

Assembly Bill No. 716

CHAPTER 1126

An act to add Chapter 13 (commencing with Section 20050) to Part 11 of the Education Code, relating to historic preservation, and making an appropriation therefor.

[Approved by Governor September 30, 2002. Filed
with Secretary of State September 30, 2002.]

I am signing Assembly Bill 716 because it highlights the importance of the state's historical and cultural resources and because it appropriates funds specified in Proposition 40. In particular, it is important to disburse the monies that Proposition 40 allocated for San Francisco, Los Angeles and other specific areas in a timely manner that meets the local recreation needs of these communities and the expectations of the voters.

However, with respect to the \$128 million earmarked for the California Cultural and Historical Endowment that this bill seeks to create, I regret that I must delete the monies for this purpose. There are several reasons for this action. First, given the state's fiscal condition, now is not the time to establish a new, permanent bureaucratic entity with broad new duties. Second, the duties of the Endowment as proposed in this measure extend well beyond competitive grant-making responsibilities and would create significant general fund cost pressure. For example, while the comprehensive study the bill would require by January 1, 2005 may be desirable, such a multi-million dollar study could not be funded with bond money.

Moreover, the proposed endowment appears to be significantly redundant and unnecessary given the duties and expertise of the Department of Parks and Recreation, the Office of Historic Preservation (OHP) and the State Historic Resources Commission. In particular, by directing the Endowment to conduct competitive grantmaking for historical preservation purposes, the bill undermines the successful efforts of the OHP and the Commission in disbursing Proposition 12 historical preservation monies. Failure to take advantage of such expertise will lead to unnecessary costs and delays in implementation of competitive grants. For this reason, I am directing the Secretary for Resources to seek \$10 million in the budget to fund an initial competitive grants program to be administered by the Office of Historic Preservation that will build upon the success of its current program.

Additionally, while I applaud the authors for their admirable efforts to craft a high-profile structure for enhancement of historical and cultural resources, I am concerned that the timing of the conference committee and the conference report language did not allow for meaningful discussion among stakeholders. Such stakeholder input is key to ensuring that an effective, efficient and respected process for disbursing Proposition 40 monies is crafted. For this reason, I am directing the Secretary for Resources to conduct a series of stakeholder meetings during the legislative recess for the purpose of discussing the best approaches for funding historical, cultural and museum projects.

Finally, there are many significant, high-priority state and local cultural and historical projects that should be funded. These include the Department of Parks and Recreation's projects as included in the May Revise-the Statewide Indian Museum, California Heritage Center, the John Marsh home and the Adamson House collection, as well as local assistance funding for the California Academy of Sciences in San Francisco. For this



reason, I am directing the Department of Parks and Recreation to utilize \$5 million in Proposition 40 monies for the development of the Statewide Indian Museum. Moreover, the other projects should be directly funded from the cultural and historical monies and I am directing the Department of Finance to include these important projects in my 2003–04 budget.

GRAY DAVIS, Governor

LEGISLATIVE COUNSEL'S DIGEST

AB 716, Firebaugh. California Cultural and Historical Endowment.

Existing law contains various provisions relating to historical and cultural resource projects and programs, including the development, restoration, and preservation of historical sites.

This bill would enact the California Cultural and Historical Endowment Act, which would establish the California Cultural and Historical Endowment, consisting of specified members, in the California State Library and to require the endowment to use funds allocated and appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, and from other sources, including federal grants, to make grants and loans to public agencies and nonprofit organizations, as defined, including museums, relating to historical resources and to develop various programs and projects to protect and preserve California's cultural and historic resources. The bill would require the endowment to conduct a comprehensive survey of the state of cultural and historical preservation, accessibility, and interpretation in California and to report on the survey to the Legislature and the Governor by November 1, 2005. The bill would prohibit the endowment from utilizing more than 5% of the funds appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act for associated programmatic costs.

This bill would provide that, notwithstanding the bill that enacts the 2002–03 budget, the Director of Finance shall not abolish the vacant positions within the State Library but allow the positions to be used by the State Library for purposes of the California Cultural and Historical Endowment Act.

