

Assembly Bill No. 1210

CHAPTER 849

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.

[Approved by Governor September 30, 2006. Filed with
Secretary of State September 30, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1210, 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.

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

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

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

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

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

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

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

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

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

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

CHAPTER 4.1. INTERNATIONAL GENOCIDE MEMORIAL

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

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

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

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

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

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

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

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

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

(b) The department shall not begin construction of the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules.

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

(d) The department, in consultation with the International Genocide Memorial Commission, shall seek to accomplish the following goals:

(1) Review the preliminary design plans to identify potential maintenance concerns.

(2) Compliance with the Americans with Disabilities Act and other safety concerns.

(3) Review and approval of proper California Environmental Quality Act documents prepared for work at the designated historic property.

(4) Review of final construction documents to ensure that all requirements are met.

(5) Preparation of 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.

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

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

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

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

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

(e) Report to the Legislature biannually through the Joint Committee on Rules on the progress of the memorial notwithstanding Section 7550.5.

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

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