

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1234

Introduced by Assembly Member McCarty

February 27, 2015

An act to amend Section 12174 of the Government Code, relating to state archives.

LEGISLATIVE COUNSEL'S DIGEST

AB 1234, as amended, McCarty. State Archives: museum activities.

Existing law requires the Secretary of State to administer the State Archive Building Complex *for the use, education, and enjoyment of the public*. Existing law authorizes the Secretary of State to enter into an operating agreement with the Golden State Museum Public Benefit Corporation to operate a museum in the State Archives Building Complex.

~~This bill would make a nonsubstantive change to this provision.~~

This bill would provide that the purposes of that administration of the State Archive Building Complex also include uses to advance civic education and civic engagement by state residents. The bill would remove authorization for the corporation to support the operations and programs of the State Archives and would instead require that the operating agreement provide for integration of State Archives artifacts, collections, and programs in museum exhibits and programs.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

1 SECTION 1. Section 12174 of the Government Code is
2 amended to read:

3 12174. (a) The Secretary of State shall administer, protect,
4 develop, and interpret the Secretary of State and State Archives
5 Building Complex located in Sacramento in the area bounded by
6 10th, 11th, O, and P Streets as authorized by Section 12235 for
7 the use, education, and enjoyment of the ~~public~~. *public, including*
8 *uses to advance civic education and civic engagement by all*
9 *Californians.*

10 (b) The Secretary of State may enter into an operating agreement
11 with the Golden State Museum Public Benefit Corporation
12 (GSMPPBC), formerly known as the California Archives
13 Foundation, an existing California nonprofit public benefit
14 corporation, tax exempt under Section 501(c)(3) of the United
15 States Internal Revenue Code, or its successor. Under the operating
16 agreement with the Secretary of State (including the State
17 Archives), the corporation shall operate a museum located in the
18 Secretary of State and State Archives Building Complex, including
19 development, administration, interpretation, and management of
20 the museum and related public services, and acquiring and
21 managing funding for the museum's programs and services.
22 ~~Secondarily, the corporation may support the operations and~~
23 ~~programs of the State Archives. The operating agreement shall~~
24 ~~provide for integration of State Archives artifacts, collections, and~~
25 ~~programs in museum exhibits and programs.~~

26 (c) The governing board of the corporation shall include the
27 Secretary of State or any Assistant Secretary of State designated
28 by the Secretary of State and the Director of Parks and Recreation
29 or his or her designee as ex officio voting members of the board.
30 The board shall be the governing authority for operations funded
31 through moneys received by the museum. The board shall submit
32 an audit report annually to the Secretary of State. The Secretary
33 of State shall submit copies of the annual audit reports to the
34 Director of Finance, the Chair of the Joint Legislative Audit
35 Committee, and the Chair of the Joint Legislative Budget
36 Committee. No funds raised or assets acquired by the corporation
37 shall be used for purposes inconsistent with support of the museum
38 and the State Archives.

1 (d) No later than January 10 of each year, the corporation shall
2 submit the corporation business plan for the following fiscal year
3 to the Director of Finance and the Chair of the Joint Legislative
4 Budget Committee for review and comment. The executive director
5 of the corporation shall also submit, not less than 30 days prior to
6 adoption by the governing board of the corporation, any proposed
7 formal amendments to the corporation business plan to the Director
8 of Finance and the Chair of the Joint Legislative Budget Committee
9 for review and comment.

10 (e) Fees charged to members of the public for copying,
11 reproduction, and other services provided by the State Archives
12 shall be at a level consistent with the costs of providing these
13 services. The Secretary of State may establish an agreement with
14 the corporation to provide these services and collect moneys for
15 providing these services.

16 (f) Notwithstanding any other provision of law, the GSMPBC,
17 or its successor, is a private nonprofit corporation and shall not be
18 considered a state, local, or other public body for any purpose.

19 (g) The Legislature encourages the governing board of the
20 corporation to conduct its meetings in an open manner, establish
21 a board membership that is representative and reflective of
22 California's rich history, and work cooperatively with the Secretary
23 of State to ensure public input, confidence, and accountability in
24 the museum's use of its resources and the protection of California's
25 priceless archives, collections, and artifacts.