The bill would appropriate \$219,765,000 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund and allocate \$128,415,000 to the California State Library for purposes of the endowment, \$91,350,000 to the Department of Parks and Recreation for opportunity grants, as provided, and appropriate \$74,680,000 from that fund to the Department of Parks and Recreation for recreational grants, as provided.

Appropriation: yes.



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

SECTION 1. Chapter 13 (commencing with Section 20050) is added to Part 11 of the Education Code, to read:

CHAPTER 13. CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT
ACT

Article 1. General Provisions

20050. This chapter shall be known and may be cited as the California Cultural and Historical Endowment Act.

20051. The Legislature finds and declares the following:

(a) Every civilization defines itself in part by its past, and an understanding of its past helps determine its basic values and future aspirations. Understanding of the past is strengthened and deepened through contact with the buildings, physical places, and artifacts of earlier times. Through learning this past, our young and future generations come to better understand the society in which they live and to better understand themselves.

(b) As America's physical culture and built environment become remarkably similar throughout the country, it is left to the natural environment and the structures of the past to give a unique sense of place to our communities. Preserving these structures is becoming increasingly compelling as the homogeneity of our physical culture increases.

(c) The buildings, other structures, and artifacts that embody California's past are in escalating danger of being redeveloped, remodeled, renovated, paved, excavated, bulldozed, modernized, and lost forever.

(d) For history to be part of our lives, we must include it in our daily lives, through the adaptive reuse of historic structures in our older commercial districts and inner cities.

(e) California has one of the most diverse populations on earth and its cultural and historic preservation program should reflect that fact. Early cultural and historic preservation efforts often focused on the structures and activities of our European ancestors. Without minimizing their contribution, it is important to pursue other historical threads that are important to California's Latino population, to African-Americans, to Asians and Pacific Islanders, to Native Americans, to Jewish persons, and to many other groups of peoples with uniquely identifiable cultures and histories. It is increasingly important to preserve the physical and



cultural history and folklife of these many groups' presence and contributions to California's history.

(f) Historic preservation should include the contributions of all Californians. The study of history once focused largely on the actions and works of wealthy, powerful, noble, brilliant, or famous persons. More recently, historians have tried to increase understanding of how more ordinary people lived and thought. California's historic preservation efforts should allow its citizens and visitors to experience something of the physical world of both.

(g) In 1997, California's Statewide Historic Preservation Plan was prepared pursuant to the National Historic Preservation Act of 1966 and includes seven statewide goals, including the goal to promote the preservation and stewardship of cultural resources among a diversified state population representing all levels of the socioeconomic spectrum.

(h) California's retained past certainly includes sites important to its prehistoric and later Native American people, and the remaining great structures of the 19th century. But the state also needs to consciously preserve selected remnants of the 1930s, of California's great role in World War II, as well as representative structures and sites that were culturally or economically important during the 1950s, 1960s, and, in some cases, even more recently.

(i) California's historic missions are among California's most evocative historical structures. Their continued protection and restoration should continue to have high priority.

(j) California's museums are among the most important and cherished repositories of the state's cultural and historical heritage.

(k) California's partnerships with federal, state, and local governmental agencies and nonprofit organizations have helped us understand the range and diversity of California's history and historic and cultural resources and artifacts and have helped develop a better understanding of the educational, environmental, and economic benefits of, and tools available for, the preservation and interpretation of historic and cultural resources and artifacts.

20052. As used in this chapter, the following terms have the following meanings:

(a) "Development" includes, but is not limited to, improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.

(b) "Endowment" means the California Cultural and Historical Endowment created pursuant to Section 20053, or the board of the endowment, as appropriate.

(c) "Museum" means a public or private nonprofit institution that is organized on a permanent basis for essentially educational or aesthetic



purposes and that owns or uses tangible objects, cares for those objects, and exhibits them to the general public on a regular basis.

