

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN SENATE AUGUST 23, 2005

AMENDED IN SENATE JULY 7, 2005

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY APRIL 21, 2005

AMENDED IN ASSEMBLY APRIL 19, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1210**

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### **Introduced by Assembly Member Levine**

**(Coauthors: Assembly Members Bass, Bermudez, Chan, Chavez, Cohn, Coto, Dymally, Frommer, Goldberg, Karnette, Klehs, Koretz, Laird, Nation, Negrete McLeod, Pavley, Ruskin, Vargas, and Villines)**

**(Coauthors: Senators *Alquist*, Bowen, Cedillo, Chesbro, Kuehl, Perata, Romero, Scott, and Speier)**

February 22, 2005

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An act to add Chapter 4.1 (commencing with Section 6310) to Division 7 of Title 1 of the Government Code, relating to an international genocide memorial.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1210, as amended, Levine. State Capitol Historic Region: international genocide memorial.

Existing law provides for the placement of certain memorials on the grounds of the State Capitol, including a Vietnam Veterans Memorial,

and establishes a commission with responsibilities related to the design and construction of that memorial.

This bill would make legislative findings about the need for the creation of an international genocide memorial and provide for the establishment of a commission in that regard. The bill would authorize the construction of the memorial in the Capitol Historic Region, subject to prior approval of the Department of General Services and the Capitol Park Master Plan Group. The bill would prohibit the expenditure of state moneys for these purposes.

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. The Legislature finds and declares all of the  
2 following:

3 (a) California is home to millions of people of diverse  
4 ethnicities, many of whom are survivors and descendants of  
5 government-sponsored ethnic cleansing.

6 (b) California recognizes the atrocities of all ethnic cleansing  
7 campaigns, including, among many others, the Holocaust,  
8 Kosovo, the Armenian Genocide, Rwanda, Darfur,  
9 *African-American slaves, Native Americans*, and the plight of the  
10 Hmong in Southeast Asia.

11 (c) Many times over the course of history, nations have lifted  
12 the sword against people living within their own nation who are  
13 of a different ethnicity or religion. People have been displaced  
14 and lives have been lost trying to escape the horror and  
15 destruction of these actions.

16 (d) Many of these displaced communities have chosen  
17 California as a place to start new lives, a place where they may  
18 celebrate the character and traditions of their ancestors that  
19 nearly led to their destruction.

20 (e) These Californians continue to seek compassion and  
21 understanding for the atrocities that they faced during these  
22 horrible crimes against humanity.

23 (f) While some governments have apologized and made  
24 reparations for their grievous misdeeds, many communities still  
25 wait for acknowledgment and recognition of the atrocities they  
26 faced under government sponsorship.

1 (g) In the words of Shoah survivors, “We shall never forget”  
2 these and other atrocities committed at the hands of man so that  
3 they must never be repeated.

4 SEC. 2. Chapter 4.1 (commencing with Section 6310) is  
5 added to Division 7 of Title 1 of the Government Code, to read:

6  
7 CHAPTER 4.1. HOLOCAUST MEMORIAL  
8

9 6310. (a) There is in state government the Holocaust  
10 Memorial Commission composed of nine members, as follows:

11 (1) Two members appointed by the Speaker of the Assembly,  
12 at least one of whom shall be a Member of the Assembly. The  
13 nonlegislative member shall be a genocide survivor or a  
14 descendant of a genocide survivor.

15 (2) Two members appointed by the Senate Committee on  
16 Rules, at least one of whom shall be a Member of the Senate. The  
17 nonlegislative member shall be a genocide survivor or a  
18 descendant of a genocide survivor.

19 (3) Five members appointed by the Governor, one of whom  
20 shall be a member of the Governor’s staff or a Governor’s  
21 appointee in the executive branch of state government and at  
22 least four of whom shall be genocide survivors or descendants of  
23 genocide survivors.

24 (b) The members shall elect one of their number to serve as  
25 chairperson.

26 (c) Members of the Legislature shall serve on the commission  
27 as ex officio members without vote and shall participate in the  
28 activities of the commission to the extent that the participation is  
29 not incompatible with their legislative duties.

30 (d) Members of the commission may select representatives to  
31 attend commission activities if they themselves are unable to  
32 attend.

33 (e) Members of the commission shall receive no compensation  
34 but, except for the legislative members, shall receive per diem  
35 and expenses while engaged in commission activities.

36 6311. (a) The construction of a memorial to California’s  
37 genocide survivors in the Capitol Historic Region is hereby  
38 authorized. The actual construction of the memorial may not  
39 proceed without the prior approval of the Department of General  
40 Services and the Capitol Park Master Plan Group.

1 (b) Funds for the construction of the memorial shall be  
2 provided through private contributions. The commission may  
3 receive contributions for this purpose.

4 6312. With respect to the design and construction of the  
5 memorial, the commission may do all of the following:

6 (a) Establish a schedule for design, construction, and  
7 dedication of the memorial.

8 (b) Implement procedures to solicit designs for the memorial  
9 and devise a selection process for the choice of the design.

10 (c) Select individuals or organizations to provide fundraising  
11 services and to construct the memorial.

12 (d) Review and monitor the design and construction of the  
13 memorial and establish a program for the dedication of the  
14 memorial.

15 (e) Report to the Legislature biannually through the Assembly  
16 Rules Committee on the progress of the memorial  
17 notwithstanding Section 7550.5.

18 6313. (a) No state moneys shall be expended for any of the  
19 purposes specified in this chapter. Funds for the construction of  
20 the memorial shall be provided exclusively through private  
21 contributions for this purpose.

22 (b) If the memorial is constructed, the commission shall  
23 maintain the memorial by providing for all necessary funding and  
24 resources.