

Senate Bill No. 2063

CHAPTER 290

An act to add Chapter 1.77 (commencing with Section 5097.993) to Division 5 of the Public Resources Code, relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 27, 2002. Filed with Secretary of State August 27, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2063, Brulte. California Indian Cultural Center and Museum.

Existing law requires the Department of Parks and Recreation to implement and administer various programs designed to preserve, protect, and promote historical resources in the state.

This bill would establish the California Indian Cultural Center and Museum Task Force within the department for the purpose of assisting the department in developing a California Indian Cultural Center and Museum, and would require the task force to be convened on or before February 1, 2003.

This bill would require the task force to advise and make recommendations to the department regarding development of the cultural center, including its location, design, content, and governance structure. The bill would also require the task force to submit an annual report to the Legislature detailing its activities and progress.

This bill would specify that the task force's responsibilities shall be complete and its duties discharged when the cultural center is completed and the department adopts a governing structure for the completed cultural center, but would authorize the director to terminate the task force prior to that time if the director obtains approval from $\frac{2}{3}$ of the task force members.

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

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

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

(a) Studies conducted by the Department of Parks and Recreation in 1960 determined a pressing need for a modern and expanded California State Indian Museum.

(b) The department created a task force in 1975 to consider an alternative to the California State Indian Museum as it then existed.



(c) In 1977 the department identified a site and drafted an architectural plan for the proposed California State Indian Museum.

(d) In 1984 the department considered four potential sites for the expanded California State Indian Museum.

(e) A report commissioned by the department in 1991 concluded that a new California State Indian Museum should be created within the Resources Agency for the purpose of acquiring, recording, preserving, protecting, studying, developing, interpreting and exhibiting information of outstanding importance on the history, cultural heritage and contemporary lifestyles of California Indians.

(f) The 1991 report concluded that participation by California Indians in every aspect of the California State Indian Museum should be encouraged and actively sought.

(g) In 1992, the department completed a feasibility study for the creation of a new California State Indian Museum.

(h) The existing California Indian Museum is too small for effective interpretation of the diverse populations of California Indians or to adequately display the tens of thousands of artifacts currently in storage.

(i) There is an urgent need for the creation of a modern and expanded California Indian Cultural Center and Museum.

SEC. 2. Chapter 1.77 (commencing with Section 5097.993) is added to Division 5 of the Public Resources Code, to read:

Chapter 1.77. CALIFORNIA INDIAN CULTURAL CENTER AND MUSEUM
TASK FORCE

5097.993. For the purposes of this chapter, the following terms have the following meanings:

(a) "Cultural center" means the California Indian Cultural Center and Museum.

(b) "Task force" means the California Indian Cultural Center and Museum Task Force as described in Section 5097.994.

5097.994. (a) The California Indian Cultural Center and Museum Task Force is hereby created within the department. The task force shall be convened by the department on or before February 1, 2003.

(b) The task force shall consist of 9 voting members, appointed as follows:

(1) Three members from separate California Indian tribes, appointed by the director. Each member shall reside in California at the time of appointment. The director shall consider geographic and cultural diversity when making the appointments.

(2) Two members from California Indian tribes shall be appointed by the Executive Secretary of the Native American Heritage Commission.



In making these appointments, the executive secretary shall select those individuals who have demonstrated an expertise in any of the following areas:

- (A) American Indian education.
- (B) California Indian arts, culture, and language.
- (C) California Indian history.

(3) One member shall be the director or his or her designee. This member shall serve as the executive secretary of the task force and coordinate work product and assistance with the department.

(4) One member shall be the Executive Secretary of the Native American Heritage Commission or his or her designee.

(5) One member shall be the State Librarian or his or her designee.

(6) One member shall be the Secretary of the Resources Agency or his or her designee.

(c) The task force shall elect a chairperson and determine the term of office of the chairperson by majority vote.

(d) Members of the task force may not receive any state compensation for their services or be reimbursed for travel or per diem expenses.

(e) The duties and responsibilities of the task force shall include, but shall not be limited to, all of the following:

(1) Make recommendations to the department on the potential siting of the cultural center. Every effort shall be made to site the cultural center within proximity of other cultural and historical facilities. The siting recommendations shall also take into consideration the public accessibility of the facility. A task force report on the potential sites for the cultural center shall be delivered to the department no later than one year after the task force is convened.

(2) Advise and make recommendations to the department on the cultural concepts and designs of the cultural center.

(3) Establish and maintain communication between tribes, museums, and local, state, and federal agencies.

(4) Request and utilize the advice and services of tribes, museums, and local, state, and federal agencies as needed to carry out the objectives of this chapter.

(5) Develop and recommend to the department a governing structure for the ongoing operation of the cultural center.

(6) Prepare and submit to the Legislature an annual report detailing the task force's activities and progress towards establishing the cultural center.

(f) The task force's responsibilities shall be complete and its duties discharged when the cultural center is completed and the department has adopted a governing structure for the completed cultural center. The



director may terminate the task force prior to that time, but only if the director obtains approval from two-thirds of the task force members.

(g) The department shall make every effort to encourage nonstate participation and partnerships in the development and construction of the cultural center.

SEC. 3. 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 to address the urgent need for an expanded museum to adequately display the thousands of California Indian artifacts of historical and educational significance that are currently in storage, it is necessary that this act take effect immediately.