(d) “Nonprofit organization” means any nonprofit public benefit corporation that is formed pursuant to the Nonprofit Corporation Law (commencing with Section 500 of the Corporations Code), qualified to do business in California, and qualified under Section 501(c)(3) of the Internal Revenue Code, that has, among its principal charitable purposes, the preservation of historic or cultural resources for cultural, scientific, historic, educational, recreational, agricultural, or scenic opportunities.

(e) “Preservation” includes, but is not limited to, identification, evaluation, recordation, restoration, stabilization, development, and reconstruction, or any combination of those activities.

(f) “Public agency” means a federal agency, state agency, city, county, district, association of governments, joint powers agency, or tribal organization.

20052.5. It is the intent of the Legislature that consideration be given to the transferring and fully integrating the Office of Historic Preservation with the California Cultural and Historical Endowment, which is created pursuant to this chapter, for the following purposes:

(a) To increase the stature, visibility, authority, and entrepreneurial capabilities of the Office of Historic Preservation in the interest of helping it carry out its missions and purposes.

(b) To allow the California Cultural and Historical Endowment to benefit from the Office of Historic Preservation’s experience and expertise, and from the experience and expertise of its constituents and supporters.

(c) To synergistically increase the state’s effective commitment to historic and cultural preservation.

Article 2. Creation and Powers of the Endowment

20053. (a) There is in the California State Library the California Cultural and Historical Endowment, consisting of the following 10 members:

- (1) The State Librarian, who shall serve as chair of the endowment, or his or her designee.
- (2) The Secretary of the Resources Agency, or his or her designee.
- (3) The Director of Finance, or his or her designee.
- (4) Three members appointed by the Governor.
- (5) Two members appointed by the Senate Committee on Rules.
- (6) Two members appointed by the Speaker of the Assembly.



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

20054. (a) Appointments to the endowment made pursuant to paragraphs (4), (5), and (6) of subdivision (a) of Section 20053 shall be persons with distinguished achievements in the fields of California history and culture, including, but not limited to, persons with distinguished achievements in the field of California history, historic preservation, architectural history, historical museum design and operation, California artistic history, prehistory, archaeology, or in the cultural achievements of the diverse ethnic and other groups comprising California's population, including the native peoples of California.

(b) Appointments to the endowment made pursuant to paragraphs (4), (5), and (6) of subdivision (a) of Section 20053 shall be representative of the diverse ethnic and other groups comprising California's population, and shall be geographically balanced.

(c) The members appointed pursuant to paragraphs (4), (5), and (6) of subdivision (a) of Section 20053 shall serve at the pleasure of his or her appointing authority. Members appointed under these paragraphs of subdivision (a) of Section 20053 shall be compensated for attendance at regular meetings of the endowment at the rate of one hundred dollars (\$100) per day, and shall be reimbursed for the actual and necessary expenses, including travel expenses, incurred in the performance of their duties.

20056. If any member of the endowment is an employee, director, or officer of any organization that has applied to the endowment for a grant, that member shall not communicate with any other member of the endowment or any member of any advisory panel regarding the grant application and the member shall not be present when the application is considered by the endowment or advisory panel.

20057. (a) A majority of the total authorized membership of the endowment shall constitute a quorum for the transaction of any business under this chapter.

(b) The endowment may adopt regulations as necessary or convenient for carrying out the purposes of this chapter, including, but not limited to, establishing grant application criteria and procedures. Before adopting regulations for grant application criteria and procedures, the endowment shall conduct public hearings throughout the state and shall invite persons from diverse groups and ethnic backgrounds to share their input on the matter.



(c) The endowment may hold hearings, execute agreements, and perform any acts necessary and proper to carry out the purposes of this chapter. The endowment may select and contract with other state agencies and with private entities, including nonprofit organizations, museums and individuals to provide services necessary to carry out the purposes of this chapter.

20058. The endowment shall determine the qualifications of, and it shall appoint and fix the salary of, the executive officer of the endowment, who shall be exempt from civil service, and shall appoint such other staff as may be necessary to carry out the powers and functions set forth in this chapter.

20059. The endowment may appoint one or more advisory committees as it determines to be useful to its work. Members of advisory committees shall serve without compensation, but each may be reimbursed for necessary travel and other expenses incurred in the performance of official duties.

