

AMENDED IN SENATE MAY 9, 2012

AMENDED IN SENATE JUNE 21, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 8, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 404**

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**Introduced by Assembly Member Gatto**  
**(Coauthors: ~~Assembly Members Chesbro, Galgiani, and V. Manuel~~**  
**~~Pérez~~)**

February 14, 2011

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An act to add Chapter 5.6 (commencing with Section 66360) to Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education *Section 23028 to the Government Code, relating to local government.*

LEGISLATIVE COUNSEL'S DIGEST

AB 404, as amended, Gatto. ~~Public postsecondary education: Native American language preservation. Local government: lobbyists: county assessors.~~

*Existing law provides for the governance of counties. Existing law sets forth the powers and duties of the officers of a county and the board of supervisors. Existing law sets forth the qualifications of the county assessor, as specified. Existing constitutional provisions authorize the establishment of an assessment appeals board of a county.*

*This bill would, in a county that regulates lobbying before the board of supervisors by ordinance, require the board of supervisors of the county to adopt amendments to the ordinance to apply its provisions*

*to those who lobby before the county assessor, county assessor’s staff, or the county assessment appeals board. By adding to the duties of a county, the bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

~~Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state.~~

~~This bill would require the Trustees of the California State University to establish, at the Humbolt State University campus, a Native American Linguistic Institute, with specified duties, to preserve Native American tribal languages. The bill would establish the California Native American Language Preservation Fund in the State Treasury for the acceptance of private donations, to be administered by the California State University and made available upon appropriation by the Legislature, to facilitate statewide efforts to preserve Native American languages. The bill would also make various findings and declarations regarding Native American language preservation.~~

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

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

- 1     SECTION 1. Section 23028 is added to the Government Code,
- 2     to read:
- 3     23028. In a county that regulates lobbying before the board
- 4     of supervisors by ordinance, the board of supervisors of the county
- 5     shall adopt amendments to the ordinance to apply its provisions
- 6     to those who lobby before the county assessor, county assessor’s
- 7     staff, or the county assessment appeals board.
- 8     SEC. 2. If the Commission on State Mandates determines that
- 9     this act contains costs mandated by the state, reimbursement to
- 10    local agencies and school districts for those costs shall be made

1 *pursuant to Part 7 (commencing with Section 17500) of Division*  
2 *4 of Title 2 of the Government Code.*

3 ~~SECTION 1. Chapter 5.6 (commencing with Section 66360)~~  
4 ~~is added to Part 40 of Division 5 of Title 3 of the Education Code,~~  
5 ~~to read:~~

6  
7 ~~CHAPTER 5.6. NATIVE AMERICAN LANGUAGE PRESERVATION~~  
8

9 ~~66360. The Legislature finds and declares all of the following:~~

10 ~~(a) California is the home to 109 federally recognized American~~  
11 ~~Indian tribes, the largest number of tribal nations of any state in~~  
12 ~~the United States.~~

13 ~~(b) There were over 80 distinct indigenous languages spoken~~  
14 ~~in California prior to contact with European culture.~~

15 ~~(c) These languages represent as many as 23 distinct language~~  
16 ~~families.~~

17 ~~(d) Language is a crucial part of culture and history, and is~~  
18 ~~essential for the transmission of both to future generations.~~

19 ~~(e) The State of California recognizes that tribal nations and~~  
20 ~~indigenous Californians are actively engaged in these language~~  
21 ~~preservation and revitalization efforts.~~

22 ~~(f) In spite of these efforts, there are still many tribes whose~~  
23 ~~languages face extinction as the last remaining tribal elders, who~~  
24 ~~are fluent in these ancient languages, are dying each year.~~

25 ~~(g) Part of the reason for reduced fluency in Native American~~  
26 ~~languages is the previous, express policies of the state that~~  
27 ~~discouraged Native Americans from speaking and learning their~~  
28 ~~languages.~~

29 ~~(h) The state must act to save the languages that face certain~~  
30 ~~extinction before it is too late to preserve them.~~

31 ~~(i) The state supports native language preservation and~~  
32 ~~recognizes that preservation and revitalization of indigenous~~  
33 ~~California languages is of the utmost importance to the state's~~  
34 ~~heritage.~~

35 ~~66361. For purposes of this chapter, the following definitions~~  
36 ~~shall apply:~~

37 ~~(a) "Fund" means the California Native American Language~~  
38 ~~Preservation Fund established pursuant to Section 66363.~~

39 ~~(b) "Institute" means the Native American Linguistic Institute~~  
40 ~~established pursuant to Section 66362.~~

1     ~~66362. (a) By January 1, 2013, the Trustees of the California~~  
2 ~~State University shall establish, at the Humbolt State University~~  
3 ~~campus, a Native American Linguistic Institute, which shall consist~~  
4 ~~of two employees, to preserve Native American tribal languages.~~

5     ~~(b) The institute shall have the following duties:~~

6     ~~(1) In consultation with Native American tribes and tribal~~  
7 ~~members, offer assistance with Native American language~~  
8 ~~preservation.~~

9     ~~(2) Offer the tribes and tribal members, upon request, access to~~  
10 ~~existing resources, such as recording devices and volunteer~~  
11 ~~assistance from experts in language preservation, dictionary~~  
12 ~~creation, and linguistics.~~

13     ~~(3) Encourage public and private colleges and universities in~~  
14 ~~California to assist the institute for purposes of this chapter by,~~  
15 ~~among other things, contacting experts in the field of Native~~  
16 ~~American languages and seeking their participation.~~

17     ~~(4) Identify and give a priority to Native American tribes and~~  
18 ~~native speakers whose languages are in the greatest danger of~~  
19 ~~extinction, considering also those who do not have the resources~~  
20 ~~necessary to undertake language preservation efforts.~~

21     ~~(c) (1) All works created for purposes of this section shall be~~  
22 ~~the property of the Native American tribes from which they~~  
23 ~~originate.~~

24     ~~(2) These works may be stored at the Humbolt State University~~  
25 ~~campus, with the permission of the originating Native American~~  
26 ~~tribe or tribal member.~~

27     ~~66363. (a) The California Native American Language~~  
28 ~~Preservation Fund is hereby established in the State Treasury. The~~  
29 ~~fund shall be administered by the California State University.~~

30     ~~(b) Upon appropriation in the annual Budget Act, moneys in~~  
31 ~~the fund shall be made available to the institute for expenditure to~~  
32 ~~enable partnerships with stakeholders to facilitate statewide efforts~~  
33 ~~to preserve Native American languages with an emphasis on~~  
34 ~~languages facing extinction.~~

35     ~~(c) The Treasurer may accept private donations for deposit in~~  
36 ~~the fund.~~

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