

Assembly Bill No. 264

Passed the Assembly August 24, 2009

Chief Clerk of the Assembly

Passed the Senate July 16, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 37222 of the Education Code, and to add Section 6715 to the Government Code, relating to state observances.

LEGISLATIVE COUNSEL'S DIGEST

AB 264, Cook. Welcome Home Vietnam Veterans Day.

Existing law requires the Governor to proclaim various days as holidays and days of remembrance. Existing law also designates certain days in each year as having special significance for purposes of encouraging schools to observe those days and conduct suitable commemorative exercises.

This bill would require the Governor to annually proclaim March 30 of each year as "Welcome Home Vietnam Veterans Day." The bill would also encourage schools to conduct exercises on March 30 of each year to recognize the contributions of those involved in the Vietnam conflict.

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

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

(a) In 2007, the United States Congress, by separate Senate and House Resolutions, declared that a Welcome Home Vietnam Veterans Day should be established.

(b) The Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and Viet Cong in conflict with the United States and South Vietnam.

(c) The United States became involved in Vietnam because policymakers in the United States believed that if South Vietnam fell to a communist government, communism would spread throughout the rest of southeast Asia.

(d) Members of the United States Armed Forces began serving in an advisory role to the South Vietnamese in 1961.

(e) As a result of the Gulf of Tonkin incidents on August 2 and August 4, 1964, the United States overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 99-408), on August 7, 1964,

which effectively handed over the war-making powers to President Johnson until such time as “peace and security” had returned to Vietnam.

(f) In 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached.

(g) On January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam.

(h) On March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam.

(i) More than 58,000 members of the United State Armed Forces lost their lives in Vietnam and more than 300,000 were wounded.

(j) In 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing in action in Vietnam.

(k) The Vietnam War was an extremely divisive issue among the people of the United States.

(l) Upon their return home, members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught in the crossfire of public debate about the involvement of the United States in the war.

(m) The establishment of a Welcome Home Vietnam Veterans Day would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War.

SEC. 2. Section 37222 of the Education Code is amended to read:

37222. (a) The following days in each year are designated and set apart as days having special significance:

(1) The second Wednesday in May as the Day of the Teacher.

(2) April 21 of each year as John Muir Day.

(3) April 6 of each year as California Poppy Day.

(4) March 30 of each year as Welcome Home Vietnam Veterans Day.

(b) On each of the days designated in subdivision (a), all public schools and educational institutions are encouraged to observe those days and to conduct suitable commemorative exercises as follows:

(1) On the Day of the Teacher, exercises commemorating and directing attention to teachers and the teaching profession.

(2) On John Muir Day, exercises stressing the importance that an ecologically sound natural environment plays in the quality of life for all of us, and emphasizing John Muir's significant contributions to the fostering of that awareness and the indelible mark he left on the State of California.

(3) On California Poppy Day, exercises honoring the California Poppy, including instruction about native plants, particularly the California Poppy, and the economic and aesthetic value of wildflowers; promoting responsible behavior toward our natural resources and a spirit of protection toward them; and emphasizing the value of natural resources and conservation of natural resources.

(4) On Welcome Home Vietnam Veterans Day, exercises recognizing the contributions of all those involved in the Vietnam War and remembering the sacrifices they made for their country.

(c) It is the intent of the Legislature that the exercises encouraged in this section be integrated into the regular school program, and be conducted by the school or institution within the amount otherwise budgeted for educational programs.

SEC. 3. Section 6715 is added to the Government Code, to read:

6715. The Governor shall annually proclaim March 30 as Welcome Home Vietnam Veterans Day.

Approved _____, 2009

Governor