20060. The endowment may apply for and accept federal grants. Notwithstanding Section 11005 of the Government Code, the endowment may receive gifts, donations, subventions, rents, royalties, and other financial support from public and private sources without additional approvals. Funds received pursuant to this section, except for federal grants, shall be deposited in the California Cultural and Historical Endowment Fund, which is hereby created, and, notwithstanding Section 13340 of the Government Code, are continuously appropriated to the endowment for its lawful purposes, after notification to and approval by the Department of Finance. The endowment shall report annually to the Legislature on the condition and status of the fund, and the uses made of moneys in the fund during the year.

Article 3. Grants and Loans

20070. (a) The endowment may award grants and loans on a competitive basis to public agencies and nonprofit organizations, including museums, to encourage development of a systematic and coordinated assemblage of buildings, sites, artifacts, museums, cultural landscapes, illustrations, written materials, and displays and interpretive centers to preserve and tell the stories of California as a unified society and of the many groups of people that together comprise historic and modern California. In addition to preserving and interpreting California's missions, gold rush and pioneer sites, and other examples of early European exploration and settlement, the endowment shall give priority to funding projects to preserve, interpret, and enhance



understanding and appreciation of the state's subsequent cultural, social, and economic evolution. For example, it may fund projects involving buildings, including the acquisition of any interest in real property, structures, ships, historic cemeteries, site areas, places, trails, artifacts, artistic expressions, illustrations, written materials, or collections of artifacts, historic districts, cultural landscapes, illustrations, and written materials, including, but not limited to, the following:

(1) Projects that preserve, display, demonstrate, or interpret the contributions of the many unique identifiable ethnic and other communities that have added significant elements to California's culture, including, but not limited to, their architecture, landscaping, urban forms, recreation, food and drink, styles, literature, artistic expressions, and pastimes.

(2) Projects that preserve and demonstrate culturally significant aspects of the changing ways that ordinary or particularly creative people lived their daily lives during the course of California history, including, but not limited to, representative or exceptionally expressive residences, recreational facilities and equipment, farms and ranches, transportation technologies, and innovative shopping arrangements.

(3) Projects that preserve, display, demonstrate, or interpret the industries, technologies, individuals, groups, and commercial enterprises that built California's enormous economic strength, including, but not limited to, aircraft construction, banking and finance, electronics and related technologies, medical technologies, petroleum production and refining, movie and television production, and agriculture.

(4) Projects that preserve, display, demonstrate, or interpret California's contribution to the national defense during the state's history, including facilities and artifacts from closed military bases, and including projects about the social, demographic, and other changes that resulted from these national defense activities.

(5) Projects that preserve and promote understanding and continuity of California's living cultural heritage and folklife that is deeply rooted in and reflective of its distinct cultural communities, including, but not limited to, public programs, recordings, exhibitions, apprenticeships, publications, ethnographic documentation, and archival preservation.

(6) Projects that preserve, display, demonstrate, or interpret California's geologic and oceanographic history, including, but not limited to, its assemblage from Jurassic and earlier archipelagoes and ophiolitic remnants through subduction processes, and the expression of global tectonic forces in its mountains, basins, and faults.

(b) The endowment shall fund projects relating to the archaeology, history, or culture of California's Native American population that are



sensitive to the sovereign status of the tribes and that respect the cultural and spiritual traditions of those tribes.

(c) The endowment shall give priority to funding projects that preserve, document, interpret, or enhance understanding of threads of California's story that are absent or underrepresented in existing historical parks, monuments, museums, and other facilities, and to achieve careful balance geographically, among communities and organizations of large and small size, and among diverse ethnic groups. The endowment may create financial and other incentives to support projects described in this subdivision, including, but not limited to, technical assistance, funding set asides, and preferential match requirements.

(d) The endowment shall ensure that California's historic and cultural resources are accessible and available to the people of California, especially traditionally underserved communities, by encouraging programs including, but not limited to, traveling exhibitions, illustrative publications, exchanges, Web sites and digitalization of materials, and programs in conjunction with school districts to bring school children into contact with these materials, and may fund projects for these purposes.

