropriate chair, or the most appropriate method
4 for selecting the chair, of its board.

5 (e) A survey of the capacities and fiscal conditions of public,
6 nonprofit, and other private entities in California that provide
7 cultural and historical facilities and services, including museums.

8 (f) Recommendations for the future financing of cultural and
9 historical programs provided by public agencies and nonprofit
10 agencies in California, including museums.

11 (g) Recommendations for programs to encourage the historic
12 maintenance and restoration of properties in private ownership,
13 including, but not limited to, a state tax credit for restoration of
14 historic properties that maintain historic integrity, property tax
15 deferral as long as a property’s historic integrity is maintained,
16 and low interest loans.

17 (h) A study of the economic impact of the preservation and
18 interpretation of cultural and historic resources in the state. This
19 should include the economic benefits resulting from the
20 preservation of historic commercial and residential properties and
21 sites, and from historic and cultural tourism activities.

22 SEC. 3. Section 20092 is added to the Education Code, to read:

23 20092. (a) The endowment may create a competitive grant
24 program to support small capital projects in museums pursuant to
25 subdivision (b) of Section 20057. The grant program shall give
26 priority to the objectives listed in Section 20091 and shall be
27 funded initially from any moneys deposited in the California
28 Cultural and Historical Endowment Fund from the California Clean
29 Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection
30 Fund for the administration of the endowment. Once funding
31 becomes available from the sale of specialized license plates
32 pursuant to subdivision (b), funding for the grant program shall
33 only be made from the funds collected pursuant to subdivision (b).

34 (b) If the endowment creates the grant program described in
35 subdivision (a), the endowment shall apply, on or before October
36 1, 2013, to the Department of Motor Vehicles pursuant to Section
37 5156 of the Vehicle Code for the purpose of creating a specialized
38 license plate program using the cartoon character Snoopy as
39 authorized by Jean Schulz, widow of the artist Charles M. Schulz,
40 the creator of Snoopy, and made available through the California

1 Association of Museums to assist museums in California. It is
2 hereby warranted to the purchasers of these specialized license
3 plates that the additional fees collected from the sale of the
4 specialized license plates shall be deposited in the California
5 Cultural and Historical Endowment Fund to fund the grant program
6 described in subdivision (a). The endowment shall comply with
7 all of the requirements of Article 8.6 (commencing with Section
8 5151) of Chapter 1 of Division 3 of the Vehicle Code that apply
9 to a state agency that sponsors a specialized license plate program.

10 SEC. 4. This act is an urgency statute necessary for the
11 immediate preservation of the public peace, health, or safety within
12 the meaning of Article IV of the Constitution and shall go into
13 immediate effect. The facts constituting the necessity are:

14 In order for the transfer of the California Cultural and Historical
15 Endowment to the Natural Resources Agency be accomplished in
16 a timely, effective, and economical manner, it is necessary that
17 this act take immediate effect.