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AB-2036 State Capitol: Mervyn M. Dymally bust. (2017-2018)

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Assembly Bill No. 2036

CHAPTER 339

An act to amend Section 14633 of the Government Code, relating to the State Capitol.

[Approved by Governor September 11, 2018. Filed with Secretary of State September 11, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2036, Gipson. State Capitol: Mervyn M. Dymally bust.

Existing law prescribes various duties for the Department of General Services in connection with development and maintenance of the park around the State Capitol Building.

Existing law authorizes the Mervyn Dymally Memorial Capitol Foundation, upon establishment, in consultation with the Department of General Services, to plan a bust of Mervyn Dymally to be placed in the State Capitol Building Annex, and assigns that foundation various duties associated with the design, construction, and maintenance of that bust.

This bill would instead provide that authority and assign related duties, as specified, to the Mervyn M. Dymally African American Political and Economic Institute. The bill would prohibit installation of the bust until specified acts have occurred.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 14633 of the Government Code is amended to read:

14633. (a) The Mervyn M. Dymally African American Political and Economic Institute may, in consultation with the Department of General Services, plan a bust of Mervyn M. Dymally to be placed in the State Capitol Building Annex.

(b) The Department of General Services, in consultation with the Mervyn M. Dymally African American Political and Economic Institute, shall accomplish the following goals:

- (1) Review the preliminary design plans to identify potential maintenance concerns.
- (2) Ensure Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) compliance and other safety concerns.
- (3) Review and approve proper California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) documents prepared for work at the designated historic property.
- (4) Review final construction documents to ensure that all requirements are met.

(5) Prepare the right-of-entry permit outlining the final area of work, final construction documents, construction plans, the contractor hired to perform the work, insurance, bonding, provisions for damage to state property, and inspection requirements.

(6) Prepare a maintenance agreement outlining the Mervyn M. Dymally African American Political and Economic Institute's responsibility for the long-term maintenance of the bust due to aging, vandalism, or relocation.

(7) Inspect the construction performed by the contractor selected by the Mervyn M. Dymally African American Political and Economic Institute.

(c) If the Mervyn M. Dymally African American Political and Economic Institute undertakes responsibility for a bust under this section, it shall, in consultation with the Department of General Services, establish a schedule for dedication of the bust and establish a program for the dedication of the bust.

(d) The planning and maintenance of the bust shall be funded exclusively through private donations to the Mervyn M. Dymally African American Political and Economic Institute.

(e) If the Mervyn M. Dymally African American Political and Economic Institute undertakes responsibility for a bust under this section, all of the following shall apply:

(1) The Department of General Services and the Mervyn M. Dymally African American Political and Economic Institute shall approve any aspect of the installation of the bust.

(2) The installation of the bust shall not begin until both of the following have occurred:

(A) The Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to install and maintain the bust.

(B) The Joint Committee on Rules has approved and adopted the plan for the bust.

(3) The Mervyn M. Dymally African American Political and Economic Institute shall sign a maintenance agreement with the state, as created under paragraph (6) of subdivision (b), to maintain the bust exclusively through private contributions.