20071. The endowment shall require that public agencies requesting a grant provide a matching amount of resources for the completion of the project. The match may include resources obtained from other funding agencies, and may include in-kind resources. The match shall be a proportion of the cost of the project as the endowment determines is appropriate, but the proportion shall be uniform for categories of project and public agencies, except pursuant to subdivision (c). The endowment shall determine the match proportion by considering the following:

(a) The endowment shall seek to leverage the resources available to it.

(b) The endowment shall require a match sufficient to ensure a strong commitment to the project on the part of the sponsoring agency.

(c) The endowment may require a lower than usual match if necessary to make projects realistic for underserved communities.

20072. (a) The endowment shall require grant recipients to report on the progress and completion of any project for which they have received a grant, and on public acceptance or criticism of the project. The endowment shall make all such reports available to the Legislature.

(b) The endowment shall require grant recipients to follow the Secretary of the Interior's Standards for the Treatment of Historic Properties where appropriate to ensure the historical integrity of the project.



20073. (a) Funds may be granted or loaned to a nonprofit organization under this chapter if the nonprofit organization enters into an agreement with the endowment, on such terms and conditions as the endowment specifies.

(b) (1) In the case of a grant for real property acquisition, the agreement shall provide all of the following:

(A) The purchase price of any interest in real property acquired by the nonprofit organization may not exceed the fair market value as established by an appraisal approved by the endowment.

(B) The endowment shall approve the terms under which the interest in land is acquired.

(C) The interest in land acquired pursuant to a grant from the endowment may not be used as security for any debt to be incurred by the nonprofit organization unless the endowment approves the transaction.

(D) The transfer of land acquired pursuant to an endowment grant shall be subject to the approval of the endowment and a new agreement sufficient to protect the interest of the people of California shall be entered into with the transferee.

(E) If any essential term or condition is violated, title to all interest in real property acquired with state funds shall immediately vest in the state.

(F) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state unless another appropriate public agency or nonprofit organization is identified by the endowment and agrees to accept title to all interests in real property.

(2) Any deed or other instrument of conveyance whereby real property is being acquired by a nonprofit organization pursuant to this section shall set forth the reversionary interest of the state.

(c) The endowment shall also require an agreement sufficient to protect the public interest in any improvement or development constructed under a grant to a nonprofit organization for improvement and development of a project under this chapter. The agreement shall particularly describe any real property which is subject to the agreement, and it shall be recorded by the endowment in the county in which the real property is located.

(d) Any funds collected from a nonprofit organization pursuant to an agreement regarding a grant shall be deposited in the account created pursuant to Section 20060.

20074. The endowment may provide technical and other assistance to applicants and prospective applicants as it determines to be useful or necessary to carry out the purposes of this chapter.



Article 4. Cultural and Historical Policy

20080. The endowment shall undertake a comprehensive survey of the state of cultural and historical preservation, accessibility, and interpretation in California, and report to the Governor and the Legislature. In conducting the survey, the endowment shall coordinate with existing state agencies, including the California Arts Council, the Department of Parks and Recreation, and the Secretary of State. The report shall include all of the following:

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

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

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

(d) Recommendations for additional steps that should be taken to better preserve and administer cultural and historic resources efficiently and effectively, including additional actions that should be taken to improve the governmental structures responsible for historic and cultural preservation in California, including oversight and support of museums. In particular, the endowment shall examine the feasibility and desirability of establishing the endowment as a separate institution in state government, without ties to any existing agency or department, although under the general authority of the Governor. The endowment shall also identify the most appropriate chair, or the most appropriate method for selecting the chair, of its board.

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

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

(g) Recommendations for programs to encourage the historic maintenance and restoration of properties in private ownership, including, but not limited to, a state tax credit for restoration of historic



properties that maintain historic integrity, property tax deferral as long as a property's historic integrity is maintained, and low interest loans.

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

20081. In preparing its report pursuant to Section 20080, the endowment shall conduct public hearings throughout the state on this subject and shall invite persons of diverse groups and ethnic backgrounds to share their input on the matter, including comment on the needs of all types of cultural and historical resource organizations and programs in California.

