

**Introduced by Senator Hancock**February 22, 2013

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An act to amend Section 5020.4 of the Public Resources Code, relating to the State Historical Resources Commission.

## LEGISLATIVE COUNSEL'S DIGEST

SB 659, as introduced, Hancock. Archaeologists: recommended qualifications.

Existing law prescribes the different qualifications that are required of various professions and vocations, including geologists and geophysicists.

Existing law establishes the State Historical Resources Commission and requires the commission, among other things, to develop and adopt criteria for the rehabilitation of historic structures, recommend to the Department of Parks and Recreation the criteria and standards for acceptance of historical buildings, structures, sites, or places for registration as historical landmarks or points of historical interest, and to develop criteria and methods for determining the significance of archaeological sites.

This bill would permit the State Historical Resources Commission to develop and adopt standards for evaluating the qualifications of an archaeologist that may be useful when hiring, employing, obtaining, consulting with, or otherwise selecting an archaeologist and, in developing and adopting these standards, would require the commission to consider, at a minimum, education, training, and experience. This bill would provide that an archaeologist who does not meet the standards prescribed by the commission shall not be prohibited from engaging in the practice of archaeology if the archaeologist has otherwise met the applicable requirements.

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

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

- 1 SECTION 1. Section 5020.4 of the Public Resources Code is
- 2 amended to read:
- 3 5020.4. (a) The commission shall do all of the following:
- 4 (1) Receive and evaluate applications for, and make
- 5 recommendations with respect to entries on, the National Register
- 6 of Historic Places to the officer.
- 7 (2) Conduct a statewide inventory and maintain comprehensive
- 8 records of historical resources pursuant to federal and state law,
- 9 including, but not limited to, historical landmarks and points of
- 10 historical interest.
- 11 (3) Establish criteria for the recording and preservation of
- 12 historical resources, and for deletions from historical registers
- 13 warranted by destruction or damage of a historical resource or
- 14 other change in conditions.
- 15 (4) Develop and adopt criteria for the rehabilitation of historic
- 16 structures.
- 17 (5) Establish policies and guidelines in compliance with state
- 18 and federal requirements for a comprehensive statewide historical
- 19 resources plan which includes, but is not limited to, architecture,
- 20 history, archaeology, and folklife.
- 21 (6) Develop and update annually, based upon public hearings
- 22 and active public participation, the statewide historical resources
- 23 plan.
- 24 (7) Make recommendations to the department, based upon the
- 25 statewide historical resources plan, including the listing of
- 26 historical resource projects on a priority basis.
- 27 (8) Oversee the administration of the California Register, receive
- 28 and evaluate nominations to, and cause qualified resources to be
- 29 listed in, the California Register, and adopt, as necessary, timely
- 30 revisions of the California Register criteria and procedures as may
- 31 be advisable.
- 32 (9) Recommend to the department the criteria and standards for
- 33 acceptance of historical buildings, structures, sites, or places for
- 34 registration as historical landmarks or points of historical interest.

1 (10) Receive and evaluate applications for registration of  
2 structures, sites, or places as historical landmarks or points of  
3 historical interest. The commission shall select and designate  
4 historical landmarks and points of historical interest that it  
5 determines meet the criteria in subdivision (a) of Section 5031.  
6 The commission shall maintain a register which identifies historical  
7 landmarks and points of historical interest by number and  
8 description.

9 (11) Make recommendations to the office with respect to a  
10 standard design and detail for the marker or plaque which may be  
11 erected or raised at registered historical landmarks or historical  
12 resources, and with respect to the use of the marker or plaque. The  
13 commission shall consult with cities and counties in developing  
14 design and placement standards. These standards shall not prevent  
15 a city or county from implementing its own standards if they meet  
16 the minimum criteria established by the commission.

17 (12) Recommend to the department the type of directional sign  
18 to be erected in connection with the registration of a point of  
19 historical interest. The commission shall consult with cities and  
20 counties in developing design and placement standards. These  
21 standards shall not prevent a city or county from implementing its  
22 own standards if they meet the minimum criteria established by  
23 the commission.

24 (13) Submit an annual report in January to the director and the  
25 Legislature giving an account of its activities, identifying  
26 unattained goals of historical resources plans and programs, and  
27 recommending needed legislation for the support of those  
28 programs. The director shall advise the commission of new and  
29 continuing plans, policy, and programs concerning statewide  
30 historical resources and shall receive and consider the views of  
31 the commission.

32 (14) Consult with, and consider the recommendation of, public  
33 agencies, civic groups, and citizens interested in historic  
34 preservation.

35 (15) Develop criteria and procedures based upon public hearings  
36 and active public participation for the selection of projects to be  
37 funded through the National Historic Preservation Fund, the  
38 California Heritage Fund, and other federal and state programs  
39 that have as their primary purpose the preservation and  
40 enhancement of historical resources.

1 (16) Prepare, or cause to be prepared, and recommend to the  
2 director, a budget with respect to those duties and responsibilities  
3 of the commission contained in this section.

4 (b) (1) *The State Historical Resources Commission may develop*  
5 *and adopt standards for evaluating the qualifications of an*  
6 *archaeologist that may be useful when hiring, employing,*  
7 *obtaining, consulting with, or otherwise selecting an archaeologist.*

8 (2) *In developing and adopting these standards, the commission*  
9 *shall consider, at a minimum, education, training, and experience,*  
10 *and shall consult with interested persons and organizations,*  
11 *including, but not limited to, relevant professional societies and*  
12 *members of the descendent community, if applicable.*

13 (3) *Nothing in this paragraph shall be construed to prohibit an*  
14 *archaeologist who does not meet the standards prescribed by the*  
15 *commission pursuant to paragraph (1) from engaging in the*  
16 *practice of archaeology if the archaeologist otherwise meets the*  
17 *applicable requirements.*

18 ~~(b)~~

19 (c) The commission may adopt guidelines for the review of  
20 applications for excavation and salvage permits submitted pursuant  
21 to Section 6313 and make recommendations thereon to the State  
22 Lands Commission.