20082. The report prepared pursuant to this article shall be delivered to the Governor and the Legislature by November 1, 2005. The endowment shall report annually to the Governor and the Legislature on its progress towards completion of the report, until the report is completed.

Article 5. Museum and Cultural Resources Program

20090. The Legislature finds and declares the following:

(a) Museums do important work that helps the state meet its obligations to residents in the field of education. Museums contribute to formal and informal learning at every stage of life, from the education of children in preschool to the continuing education of adults.

(b) Museums are a significant resource for in-service training of California teachers. A great potential for a relationship between museums and educational facilities exists.

(c) Museums are an important means of making art, science, history, and culture available to California residents.

(d) Museums provide an economic boost to their communities by attracting tourists and local visitors, all of whom create a demand for services.

(e) Museums often help define the public identity of a community, and serve as a foundation of its cultural identity. A museum has the legacy of its community as the heart of its mission.

20091. To extent that funding is available for such purposes, the endowment shall establish a program to assist and enhance the services of California's museums and of other groups and institutions that undertake cultural projects that are deeply rooted in and reflective of previously underserved communities. This program shall give priority to:



(a) Enhancing opportunities for superior museum and cultural program services.

(b) Encouraging museums and cultural programs to provide services to school pupils, including any of the following:

- (1) Curriculum development.
- (2) Schoolsite presentations or workshops.
- (3) Teacher training.
- (4) Reduced price or free admission of pupils to museums.

(c) Collaborative projects and technical assistance to coordinate the work of eligible museums and cultural programs and to enhance the ability of museums and cultural programs to serve the public. Priority shall be given to any project that does any of the following:

- (1) Assists an eligible museum or cultural program in serving an historically underserved population.
- (2) Aids a museum or cultural program in diversifying or expanding its audience.
- (3) Aids a museum or cultural program in raising its professional standards in order to better serve the public.

(d) Projects that increase accessibility to museums' and cultural programs' collections and services.

SEC. 2. Of the funds available for the purposes of Section 5096.52 of the Public Resources Code, the sum of two hundred nineteen million seven hundred sixty-five thousand dollars (\$219,765,000) is hereby appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund, created pursuant to Section 5096.610 of the Public Resources Code, for allocation as follows:

(a) The sum of one hundred twenty-eight million four hundred fifteen thousand dollars (\$128,415,000) to the California State Library to be used for the purposes of Chapter 13 (commencing with Section 20050) of Part 11 of the Education Code. It is the intent of the Legislature that similar amounts will be appropriated to the California Cultural and Historical Endowment in future years, subject to legislative approval of the California Cultural and Historical Endowment's performance. It is the intent of the Legislature that all funds allocated pursuant to subdivision (d) of Section 5096.610 of the Public Resources Code will be allocated pursuant to Chapter 13 of Part 11 of the Education Code or this act, subject to the directives of Section 5096.652 of the Public Resources Code. Funds allocated pursuant to this subdivision may be used only for capital expenditures, as defined by the California Cultural and Historical Endowment, and in any case shall be used in a manner consistent with the requirements of Section 16727 of the Government Code. The provisions of Section 16727 of the Government Code shall



be interpreted in a manner which supports the historical preservation purposes of Chapter 13 (commencing with Section 20050) of Part 11 of the Education Code, including allowing funding for all work reasonably related to the restoration of buildings and other historical resources to conditions of structural soundness consistent with historical integrity. Of the amount derived from the proceeds of bonds and appropriated under this subdivision, not more than 5 percent may be expended for associated programmatic costs.

(b) The sum of ninety-one million three hundred fifty thousand dollars (\$91,350,000) to the Department of Parks and Recreation for allocation as opportunity grants to any public agency or nonprofit organization for the acquisition, development, preservation, or interpretation, or any combination thereof, of buildings, structures, sites, places, or artifacts, or any combination thereof, that preserve and demonstrate culturally significant aspects of California history. Of the amount derived from the proceeds of bonds and appropriated under this subdivision, not more than 5 percent may be expended for associated programmatic costs.

SEC. 3. It is the intent of the Legislature that the number of positions within the State Library not be increased in the 2002–03 fiscal year to carry out the purposes of this act.

SEC. 4. (a) It is the intent of the Legislature to appropriate the funds scheduled in subdivision (b) that are allocated specifically to designated cities, counties, and projects, as specified in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, which was approved as Proposition 40 by the California electorate on March 5, 2002.

(b) The sum of seventy-four million six hundred eighty thousand dollars (\$74,680,000) is hereby appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund to the Department of Parks and Recreation. These funds shall be allocated by the department for expenditure by the following entities for recreational grants:

(1) Pursuant to subdivision (g) of Section 5096.621 of the Public Resources Code, eleven million six hundred sixty-nine thousand dollars (\$11,669,000) to the City of Los Angeles for acquisition and development of local parks. These funds shall be expended by the City of Los Angeles, as follows:

(A) Nine million five hundred thousand dollars (\$9,500,000) to fund the construction of universal access playgrounds in council districts that currently do not have one within their boundaries.

(B) One million one hundred sixty-nine thousand dollars (\$1,169,000) for urban lakes and environmental enhancement.



(C) One million dollars (\$1,000,000) for the completion of design, architectural, engineering, and construction documents for contiguous civic center parks.

(2) Pursuant to subdivision (g) of Section 5096.621 of the Public Resources Code, nine million three hundred thirty-five thousand dollars (\$9,335,000) to the County of Los Angeles for acquisition and development of local parks.

(3) Pursuant to Section 5096.625 of the Public Resources Code, nine million three hundred thirty-five thousand dollars (\$9,335,000) to the City of Rancho Cucamonga for the Central Park Project.

(4) Pursuant to Section 5096.625 of the Public Resources Code, four million six hundred sixty-seven thousand dollars (\$4,667,000) to the City of Los Angeles for the Hansen Dam Recreation Area. These funds shall be distributed by the City of Los Angeles in the following amounts to the following projects:

(A) Two million five hundred forty-seven thousand dollars (\$2,547,000) to the Children’s Museum of Los Angeles at Hansen Dam.

(B) Five hundred thousand dollars (\$500,000) to the Kid’s Campground at Hansen Dam.

(C) Two hundred fifty thousand dollars (\$250,000) for improvement of existing trails at Hansen Dam or development of new trails at Hansen Dam, or for both of those purposes.

(D) One million one hundred twenty thousand dollars (\$1,120,000) for the construction of a new skate park at Hansen Dam.

(E) Two hundred fifty thousand dollars (\$250,000) for improvement of a parking lot at Hansen Dam.

(5) Pursuant to Section 5096.625 of the Public Resources Code, four million six hundred sixty-seven thousand dollars (\$4,667,000) to the City of Los Angeles for the Sepulveda Basin Recreational Area. These funds shall be used by the City of Los Angeles for the purpose of constructing the Sepulveda Basin Sports Complex. The complex shall include, among other things, adult softball and youth baseball and softball diamonds and regulation soccer fields. The complex shall be located in the Sepulveda Basin Recreation Area on property south of Victory Boulevard and west of Balboa Boulevard.

(6) Pursuant to subdivision (b) of Section 5096.652 of the Public Resources Code, thirty-two million six hundred seventy-three thousand dollars (\$32,673,000) to the City and County of San Francisco for Golden Gate Park.

(7) Pursuant to subdivision (c) of Section 5096.652 of the Public Resources Code, two million three hundred thirty-four thousand dollars (\$2,334,000) to the County of Los Angeles for the El Pueblo Cultural and Performing Arts Center.



(c) The funds appropriated by this section shall be available for encumbrance for three years after the date upon which the funds first become available for encumbrance. Disbursements in liquidation of encumbrances shall be made within five years following the last day the appropriation is available for encumbrance.

(d) Eligible projects funded under this section with the proceeds from the sale of any bonds shall be consistent with the requirements of Section 16727 of the Government Code.

